



Kenya National Highways Authority

Quality Highways, Better Connections

THE GREAT RIFT ECONOMIC DEVELOPMENT CORRIDOR (BIRETWO-ARROR-CHESONGOCH (B126) ROAD AND ASSOCIATED SPUR ROADS



DRAFT RESETTLEMENT ACTION PLAN FOR THE PROPOSED ROAD UPGRADING OF BIRETWO - ARRO - CHESONGOCH, NYARU - KIMWARER - KAPKAYO, AND KIMWARER - EMSEA (PHASE I ROADS)

JUNE 2026

ACKNOWLEDGEMENT AND DECLARATION

This Resettlement Action Plan (RAP) Report was prepared in accordance to the requirements of national laws and policies governing Valuation and Resettlement and the African Development Bank's Integrated Safeguards System ,2023 particularly the Operational Safeguard 5 on I Land Acquisition, Restrictions on Access to Land and Land use, and Involuntary Resettlement. We, the undersigned, confirm that the contents of this report are a true representation of the RAP process for the Upgrading Biretwo-Arror-Chesongoch(B126), Emsea- Kimwarer (B122 and Kapkayo – Nyaru (B122) Road in Elgeyo Marakwet County, Kenya.

DETAILS OF KEY EXPERTS WHO UNDERTOOK THE RAP

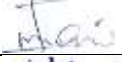
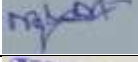
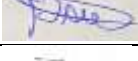
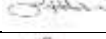
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ACRONYMS

CBO	Community Based Organisations.
EHS	Environment Health and Safety
EMCA	Environmental Management and Coordination Act
ESIA	Environmental and Social Impact Assessment
E&S	Environmental and Social
ESS	Environment and Social Standards
ESMP	Environmental and Social Management Plan
GBV	Gender Based Violence
GRM	Grievance Redress Mechanism
GOK	Government of Kenya
KeNHA	Kenya National Highways Authority
Km	Kilometre
Kshs	Kenya shillings
LGRM	Locational Grievance Redress Committee
M & E	Monitoring and Evaluation
NEMA	National Environment Management Authority
NGO	Non-Governmental Organisation
NLC	National Land Commission
PAHs	Project Affected Households
PAPs	Project Affected Persons
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RAPIC	Resettlement Action Plan Implementation Unit
RIU	RAP Implementation Unit
SIA	Social Impact Assessment
SPAHS	Severely Project Affected Households
Sq.M	Square metres
WRU	Water Resources Authority
VMGs	Vulnerable Marginalized Groups

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GLOSSARY OF TERMS

TERMS	MEANING
Asset Inventory	A detailed survey and record of all assets that will be affected by a project. Assets may include land, buildings, crops, trees, businesses, fences, community facilities, and other improvements. The inventory forms the basis for determining compensation and assistance.
Census	A field survey carried out to identify and determine the number of project-affected persons (PAP), their assets, and potential impacts; in accordance with the procedures satisfactory to the relevant government authorities, and the AfDB Safeguard Policies.
Communal Land	Land that is legally owned, managed, and used collectively by a specific community as recognized under the Constitution of Kenya and the Community Land Act, 2016. Community land may include grazing areas, forests, shrines, cultural sites, and communal settlements.
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.
Cut-off date	Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of commencement of the assets inventory, will not be compensated.
Economic displacement	Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.
Eligibility	The criteria used to determine whether an individual, household, business, or community qualifies for compensation, resettlement assistance, or livelihood restoration due to project impacts.
Entitlement	The specific compensation, assistance, and benefits that an affected person or entity is eligible to receive under a Resettlement Action Plan (RAP). Entitlements may include cash compensation, replacement land, moving assistance, housing support, or livelihood restoration measures.
Entitlement Matrix	A planning tool that summarizes different categories of project impacts, the affected persons, and the corresponding compensation and assistance measures to which they are entitled. It ensures consistency, transparency, and fairness in compensation.
Grievance	Any concern, complaint, dispute, or claim raised by affected persons or stakeholders regarding project activities, impacts, compensation, resettlement processes, or other project-related issues.
Grievance Procedure	A formal process established to receive, record, assess, resolve, and monitor complaints raised by affected persons and stakeholders. The procedure typically includes complaint submission, review, investigation, resolution, feedback, and appeal mechanisms.
Income Restoration	Measures designed to restore or improve the income levels of affected persons whose earnings are reduced or disrupted by project activities. These measures may include skills training, employment opportunities, business support, agricultural assistance, or financial literacy programs.
Involuntary land acquisition	The taking of land by the government or other government agencies for compensation, for the purposes of a public project/interest against the will of the landowner.
Involuntary resettlement	Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement.

TERMS	MEANING
Land	Agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the project.
Land Acquisition	The taking of or alienation of land, buildings or other assets thereon for purposes of the project activities implementation.
Land expropriation	Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses.
Livelihood	The means by which individuals or households secure the necessities of life, including income, employment, agriculture, livestock keeping, fishing, trade, natural resource use, and other economic activities.
Livelihood improvement	Measures aimed at enhancing the economic and social well-being of affected persons beyond pre-project conditions. These may include access to training, improved agricultural inputs, employment opportunities, business development support, and access to credit.
National Land Commission	An independent constitutional commission in Kenya established under Article 67 of the Constitution. The NLC manages public land on behalf of national and county governments and oversees compulsory land acquisition processes, including valuation and compensation for affected landowners.
Public Participation	A process through which stakeholders, including affected communities, government agencies, civil society organizations, and interested parties, are informed, consulted, and given opportunities to contribute to project planning, implementation, monitoring, and decision-making.
Project-affected household	All members of a household, whether related or not, operating as a single economic unit, who are affected by a project.
Project-affected person	Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
Project affected area/sites	Clearly defined and/or surveyed areas or places earmarked for takeover, permanently or temporarily, for purposes of implementing project activities.
Physical displacement	Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.
Replacement cost	The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.
Resettlement Action Plan (RAP)	The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.
Resettlement assistance	Support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.
Resettlement Strategy	The approach adopted to avoid, minimize, mitigate, and manage displacement and resettlement impacts. The strategy outlines principles, objectives, compensation methods, relocation arrangements, livelihood restoration measures, stakeholder engagement processes, grievance management, and implementation arrangements to ensure affected persons are restored to, or preferably improved beyond, their pre-project living standards.

TERMS	MEANING
Stakeholders	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.
Vulnerable groups	People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

EXECUTIVE SUMMARY

COMPENSATION SUMMARY SHEET

Compensation Summary Sheet		
S/N	Variables	Data
A. General		
1	Region/Province/Department	Rift Valley
2	Municipality/ District/County	Elgeyo Marakwet
3	Village/Suburb/Location	Epke,Chepsigot,Kiptuilong,Keu,Arror,Chesuman,Mon,Kibai mwa,Chemwonyo, Chechan, Murkutwa/Kiptumbur,Soy,Chepsigot, Nyaru, Soy
4	Activity that triggers resettlement	Construction of Biretwo-Arror-Chesongoch-Emsea-Kimwarer-Flourspar-Kapkayo-Nyaru Road (B126, B124&B122)
5	Project Overall Cost	TOD
6	Overall Resettlement Cost	Kshs. 97,333,957.50
7	Applied Cut of Date(s)	15 th May 2026
8	Dates of consultation with the project affected by the project (PAP)	7 th - 11 th December 2025 8 th -21 st April 2026
9	Dates of the negotiation of the compensation rates / prices	TOD
B. Specific Information		
10	Number of people affected by the project (PAP)	219
11	Number of Physically displaced	1
12	Number of economically displaced	84
13	Number of affected households	876
14	Number of females affected	32
15	Number of vulnerable affected	-
16	Number of major PAP	-
17	Number of minor PAP	-
18	Number of total right-owners and beneficiaries	-
19	Number of households losing their shelters	1
20	Total area of lost arable/productive lands (ha)	6Ha
21	Number of households losing their crops and/or revenue	-
22	Total areas of farmlands lost (ha) N/A	6Ha
23	Estimation of agricultural revenue lost (USD)	-

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24	Number of buildings to demolish totally	87
25	Number of tree-crops lost	67
26	Number of commercial Kiosks to demolish	22
27	Number of ambulant/street sailors affected	N/A
28	Number of community-level service infrastructures disrupted or dismantled	9
29	Number of households whose livelihood restoration is at risk	84
30	Number of movable/semi-permanent structures	28

E1. Introduction and Project Description

The Kenya National Highways Authority has set aside funds in its budget toward the cost of in engaging the services of a Consultancy Firm to undertake Consultancy Services for Feasibility Study, Environmental and Social Impact Study, Preliminary and Detailed Design of the Great Rift Economic Development Corridor (Biretwo - Arror - Chesongoch (B126) Road) and Associated Spur Roads. The road sections form a critical link between the busy Eldoret – Malaba (A8) highway and the Kenya-Sudan Link Road; both of which promote and facilitate a regional economic integration with Kenya and her neighbours Uganda and South Sudan.

The proposed Biretwo–Arror–Chesongoch (B126) Road and Associated Spur Roads Project forms part of the Great Rift Economic Development Corridor and comprises the improvement and upgrading of a primary corridor road together with its associated spur roads within Uasin Gishu and Elgeyo Marakwet Counties, located in the North Rift Region of Kenya’s classified road network.

Phase 1 of the project includes the improvement of three road sections, namely the Biretwo–Arror–Chesongoch Road (B126) and two associated spur roads, Nyaru–Kapkayo Road (B124) and Kimwarer–Emsea Road (B122). The Biretwo–Arror–Chesongoch (B126) Road starts at Biretwo, located along the Iten–Kabarnet Road, at approximately 0°32'13"N, 35°33'26"E, and proceeds in a generally north-easterly direction through Arror before terminating at Chesongoch, located at approximately 1°07'06"N, 35°38'35"E, within Elgeyo Marakwet County.

The Nyaru–Kapkayo Road (B124) commences at Nyaru, which is located along the Eldoret–Eldama Ravine Road, at approximately 0°19'32"N, 35°34'29"E, and extends eastwards to Kapkayo, located at approximately 0°18'50"N, 35°42'28"E. The Kimwarer–Emsea Road (B122) starts at Kimwarer, located at approximately 0°18'48"N, 35°37'58"E, and terminates at Emsea, which is located along the Iten–Kabarnet Road, at approximately 0°27'09"N, 35°37'48"E. These spur roads provide critical connectivity between the main B126 corridor, the Kerio Valley region, and surrounding rural settlements. See Figure 1 illustrating the proposed project layout and areas.

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This RAP focuses mitigation measures recommended due to involuntary resettlement impacts and social risks identified due to the road construction activities. The detailed design for the proposed roads which are approximately 123.4 Km in length.

Table 1:Proposed Road Project Route

S/No.	Road Section	Road Classification	Length (Km)	County
1	Biretwo – Arror – Chesongoch	B126	72.0	Elgeyo Marakwet
2	Nyaru – Kapkayo	B124	32.0	Elgeyo Marakwet
3	Kimwarer – Emsea	B122	19.4	Elgeyo Marakwet

E2. Affected Administrative Locations

The proposed Phase 1 project will be largely transverse Elgeyo Marakwet County which cover three sub counties, which are: Keiyo North, Keiyo South and Kerio Valley. Each of these sub-counties is further divided into 6 wards, with 18 locations and over 35 sub locations

Table 2: Affected Administrative Locations within the proposed Project Areas

County	Sub-County	Ward	Division	Location
Elgeyo Marakwet	Keiyo Valley	Sambirir	Chesongoch	Murkutwa
				Chechan
				Mon
				Kibaimwa
				Chesetan
				Kiptumbur
		Arror	Tunyo	Arror
	Keiyo North	Emsoo	Central	Chesuman
				Keu
		Tambach	Soy North	Kabulwo
				Kiptuilong
	Keiyo South	Soy North	Soy	Kamongich
				Chepsigot
				Epke
		Soy South	Soy	Kibargoi
				Chemoibon
				Soy
				Nyaru

E3. Scope and Objectives of the Resettlement Action Plan

The objectives of the resettlement assessment are;

- Screening and identify potential resettlement risks and impacts associated with the proposed road project at an early planning stage this will inform the project design alignment aimed at avoiding or minimizing involuntary resettlement where feasible.
- Undertake a identification and mapping of Project Affected Persons (PAPs) and potentially affected assets within the proposed road corridor.
- Providing an initial assessment of the nature, scale, and severity of resettlement impacts, including physical displacement, economic displacement, and impacts on vulnerable groups.
- Establishing an early understanding of land tenure arrangements, ownership patterns, and land use within the project areas to inform next phase of resettlement studies.

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- v. Undertaking stakeholder engagement with key stakeholder's/community leaders and key institutions (including KeNHA, county governments, and local leaders) to capture early concerns and expectations related to resettlement.
- vi. Assessing legal compliance requirements under Kenyan laws (KeNHA procedures and GOK regulations on matters compulsory land acquisition) and the AfDB Integrated Safeguards System ,2023, particularly OS 5 on Involuntary Resettlement.
- vii. Making a clear and evidence-based recommendation on whether a full Resettlement Action Plan (RAP) or alternative instrument is required, in line with KeNHA and AfDB criteria.

E4. RAP Study Methodology and Approach

The study adopted a participatory, inclusive, and evidence-based approach, integrating desk review, field investigations, stakeholder consultations, spatial analysis, and socio-economic data collection. The approach included the following summarised tasks;

- (i) **Desk Review and Secondary Data Analysis:** The development of the resettlement action plan was complemented by reviewing of relevant secondary literature, road design, county government reports among others on land use and settlement patterns within the immediate areas of influence of the road sections. This review informed the identification of potential resettlement risks, sensitive receptors, and high-impact zones along the road corridor.
- (ii) **Screening and Scoping of Resettlement Impacts:** The screening exercise was conducted to identify likely resettlement risks associated with the road project. This involved reviewing the proposed road alignment and associated project components such as bypass at Arrior: identifying areas likely to require land acquisition, displacement, or livelihood disruption; Assessing the potential scale of impacts (low, moderate, or high) and determining whether the project would trigger involuntary resettlement under KeNHA and AfDB requirements.
- (iii) **Census and Socio-Economic Survey:** This exercise were aimed at establishing the socio-economic conditions of the project affected households, who will be displaced by the project, categorizing different impacts, assessing levels of vulnerability and ascertaining the extent of the expected physical and economic displacement along the corridor.
- (iv) **Consultation and Engagement:** Stakeholder engagement with general community and PAPs used a mix of participatory methods and structured approaches to sensitize, inform, consult and receive feedback from participants. Information gathered used to influence design decisions and resettlement planning.
- (v) **Land Survey:** The land Survey exercise was undertaken before the valuation process, this entailed identification, demarcation and quantifying all land parcels and associated assets what would be impacted by the project. It provided the spatial basis for determining land acquisition requirements and supported identification of PAPs, valuation of assets and preparation RAP.
- (vi) **Asset Inventory and Valuation:** The process entailed documentation off all assets mapped by the survey that will be affected by the proposed road project. During this process the valuers collected PAPs affected properties, categorised them and computed their rates as guided by applicable regulations which informed the RAP costs.

E5. Legal and Regulatory Frameworks

The RAP has been prepared in accordance with the Kenyan Government legislations, guidelines and policies that govern resettlement and compulsory land acquisition. The constitution of Kenya is the framework for all other national statutes and therefore acts as a sole guideline to other legislations applied

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in this RAP. The relevant GOK national legislations and African Development Bank's updated Integrated Safeguards Systems, 2023 considered among others are as follows:

- a) The GOK Constitution
- b) Land Act, 2012
- c) Valuers Act
- d) Kenya Roads Act, 2007
- e) Physical Planning Act
- f) Environment and Land Court Act
- g) Surveyors Act
- h) Community Land Act, 2016
- i) The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012 among others.

It is worth to note that the Kenyan regulatory environment may be subject to changes to both regulatory instruments and authorities during the projected project lifecycle. It is therefore recommended that the regulatory framework is reviewed and assessed periodically.

Further, review of International Best Practices related to Involuntary Resettlement including African Development Bank (AfDB) Integrated Safeguard System, 2023 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement were used as a guide to the RAP study.

E6: Census and Socio -economic Baseline of PAPs living within the Project Area

The socio-economic household survey served as the primary quantitative data collection tool and was administered to all identified Project Affected Persons (PAPs) along the project corridor on a census basis. The aimed at collecting information on demographic characteristics, livelihoods, income and expenditure, vulnerability status, land ownership and tenure, affected assets, access to social services construction characteristics of structures, compensation preferences, and community perceptions of the project. The questionnaire was organized into twelve sections and was pre-tested before deployment to enhance clarity and consistency.

A total of No.86 PAPs against the targeted No.336 identified PAPs were interviewed between the 11th – 15th May 2026. Data collection was conducted through use of a digital tool Kobo Collect, number 18 locally recruited and trained enumerators drawn from the project area supported the RAP team in data collection with equal representation of men and women to promote gender sensitivity. Their familiarity with local languages and cultural contexts enhanced communication and data reliability. Survey data was subsequently exported for cleaning, analysis, and reporting.

While the survey was designed to cover all identified Project Affected Persons (PAPs), the number of completed interviews was lower than anticipated due to several factors: Some PAPs were absent during the survey period, others had temporarily left the project area, while a few could not be reached despite repeated visits and phone calls. In some cases, respondents were unwilling to participate or preferred to be represented by another household member. Nevertheless, the survey achieved sufficient coverage to provide a reliable socio-economic baseline for the RAP and the findings were complemented by Key Informants

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Interviews (KII), Focus groups discussions (FGDs) stakeholder consultations, asset inventories, and field observations.

E6.1 Results of Socio –Economic Analysis of the Project Affected Persons (PAPs)

PAP Category Distribution: The Project Affected Persons (PAPs) were classified into five main categories based on the nature of their loss. The largest group comprises structure owners who are also engaged in business (18%), indicating that most affected persons run commercial enterprises in structures situated within the road reserve. Land Owners with crop/tree interests form the second largest group at 15%. Pure business operators and structure-only owners each account for 13% of respondents. Tenants running businesses make up 10%, reflecting a significant informal commercial presence along the corridor. Only a small proportion are purely land owners (4%) or tenants without a business (5%), suggesting the corridor is predominantly run by small scale businesses in character.

Socio-Economic characteristics

Household Head: The majority of households along the project corridor are headed by males, representing 76% of all respondents out of the 336 identified PAPs. Female-headed households account for 24% of the total. This significant gender disparity underscores the need for targeted gender-sensitive interventions in the RAP/LRP, particularly to ensure female-headed households are not disadvantaged during the compensation and relocation process. The proportion of female-headed households (nearly 1 in 4) is noteworthy and aligns with national statistics for rural and peri-urban Kenya.

Age of Household Head: The age distribution of respondents reflects a predominantly working age population. The largest cohort, aged 35–65 years, constitutes 54% of all respondents the economically active mid-life group most likely to have established businesses or land holdings. The younger age bracket of 19–35 years forms a substantial 38%, indicating a vibrant youthful commercial presence along the corridor. Only 8% of respondents are above 65 years, classified as elderly. This group requires special attention under vulnerability provisions of the RAP/LRP given their limited capacity to recover from displacement.

Marital Status: The findings show that a vast majority of the household heads are married, accounting for 77% of the surveyed population. Single household heads constitute 12%, while those who are widowed make up 8%. Notably, divorced household heads represent the smallest segment at 3% of the total 86 respondents, highlighting that while conventional dual-parent household structures predominate, a combined 23% of households are headed by single, widowed, or divorced individuals who may require targeted social safeguard considerations.

Household Size: Most households consist of 4–6 persons (43%), indicating moderately large family sizes. This was followed by households with 1–3 persons (36%), showing a significant proportion of small households. Households with 7–9 persons (22%) were also common, while a smaller proportion had 10–12 persons (7%). Only a very small fraction (1%) reported having more than 12 persons per household, indicating that very large households are rare in the study area.

Education Level of Household Head: Educational attainment among household heads is relatively moderate. The majority (42%) have attained secondary education, suggesting a literate population capable of engaging meaningfully in the RAP process. Those with college or university qualifications represent 31%, a notably high proportion attributable to the corridor. Primary level education is the lowest

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qualification category at 27%. Importantly, no respondent reported having no formal education, which is a positive indicator for the accessibility of information and consultation processes.

Religious Affiliations: All respondents (100%) identified as Christian. This remarkable religious homogeneity along the Biretwo–Aror–Chesongoch and associated spur roads corridor simplifies certain aspects of community engagement and cultural sensitivity planning in the RAP. There are no inter-religious dynamics to navigate, and consultation processes, community meetings, and communication materials can be designed without the need to accommodate religious diversity. However, the project team should remain aware of potential denominational differences within Christianity that may influence community leadership structures and preferred consultation channels.

Local Economy and Livelihoods

Main Occupation of Household Head: Business is the dominant livelihood activity among PAPs, with more than half of all household heads (53%) engaged in small scale trading along the corridor. This finding is critical for the RAP/LRP as it confirms that the majority of affected households derive their primary income from businesses located within or adjacent to the project corridor. Crop farming is the second most prevalent activity at 33%, mainly practiced by PAPs with agricultural land in the affected area. Formal employment accounts for 9%, while livestock farming (4%) and other activities (1%) are marginal. The predominance of business activities implies significant economic displacement risk that must be addressed through business reinstatement and livelihood restoration measures.

Business Type Engaged by the PAPs: Among PAPs engaged in business activities, the majority (60%) fall under the “Others (specify)” category, reflecting the diverse and often informal nature of trade along the corridor including hawking, food kiosks, and small-scale services. Retail shops constitute a significant 38% of businesses, indicating a notable formal retail presence, Jua kali (artisan/informal manufacturing) operations are minimal at 2%. The prevalence of informal and diverse business types highlights the challenge of standardizing compensation valuation and underscores the need for tailored livelihood restoration approaches.

Vulnerability Assessment of Households

Household Headed by a Disabled Person: The overwhelming majority of households (99%) are NOT headed by a person with a disability. Only 1 household (1%) is headed by a disabled person. While numerically small, this household requires special attention and specific provisions under the vulnerability framework of the RAP, including priority processing of compensation, accessible resettlement options, and psychosocial support. Similarly, 99% of households are NOT headed by a chronically ill person, with only (1%) reporting this vulnerability. Among respondents who answered this vulnerability question, 71% confirmed the household head is not elderly, while 29% indicated their household is headed by a person over 65 years. Chronic illness can severely limit a household’s capacity to engage in income-generating activities and may increase dependency on existing assets and social networks. The RAP should include specific provisions for this households, including health-related livelihood support and expedited compensation processing. Elderly-headed households face particular vulnerability to displacement, with reduced capacity to rebuild livelihoods and adapt to new environments. The RAP has identified these households for enhanced support, including in-kind assistance, regular follow-up, and community-based care linkages where feasible.

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Land Ownership Details

A significant majority of PAPs (61%) reported that their land will NOT be directly affected by the proposed road project. However, 39% confirmed that their land will be affected. This proportion nearly 4 in 10 PAP represents a substantial number of households whose land assets are at stake, necessitating thorough land valuation, compensation, and alternative land provision mechanisms in the RAP.

Land Ownership Status: Among those whose land is affected, 67% own the land they currently reside on, while 33% do not own the land they occupy. Non-owners may be tenants, family members, or informal settlers. This distinction is critical for determining compensation eligibility landowners are entitled to full compensation for land and assets, while non-owners may be eligible for disturbance allowances, relocation support, and assistance in finding alternative accommodation.

Land Ownership Documents: Among landowners with documentation, 67% possess a Title Deed, the most formal and legally recognized proof of land ownership in Kenya. The remaining 33% have other forms of documentation, which may include succession certificates, sale agreements, or allotment letters and informal allocation through clannism. The relatively low proportion of PAPs with no title deeds or where land is currently under adjudication suggests a significant proportion of land along this corridor is held through customary, informal, or undocumented tenure a common challenge in RAP implementation.

Access to Water, Energy, Sanitation and Waste Management

Primary Source of Drinking Water: River water is the dominant source of drinking water (49%), indicating high reliance on natural surface water. Piped water is the second most common source (31%), reflecting some access to improved water infrastructure. Other sources such as springs (6%), boreholes (4%), wells (3%), and communal pumps (3%) contribute modestly to water supply. Rainwater harvesting (2%) and purchased water from vendors (1%) are least used. The findings show that while improved water sources exist, a significant proportion of households still depend on river water.

Main Energy Source for Lighting: Solar lighting systems (40%) are the most frequently used energy source for household lighting, indicating strong uptake of off-grid renewable energy solutions. Connection to electricity follows at 27%, showing moderate access to the national grid. Traditional energy sources such as wood (13%) and torches (11%) remain significant, reflecting continued reliance on non-electric lighting in some households. Charcoal and other minor sources (paraffin, candles, biogas, and batteries) collectively account for 8%. the findings show a transition towards cleaner energy, though traditional lighting methods are still widely used.

Type of Sanitation Facilities: Pit latrines are the most commonly used sanitation facility (86%), indicating widespread reliance on basic sanitation systems. Open defecation is still practiced by 12% of households, highlighting gaps in access to sanitation. Flush toilets connected to septic tanks (6%) and improved ventilated pit latrines (3%) are less common, reflecting limited access to improved sanitation facilities. The sanitation is largely basic, with a need for improved facilities.

Waste Generation and Management: Food waste (46%) and animal waste (46%) are the most commonly generated types of solid waste, indicating that most households produce organic waste linked to domestic and agricultural activities. The household waste is largely organic, with a smaller proportion of inorganic waste. Burning (37%) is the most common method of solid waste disposal, followed by composting (33%) and reusing (31%), indicating that households use a mix of disposal and recycling practices. Burying (22%)

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is also practiced, but to a lesser extent. While some environmentally friendly practices like composting and re-use are evident, burning remains widely used.

Characteristics of Affected Assets

Type of asset affected by the Project: Structures constitute the most commonly affected asset category, with 46% of PAPs reporting structures as their primary affected asset. Trees and land collectively affect 14% of respondents, while structures combined with other assets (fences, land, crops, trees, graves) account for the remaining categories. This confirms that physical infrastructure particularly commercial structure represents the greatest displacement risk along the corridor. An overwhelming 97% of affected structures are commercial in nature, with only 3% being residential. Iron sheet walls are the most prevalent walling material, used in 28% of affected structures, consistent with the informal commercial character of the corridor. Other wall types account for 23%, followed by wooden walls (16%) and stone-plastered construction (14%). Mud walls (8%), bricks and plastered (5%), stone not plastered (3%), and mud-plastered (3%) make up smaller proportions. The predominance of non-permanent walling materials indicates a largely semi-permanent structural standard, which will influence replacement cost valuations. Iron sheets dominate roofing across affected structures at 94%, reflecting the near-universal use of this affordable roofing material in rural and peri-urban Kenya. A small proportion (5%) have other roof types, and 1% use plastic paper a clear indicator of extreme informality and economic unpredictability for those households.

Plain concrete floors are the most common, found in 45% of structures, indicating at least a semi-permanent standard of construction. Earth floors are nearly as prevalent at 42%, confirming a significant proportion of highly informal structures. Other floor types account for 11% (use wooden while tiled floors indicative of higher construction quality is present in only 2% of structures.

Preferred Mode of Compensation: The vast majority of PAPs (92%) prefer monetary compensation over any other form of payment. This strong preference for cash payments is consistent with findings from RAP surveys across the sector, where affected communities typically prefer direct financial compensation that provides flexibility. Only 8% expressed a preference for alternative compensation modes such as in-kind replacement, construction of alternative roadside markets, boda-boda sheds or other specified arrangements. The RAP's compensation methodology has structured cash payments as the main mode of compensation, while maintaining alternative options for PAPs who prefer non-monetary forms of compensation. Safeguard provisions have also been included to support vulnerable groups with additional assistance.

Household and Community Gender Dynamics

The study established that the project area is characterized by existing socio-economic vulnerabilities that may influence how different groups experience project impacts and opportunities. These vulnerabilities are linked to gender roles, age, land ownership systems, unemployment levels, poverty, access to resources and cultural practices.

The local economy largely depends on small-scale farming, livestock keeping, informal trade and transport services. Women undertake a significant proportion of household and productive responsibilities including food provision, water collection, caregiving, farming and small-scale trading. However, ownership and control of productive resources such as land, major businesses and transport assets largely remain under male control.

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The consultations further established that women, widows and female-headed households may be disproportionately affected during land acquisition and compensation processes due to customary land ownership systems and limited formal ownership documentation. Delayed or inadequate compensation may negatively affect household livelihoods, food security and women-managed enterprises.

Youth-related vulnerabilities also emerged strongly during the consultations. Young women expressed concerns related to unemployment, dependence on informal livelihoods, early pregnancies, school dropout risks and vulnerability to GBV/SEA/SH associated with labor influx. Young men raised concerns relating to unemployment frustration, risky labor migration, exclusion from project opportunities, boda-boda dependency, gambling, drug and substance abuse, and potential involvement in crime and social unrest.

The influx of workers during construction may also contribute to increased risks of sexual exploitation and abuse, child protection concerns, spread of communicable diseases, family instability and erosion of social cohesion if not effectively managed.

Additional concerns raised by stakeholders included road safety risks for school-going children and vulnerable road users, disruption of access to farms and water sources, dust and noise pollution, loss of business during construction, and exclusion of local communities from employment and procurement opportunities.

Despite these concerns, stakeholders emphasized that the project presents significant opportunities for women's economic empowerment, youth employment, improved access to markets, healthcare, education and enhanced economic growth within the project corridor. *(A separate and detailed Gender Analysis and Action Plan Report has been submitted.)*

Presence of Burial/Sacred/Cultural Sites: Respondents reported that most households (84%) indicated there are no sacred, cultural, or burial sites near the road corridor. It was reported that the dominant features near the road corridor are burial sites and graves (73%) though they are within the homestead. Impact on ancestral burial sites in case of land acquisition was raised, others raised issues related to compensation and cultural rituals, noting that exhumation or relocation would require community rituals and compensation to affected families. Religious institutions such as churches (16%) were also identified along the corridor, while sacred or shrine sites (11%) were mentioned in a few locations though mostly situated deep in the valleys or escarpments. Rimoi National Reserve which is a cultural site it is 5 Km from the proposed corridor and it will not be impacted by the construction activities the County Warden reported that the county government of Elgeyo Marakwet was planning to install electric fence to keep the animals within the reserve.

Needs Analysis of the Households: Most respondents identified poor road conditions, transportation difficulties, inadequate health care, and limited access to agricultural inputs as major challenges faced by the community. These issues were frequently reported, indicating a strong relationship between infrastructure, service accessibility, and household livelihoods. Respondents also noted that water scarcity, limited market access, unreliable electricity, and unemployment significantly affect their well-being. Conversely, issues such as illegal land use and the availability of farmland were not widely regarded as major concerns. The findings indicate that while many challenges are prevalent and severe, their impacts vary across households.

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Project Acceptance: Respondents confirmed reported unanimous support for the project at 100% (100%), indicating strong community acceptance of the proposed road construction. Regarding positive impacts associated with the improvement of the road, the respondents emphasized economic development (34%), particularly job creation, business growth, and improved livelihoods. They also highlighted the need for infrastructure improvements (26%), including better access roads, bridges, culverts, and drainage systems. In addition, transport improvements (15%) were noted, focusing on easier movement and reduced transport costs. Social services (14%), such as water supply, healthcare, education, and electricity, were also prioritized. Other respondents stressed community engagement and inclusion (7%), ensuring local participation in project activities, while a smaller proportion (4%) mentioned environmental and safety measures to safeguard communities against anticipated impacts.

E7: Minimizing Resettlement

In an effort to minimizing resettlement the following measures were undertaken to avoided and minimize physical and economic displacement;

- (i) Alignment optimization.
- (ii) Design modifications.
- (iii) Alternatives considered.

Biretwo-Arror-Chesongoch(B126) Road

The existing road currently takes a near direct route from Biretwo to Chesongoch along the toe slope of an escarpment. There are no competing routes identified due to the parallel Elgeyo escarpment with its summit on the western side and a low elevation section (Kerio Valley) that is prone to flooding with Kerio river running parallel on the eastern side. Rimoi National Reserve, approximately 66Km² is located at the centre of the valley and similarly runs parallel to the road. From the foregoing, no alternative route options have been considered. The geometry of the existing road was improved in line with the required design standards for Class B Roads.

However, we were proposing a bypass on eastern side of Arror market where high impact RAP issues are expected if the proposed design standards are applied through the market center. If the bypass is adopted, a connecting loop road through the market will be considered. However, following the stakeholder meeting held at Arror on 14th May 2026, the initial proposal to have a bypass in the eastern side of Arror market was unanimously rejected by the local community and other stakeholders. The community strongly preferred the road alignment to be maintained at its current position through Arror town despite the anticipated high impact RAP implications associated with the required 40m wide corridor. (See Minutes of the Meeting in **Appendix 1**)

Kimwarer-Emsea (B122) Road

The existing road currently takes a direct route from Kimwarer to Emsea along the toe slope of an escarpment. There are no competing routes identified due to the parallel Keiyo escarpment with its summit on the western side and a low elevation section (Kerio Valley) that is prone to flooding with Kerio river running parallel on the eastern side. No alternative/competing route options were identified for consideration. The geometry of the existing road was improved in line with the required design standards.

Nyaru-Kapkayo (B124) Spur Road

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The existing road is the shortest route linking the intended market centres of Nyaru and Kapkayo. It originates at the summit of Keiyo escarpment and winds down to Kerio Valley terminating at Kapkayo Market.

No competing route options were identified for consideration chiefly due to the terrain constraints. A 30m wide road reserve is available. The geometry of the existing road was improved in line with the required design standards.

Measures taken to reduce acquisition and displacement.

- (i) Efforts have been made to ensure that the designed road prism is within the available Road Reserve (ROW). Numerous improvements to the existing curves have been proposed attracting minimum social and cost impacts.
- (ii) The cut/fill slopes for the sections traversing through escarpment and hilly terrains have been optimized to ensure that the construction widths are within the available road reserve while ensuring stability. Other proposed measures include mechanical slope stabilization using gabion boxes/mattresses and reinforced concrete retaining walls.

E8. Summary of the Project Impacts (Socio – Economic Positive Impacts)

The proposed road construction project in the project area is expected to generate several positive socio-economic benefits for local communities and the wider region. These positive impacts have been categorised according to the project phases as follows:

Table 3: Summary of Positive Socio-Economic Impacts

Project Phase	Positive Impact	Description
Pre-Construction Phase	Employment Opportunities	Recruitment of local community to support in survey and socio-economic assessment, feasibility studies, land acquisition processes, and stakeholder engagement activities.
	Increased Income to Landowners	Compensation payments for affected land, crops, trees, and structures can improve household incomes and enable investment in alternative livelihoods.
	Business Opportunities	Demand for accommodation, catering, transport, and other support services by project preparation teams.
	Improved Community Participation	Consultations enhance community awareness, participation in design planning, ESMP, RAP and understanding of project benefits.
	Land Value Appreciation	Anticipation of improved accessibility may increase land and property values along the proposed corridor.
Construction Phase	Direct Employment Creation	Job opportunities for skilled, semi-skilled, and unskilled local workers.
	Growth of Local Businesses	Increased demand for food vendors, accommodation facilities, transport services, fuel stations, hardware suppliers, and other local enterprises.
	Improved Household Incomes	Wages earned by workers will stimulate local economic activity and purchasing power.
	Skills Transfer and Capacity Building	Local workers will gain technical, construction, safety, and project management skills that enhance future employability.
	Market for Local Materials	Procurement of construction materials and services from local suppliers generates income within the county such as borrow sites and gravel.

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Project Phase	Positive Impact	Description
Operation Phase	Improvement of Access During Construction	Temporary access roads and rehabilitation of sections of existing roads may improve connectivity in some areas.
	Increased County Revenue	Taxes, permits, and business licenses associated with project activities contribute to local revenue generation.
	Improved Transport Connectivity	Enhanced movement of people, goods, and services within the county and to neighboring counties.
	Reduced Travel Time and Transport Costs	Faster and more efficient transportation lowers vehicle operating costs and improves mobility.
	Enhanced Access to Markets	Farmers can transport agricultural produce more efficiently, reducing post-harvest losses and increasing market access along the Kerio Valley.
	Improved Access to Social Services	Easier access to schools, healthcare facilities, government offices, and other essential services.
	Promotion of Trade and Investment	Better infrastructure will attract private investment, commercial development, and industrial growth.
	Tourism Development	Improved access to attractions such as Kerio Valley, Rimoi National Reserve, and escarpment viewpoints can boost tourism activities.
	Increased Land and Property Values	Improved accessibility generally increases demand for land and real estate development along the road corridor.
	Enhanced Emergency Response	Improved road conditions will facilitate faster response by ambulances, security agencies, and disaster management teams along the corridor.
	Regional Economic Growth	Improved transport networks will support agricultural commercialization, trade, and long-term socio-economic development within the neighboring counties and beyond.

Anticipated Negative Impacts

The proposed road construction project may result in a number of adverse environmental and social impacts during the pre-construction, construction, and operation phases. These impacts will require appropriate mitigation measures to minimize their magnitude and significance as detailed in the project ESIA and ESMP Reports.

Pre-Construction Phase Impacts: During the pre-construction phase, the project will lead to land acquisition and involuntary resettlement resulting in the displacement of households, businesses, and community assets within the road corridor of approximately No. Affected 219 PAPs they will experience loss of land, structures, crops, trees, and sources of livelihood. Disputes related to land ownership, compensation eligibility, asset valuation, and delayed compensation payments may arise. The project may also create anxiety and uncertainty among affected communities regarding relocation, compensation, and future livelihoods. In addition, there may be concerns regarding the adequacy of stakeholder engagement and inclusion of vulnerable groups in RAP/LRP and decision-making processes.

Construction Phase Impacts: The construction phase is likely to generate a range of environmental, health, safety, and social impacts. These may include increased dust emissions, noise, vibration, and air pollution from earthworks, operation of heavy machinery, and transportation of construction materials. Vegetation clearance and excavation activities may result in soil erosion, loss of vegetation cover, habitat disturbance, and visual impacts. Construction activities may also cause temporary disruption of access to homes, farms, businesses, schools, and health facilities.

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Community health and safety risks may increase due to the movement of heavy vehicles and machinery, raising the likelihood of traffic accidents and injuries. Construction workers and local communities may be exposed to occupational health and safety hazards, communicable diseases, including sexually transmitted infections, and risks associated with labour influx. There is also potential for Gender-Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), child protection concerns, and social conflicts between workers and host communities. Damage to private property, public utilities, crops, and community infrastructure may occur during construction, leading to grievances and compensation claims. Improper management of construction waste, hazardous materials, and wastewater may further contribute to environmental degradation.

Operation Phase Impacts: During the operation phase, increased traffic volumes may contribute to road traffic accidents involving motorists, pedestrians, cyclists, and livestock. Higher traffic levels may also result in increased noise levels, air emissions, and road safety concerns, particularly in trading centres, schools, and densely populated areas. Improved accessibility may accelerate unplanned settlements, land use changes, and urbanization along the road corridor, potentially placing pressure on existing infrastructure and public services.

The road may create barriers to the movement of people, livestock, and wildlife where appropriate crossing facilities are not provided. Increased accessibility may also facilitate illegal activities such as encroachment on road reserves, illegal resource extraction, and other social challenges. In some areas, improved transport networks may contribute to rising land values and speculation, potentially affecting vulnerable households. Additionally, inadequate maintenance of drainage structures and road infrastructure could lead to localized flooding, erosion, and deterioration of road safety conditions over time.

Summary of Key Negative Impacts as detailed in the ESIA report with corresponding mitigation measures;

- Land acquisition and involuntary resettlement.
- Loss of assets, livelihoods, and income sources.
- Compensation and land ownership disputes.
- Dust, noise, vibration, and air pollution.
- Soil erosion, vegetation loss, and habitat disturbance.
- Traffic disruptions and restricted access.
- Occupational and community health and safety risks.
- Labour influx, GBV, SEA/SH, and child protection concerns.
- Damage to property and community infrastructure.
- Waste generation and pollution.
- Increased road traffic accidents during operation.
- Unplanned development and land use changes.
- Increased noise and air emissions from traffic.
- Pressure on social services and infrastructure.

E9. Summary of Resettlement Impacts

Impact on Land: The project envisages to acquire approximately total acreage ~12 acres translated to 6 Ha for phase 1 roads.

Impact on Structures and Improvements: There are project impacts on the defined areas pertaining to loss of both permanent and temporary structures to give way for the proposed project components: The

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structures are either built with traditional or modern materials or a mix of both. The structures and improvements have been classified as either temporary, permanent, semi-permanent or commercial. Approximately No. No.115 of these structures will be affected by the proposed project.

Impact on Crops and Trees: The Phase 1 Road project components will lead to clearing of both seasonal/perennial crops and trees within the defined project corridor. Among perennial plants and trees have economic values or other indirect benefits to the landowners and communities including fruit trees, shade trees, hedges and ornamental plants. Compensation rates for crops and trees were adopted from the Ministry of Agriculture and Kenya Forest Service guidelines applicable within the project region. A total area of 6Ha has cover of this crops/trees equating to approximately No.67 PAPs.

Impact on Livelihood and Businesses: The main livelihoods and income generating activity across the project corridor is agriculture and small-scale trading within the market centres. It was evident that some of the traders are undertaking their businesses on the road reserve while others are within their individual land parcels. Most of the loss of business and livelihood has been considered under the rates for improvement till the actual inspection is conducted during the detailed design where their loss can be ascertained.

Other project impacts include cultural sites, general community impacts like watering points, access roads, access to pasture etc, impact on institutions fences, vulnerable households among others have been identified and shall be validated during implementation.

Table 4: Categorization of Affected Assets

Road Corridor	Land	Structures	Business	Trees/Crops
Biretwo-Arror-Chesongoch	84	77	58	61
Emsea-Kimwarer	13	6	4	6
Kapkayo – Nyaru	1	4	22	0
Total No. of PAPs Per Category	98	87	84	67
Total No. of affected Assets	336			

Impact Mitigation Measures: In view of the above, appropriate interventions and corrective measures would also be required, especially in terms of ensuring minimal losses and impacts to the PAPs. The RAP recommends the measures below for avoiding or minimizing resettlement and associated loss of livelihoods during project implementation.

- (i) Provision of fair and timely compensation for land, structures and other assets lost due to the project. Also, the PAPs to be accorded adequate notice to vacate.
- (ii) PAPs will be given a chance to demolish their structures and salvage materials including cement blocks, building stones, iron sheets, timber, plumbing materials, electrical materials that may be re-used,
- (iii)Livelihood Restoration Programs and support to the affected PAPs including opportunities in employment during constructions and operations. Consider capacity building skills, training programs to help PAPs transition into new employment opportunities.
- (iv)Consider financial Management skills to the PAPs on use of the compensation amounts as well as assistance in setting up business ventures.
- (v) Facilitate easy access to agricultural inputs, markets, and extension services for displaced farmers as a continuation of livelihood.

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- (vi) Support PAPs in community-driven development initiatives to enhance project ownership in terms of incorporating their suggestions and request for social benefits into the design.
- (vii) Improve access roads to essential social services such as schools, hospitals, water points, and local administration offices.
- (viii) Establishment of a Grievance Redress Mechanism (GRM) where PAPs can address their concerns and complaints promptly.
- (ix) Stakeholder engagement process should be conducted on a continuous basis with the PAPs and general community as a way of getting feedback and incorporating them into the project planning and implementation. The SEP process will also promote transparency by sharing project updates and decisions openly.
- (x) Provision of psychological support to the PAPs prior to relocation and continuous follow up.
- (xi) Special consideration to be provided for Vulnerable PAPs/groups through provision of additional support, ensuring access to social support services and they rightfully get their compensation.

E10. Community Participation and Consultation

Extensive Public Participation was carried out during the preliminary and detailed design stage to ensure the community concerns and ideas are implemented in the final project design. The relevant consultations were undertaken in the month of August 2025 during reconnaissance and December 2025 with Key stakeholders/leaders whereby of total of No.366(M=259, F=106) were reached. These entry level meetings served to introduce the project to the community leadership who were in turn tasked with role of informing the community of the proposed road project and preparing for locational community meetings.

Locational community meetings with the larger community and PAPs were undertaken between 8th – 18th April 2026, a total of 8 community/PAPs meetings were held simultaneously with Focus groups Discussions, Key Informant interviews and baseline household survey for PAHs. A total of 1497 (M=917, F=580) for community barazas participated and over No. 18 FGDs with about 30 people from each group (youth, women and men). The gender representation in the meetings was at ~60%male and ~40% female.

In the process of planning for the community engagement meetings invitations were extended through the County government and the County Commissioner. The protocol used was first contacting the County Commissioner in the counties, a request to mobilise the stakeholders to attend meetings were made through the Chief and assistant county Commissioners. Notification and for communities to attend the public meetings were conveyed through the local administration i.e. the chiefs, assistant chiefs and village elders.

Table 5: Community Engagement Meetings Gender Disaggregated Attendance

Elgeyo-Marakwet County			Number			%	
Date	Sub-County	Meeting Venue	Male	Female	Total	M%	F%
8th April 2026	Kerio Valley	Kibaimwa Chiefs camp	164	306	470	34.89	65.11
10th April 2026	Kerio Valley	Arror Ward admins office	62	15	77	80.52	19.48
11th April 2026	Keiyo North	Keu Chiefs Camp	115	19	134	85.82	14.18
13th April 2026	Keiyo North	Kamongich/Rimoi chiefs Camp	178	82	260	68.46	31.54
14th April 2026	Keiyo South	Biretwo Market	145	90	235	61.70	38.30
16th April 2026	Keiyo South	Emsea-Kibargoi Chiefs Camp	134	34	168	79.76	20.24
17th April 2026	Keiyo South	Kapkayo Chiefs camp	70	11	81	86.42	13.58
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18th April 2026	Keiyo South	Kimwarer Market	49	23	72	68.06	31.94
Total			917	580	1497	61.25	38.74

While detailed minutes of the meetings proceedings are in the

APPENDIX 1 this section outlines the key issues that emerged from Leadership sensitization and awareness meetings, concerns, clarifications and opinions registered. These are summarised in the matrix below;

Table 6: Summary of Key Issues, Concerns and Clarifications Raised During The Community And PAP Meetings

No.	Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
1.	Concerns regarding land acquisition and potential loss of ancestral land.	Land acquisition will be undertaken in accordance with the Resettlement Action Plan (RAP), consistent with national legislation and the African Development Bank's safeguard requirements. All affected persons will be identified, and compensation and livelihood restoration measures will be implemented prior to displacement through NLC.
2.	Lack of designated livestock crossing points, posing risks to animals and road users	The project design will incorporate appropriate livestock crossing points and related safety features, informed by community consultations and Road Safety Awareness creation will be emphasized.
3.	Increased risk of gender-based violence (GBV), Sexual harassment and exploitation, together with Child Abuse associated with influx of construction workers	- The Contractor will implement a GBV Action Plan, Child Protection Strategy, including Codes of Conduct for workers, awareness programs, confidential reporting mechanisms, and referral pathways aligned with national systems and AfDB requirements. - Local residents and youth will be prioritized for unskilled and semi-skilled jobs during construction, subject to contractor requirements and labour laws.
4.	Limited employment opportunities for local youth	The project will promote local employment opportunities through fair and transparent recruitment processes, with preference given to qualified local labor in line with applicable labor laws and AfDB standards at 70%.
5.	Potential soil erosion and landslides due to construction activities in steep terrain	The project will integrate erosion control and slope stabilization measures into design and construction, including drainage management, climate resilience and structural interventions, in accordance with the Environmental and Social Management Plan (ESMP).
6.	Disruption of roadside businesses and livelihoods during construction	Temporary economic displacement will be addressed in the RAP, including compensation and livelihood restoration measures for eligible affected persons, in line with AfDB safeguard requirements OS5.
7.	Dust emissions affecting nearby households and vulnerable populations	The Contractor will implement mitigation measures as outlined in the ESMP, including dust suppression, traffic

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No.	Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
		management, and continuous monitoring to minimize health impacts.
8.	Risk of exclusion of vulnerable and marginalized groups from consultations and project benefits	The project will ensure inclusive stakeholder engagement through targeted consultations and implementation of measures to enhance participation and benefit-sharing for vulnerable and marginalized groups, consistent with AfDB operational safeguards OS7.
9.	Road safety concerns, particularly for school-going children and other vulnerable road users	Road safety measures will be incorporated into project design and implementation, including signage, speed calming infrastructure, and community awareness programs, in line with a recommendation to have a Road Safety Awareness Program for the project.
10.	Potential disruption of water sources and irrigation infrastructure	The project will avoid or minimize impacts on water resources through careful design such as installation of access culverts. Where impacts are unavoidable, affected infrastructure will be restored or improved in consultation with users/community.
11.	Community Liaison Officers to be recruited from the community.	Request was noted and the recommendation has been outlined in the ESMP.
12.	Raised concern about elephants in the region and some roaming the households/road corridor.	The consultant acknowledged the presence of elephants, noting the project's proximity to Rimoi National Reserve. Mitigation measures will include wildlife warning signage, speed reduction zones, designated crossing points, and community sensitization to reduce human-wildlife conflict and vehicle collisions. Consultation with Kenya Wildlife Service (KWS) will also be undertaken for collaboration on appropriate mitigation measures.
13.	Community requested for several Access roads linking to markets, public infrastructure like schools, hospitals and other areas.	Access roads to public institutions such as schools, health facilities, and markets will be assessed during the detailed design phase. Feasible improvements within the project scope will be considered. This request will also be submitted to KeNHA for consideration during construction.
14.	Concern: There was a massacre in 1992, and the victims were buried along the road corridor. Inquired whether there will be a cost for exhumation and reburial. (at Sambirir Ward)	The project acknowledges the sensitivity of this concern. Any gravesites identified within the road corridor will be handled with dignity and respect. The cost of exhumation and reburial, including cultural or religious rites, will be borne by the project in accordance with Kenyan law through RAP.
15.	Materials be sourced from the community and proper rehabilitation of the borrow sites	The project will prioritize sourcing of materials such as sand, ballast, and gravel from the community where quality, quantity, and timely supply can be met. Specific arrangements will be discussed with local suppliers during implementation. Material Sites rehabilitation and restoration measures will be incorporated in the ESMP.

No.	Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
16.	Community members raised concerns regarding the need to improve nearby hospital and health facility services, noting that improved road access alone may not address existing gaps in healthcare infrastructure as well as serving the expected population influx during construction.	While acknowledging the importance of health service delivery, it was clarified that the road project does not include direct interventions in the health sector infrastructure. However, the project is expected to generate indirect positive impacts by improving physical access to health facilities, reducing transport time for patients, and enhancing emergency referral systems. The issue was documented and will be communicated to relevant County Government health authorities and KeNHA for consideration in their respective investment planning frameworks.
17.	Requested access culverts for access to households, proper drainage systems.	- Access culverts will be provided where necessary to maintain connectivity to homes, farms, and institutions. However, not every home may receive a dedicated culvert. Design decisions will be based on engineering standards, safety, and hydrological requirements. - Proper drainage systems will be designed as per the Hydrological studies are being conducted to ensure adequate drainage structures, including side drains, culverts, and bridges, are incorporated into the design to prevent flooding and erosion. - Box culverts will be considered where hydrological and topographical conditions require them, particularly in areas with high water flow or where access for livestock and vehicles is needed.

E11. Compensation Principles & Strategy, and Eligibility Criteria

Principles of eligibility for Compensation

The principles of eligibility for compensation ensure that all PAPs who own land, assets and businesses where the proposed project activities will be constructed should qualify for compensation or assistance from the project to be able to continue with their lives un-interrupted or improved as is the objective of the project. Eligibility for compensation refers to the criteria used to determine who qualifies to receive compensation, resettlement assistance, and livelihood restoration support as a result of the proposed road project-related land acquisition, displacement, or restrictions on land use. This RAP has considered compensation at Full Replacement Cost and eligible PAPs should receive compensation sufficient to replace lost assets without deductions for depreciation, taxes, transaction costs, or salvage value.

Principles of Compensation

The RAP categorizes those eligible for compensation and resettlement are as follows:

- Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Kenyan Law;
- Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Kenya or become recognized through a process identified in the resettlement action plan; and

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- c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from, but are recognized under the different GOK laws and AfDB OS5.
- d) Livelihood Restoration and Improvement: Eligibility extends beyond compensation for physical assets and may include livelihood restoration measures where project impacts affect income sources, employment, or access to productive resources as outlined in the LRP.

Damage caused during construction: any temporary or permanent loss or deterioration of land, property, crops, livelihoods, infrastructure, or environmental resources resulting from project activities. Where such damage occurs, the Contractor, supervising consultant and KeNHA shall verify and document the damage, restore or replace affected assets where feasible, provide compensation at full replacement cost when restoration is not possible, address complaints through the Grievance Redress Mechanism (GRM), and implement measures to prevent recurrence. Any verified damage not identified during the RA process shall be addressed in accordance with applicable GOK laws and project requirements.

Forms of Compensation: Cash compensation is the main strategy for compensation of property and income loss considered for this RAP for all PAPs. In this RAP, in-kind compensation has not been provided, though it is acknowledged that in certain situations, it may be helpful. While not required, in-kind compensation may be appropriate for assets that are difficult to value, to reduce risks for vulnerable PAPs, or to lower the overall cost of the RAP. Special consideration will be given to especially disadvantaged and/ vulnerable people such as women, children, the very old and the unemployed. Provisions shall be made to enhance their rights to resettlement and compensation payments.

Cut - off Date: The Census Cut-off date adopted was the last date of the census which is 15th May 2026. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. However, this date will not apply to development restrictions for land being acquired which is subject to statutory cut-off date through a Gazette Notice by the National Land Commission.

Entitlement Matrix: The Entitlement Matrix describes compensation and related assistance for each category of affected PAPs. It is presented in the Table below.

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Table 7:Summary of Entitlements for Each Category of PAP

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
Land				
Permanent Loss of any type of Land regardless of severity	Private Landowner (individual or group) with legal document e.g. title. (inclusive of all interested parties)	As per the impacts defined above.	Provide PAP with cash compensation at full replacement value.	All compensation before notice to relocate. Maintained access to unaffected remaining land thus, need for access provision in detailed road design.
	Private Owner with no legal documents e.g. title but land gazetted for adjudication prior cut-off date i.e. legalizable owner or some form of recognized land. In case of individual,	Compensation of the land at replacement value on good faith, NLC will have to determine the compensation (if the alignment does not fit within the available space of about 20 metres and requires additional space).	For cash compensation, compensation of the land at full replacement value, free of taxes, registration and transfer costs. If residual is unusable, or Injurious land, subject to case-by-case determination and recommendation for full acquisition of land.	Access to Grievance Redress Mechanism. Right to request for orphan or residual land to be acquired if not economically viable. Owner eligible to participate in livelihood restoration programs. 15% disturbance allowance.
	Un registered community land but with user rights.	All proposed areas for additional road interventions	Cash compensation at replacement value for standing assets	All compensation before notice to relocate. Maintained access to unaffected remaining land thus, need for access provision in detailed road design. Access to Grievance Redress Mechanism.

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
				Right to request for orphan or residual land to be acquired if not economically viable. Owner eligible to participate in livelihood restoration programmes. 15% disturbance allowance.
	Public/Government	Any other arising will be dealt with during implementation	Cash compensation at replacement value for standing assets.	Compensation at replacement cost for the assets.
	Squatters on public, private and communal land	All proposed areas for additional road interventions.	No compensation for land	Compensation of the structures at full replacement cost. Compensation for loss of business. 15% disturbance allowance. Right to salvage. 3 months' notice. Access to Grievance Redress Mechanism.
Temporal loss or damage to land/property during construction and other uses by the contractor	Private, public or community land/property owner.	Whole Corridor	Payment in full, of just compensation for any damage resulting from the entry. The amount to be negotiated directly with the owner of the land/property	Compensation dealt with on case-by-case basis during implementation. Access to Grievance Redress Mechanism
<i>Disclaimer: Temporal loss of land due to occupation by contractor for establishment of camps and auxiliary facilities during construction not covered in this RAP, thus compensation often at commercial rates to be negotiated outside this RAP.</i>				
Individual and Institutional Structures (Permanent/Temporary/Makeshift)				

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Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
Loss of all structure types irrespective of use.	Owner of Structure regardless of legal ownership/registration status (inclusive of interested parties)	All areas proposed for the project improvements.	Cash compensation at full replacement cost free of depreciation and transaction costs	15% disturbance allowance. Right to Salvage. Right to request for the remaining land to be acquired if not economically viable. Owner eligible to participate in livelihood restoration programmes if they wish. Access to Grievance Redress Mechanism.
Business and Income (Loss of Livelihood)				
Loss of Business	Business building owner (if premises rented out)	Across the corridor	3 months' rental income per tenant lost - Subject to provision of documents and verification by KeNHA.	Eligible to participate in livelihood restoration programmes proposed by KeNHA/County Governments during construction.
	Owner of Business/Tenant		3 months' transitional assistance based on anticipated income or possible future benefits for period of relocation or business stoppage. Subject to provision of documents and verification by KeNHA.	Access to Grievance Redress mechanism.
	Business Squatters		Allocation of stalls within the existing County	15% disturbance allowance.

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
			Government Markets	
Social infrastructure (Public/ Communal Assets/structures)				
Socio infrastructure e.g. boreholes, access roads, water supply, electricity	Community/Users of the services and assets	Whole Corridor	Provision of replacement facilities within the affected areas with a higher capacity to serve more community members. No cash compensation	Community eligible to participate in livelihood restoration programmes. Access to Grievance Redress mechanism.
	Loss of Public Utilities like electricity, water supply, telecommunication cables.	Whole Corridor	Physical relocation and reinstatement of access by relevant authorities.	To be handled on case-by-case basis during construction. Access to Grievance Redress Mechanism.
Cultural/Religious heritage sites/assets	Community/Public	Whole Corridor	First option is re-alignment of road route to avoid the facilities where feasible. If no re-alignment: Purchase of land or assistance in identification of alternative sites. Cash compensation only where recognized committees exist to facilitate and oversee the relocation and replacement of facilities.	15% disturbance to realize religious and cultural rituals and for incidental cost of relocation of permanent structures. Access to Grievance Redress Mechanism.

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
			Where no committees exist, KeNHA in collaboration with community forms one and facilitates required safeguards to ensure money is used for the right purpose.	
Vulnerability Cases				
Losses incurred by the vulnerable households.	Female household heads, elderly, persons living with disabilities.	Whole Corridor	Cash compensation at full replacement cost and in-kind assistance as per the provisions made on the last column.	Priority in processing and disbursement of compensation. Additional support to be may include providing a team to salvage their belongings including house materials and transport where necessary. Priority eligibility to livelihood restoration programmes. Employment priority in project related jobs. Recommendation for additional assistance by county and national government programmes such as the Inua Jamii programme and Disability Cards. Psychosocial Support on how to handle resettlement impacts.

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
				Access to Grievance Redress Mechanism
Crops and Trees				
Loss of all types of trees	Individually and legally owned	All proposed road improvement sections.	Cash compensation at full replacement cost using rates approved by government agency.	Eligible to participate in livelihood restoration programmes such as markets proposed by KeNHA in some of the settlements.
	Community as owners and users of the tree coverage	Whole Corridor		Right to salvage Access to Grievance Redress Mechanism.

E12. Livelihood Restoration Measures

Affected households are entitled to participate in and to benefit from the targeted set of livelihood restoration programs which were developed for this RAP and detailed in the LRP These include:

- Financial training for sustainable use of cash compensations (including training on the maintenance of a bank account, on small household investments, saving strategy and financial planning at the household level);
- Business skills training - facilitation of access to alternative income generation activities;
- Possibility of the PAPs being assisted to re-establish their business on private facilities or public market stalls to ensure they don't get relocated in case of other road reserve uses; and
- Priority access to construction employment - PAPs will be provided with priority consideration for construction employment as part of compensation and livelihood restoration measures, especially roadside vendors unable to continue with their activities during construction.

E13. Grievance Redress Mechanism.

During the RAP process, it is inevitable that complaints will arise among the affected people over contentious issues. Therefore, timely and appropriate redress is important to ensure satisfactory resettlement and completion of the project as scheduled. Procedures have been put in place in the RAP to allow people to air their complaints or claims.

It is important to emphasize that grievance redress mechanisms are for all aspects of a project, not just RAP, and issues of design realignments, environmental, health and safety and social risks as well. The implementing agency should nominate and form, prepare and disseminate grievance redress guidelines for the project, including a hierarchy of reporting levels for redress, roles, and responsibilities during implementation of the project.

Grievance management will provide three tiers of amicable review and settlement comprising of the following.

- Tier 1 – Locational Grievance Redress Committees (LGRCs): It is desirable to resolve all the grievances at the community level to the greatest extent possible. The community or locational

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level grievance mechanism must be credible and generally acceptable. The grievance redress mechanism will aim to solve disputes at the earliest possible time in the interest of all parties concerned. The LGRC will be managed at the administrative location and chaired by the Assistant County Commissioner (ACC), assisted by the locational chief or assistant chief. Membership will include 7 to 15 members i.e. a representative from the local administration, KeNHA, community representatives of equal representation in terms of gender.

- (ii) Tier 2 – The Sub County Grievance Redress committee (SCGRC) will be constituting seven members and must have a quorum of at least three persons during the mediation. Decisions will be reached by simple majority. In case the grievance is not resolved at first tier, the SCGRC handling resettlement-related grievances will be enjoined by the Resettlement Implementation Committee (RIC) from KeNHA. The SCGRC will hold the necessary meeting with the affected party and attempt to find a solution acceptable at all levels. The GRC would record the minutes of the meeting and filed by the Resident Engineer.
- (iii) Third Tier (Legal & Judicial Redress Mechanisms in Kenya): In the event that that the complainants are dissatisfied with the outcome of the second level of grievance resolution, they shall be advised to seek recourse through the following dispute resolution bodies at their own cost and as a last resort. For land related matters, this is mainly directed to the Land and Environment Court particularly, the Land Value (Amendment) Act 2019 and constitution establish the Land Acquisition Tribunal (The Tribunal) and Environment and Land Court (high court) and empowers this court to determine disputes relating to the amount of compensation to be paid for land acquired compulsorily in the public interest.

It is worth to note that the Locational Grievance Redress Mechanism (LGRM) were formed during the community meetings hence they will be formally constituted and trained during the implementation phase to ensure alignment with actual project impacts, affected communities, and operational structures. To note is that institutional membership, timelines, and escalation procedures will be finalized in the implementation of the RAP.

E14. Institutional Arrangements for the implementation of the RAP

The successful execution of the RAP will depend heavily on the institutional and organizational frameworks established for its implementation. KeNHA will be the lead agency in the RAP implementation and will work together with the County and National Governments to implement the RAP. KeNHA has an Environmental and Social Safeguards department (ESS), which oversees all RAP processes.

In this project, KeNHA will establish a RAP Implementation Unit (RIU), to implement this RAP. The unit will be responsible for ensuring that PAPs promptly access their compensation entitlements and that their livelihoods are restored after resettlement. The RAP implementation team will be responsible for:

- (i) Delivery of the RAP compensation and rehabilitation measures; and
- (ii) Appropriate coordination between the agencies and jurisdictions involved in the RAP implementation.
- (iii) Receiving compensation related grievances and working closely with the GRMC in their resolution.

During the RAP preparation process, a number of key institutions were identified as critical to both preparation and implementation of the RAP. This is summarized in the table below. Consultations with and involvement of the Project Affected Persons will be sought during the process

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Table 8: Summary of Institutional Roles in RAP Implementation

Name of Institution	Role of Institution
Ministry of Finance and Treasury	Financial management on behalf of the Borrower (GoK)
Ministry of Roads and Transport (MORT)	- Will be an overall implementing agency. - Central agency responsible for holding all information on the RAP. - Mobilization of financial resources from Government/ County Governments for resettlement and compensation purposes of the approved RAP.
Ministry of Interior & National Coordination	- Assisting in verification of claims and provision of security during payment of compensation. - Participation in RAPIC - Participation in the grievance resolution mechanism.
KeNHA	- Will be responsible for releasing the road corridor to Contractor - Ensuring that resettlement is done in accordance with the RAP. - Coordination of resettlement issues with other agencies - Facilitate the grievance redress process as secretariat - Monitoring and Evaluation of the social mitigation activities and implementation progress. - Make funding request from Ministry of Roads and Transport for RAP implementation and compensation through NLC.
National Land Commission	- Provide approval to request made by KeNHA to acquire wayleave. - Notify landholders on the intention to acquire. - Assist in resolving disputes related to compensation - Undertake public consultation on intended acquisition with the help of KeNHA - Receive money from KeNHA for actual payment of entitlement awards to PAPs. - Issues official cut-off date through Kenya Gazette
National Environment Management Authority (NEMA)	- Provide approval of the ESIA report and issuing required licenses. - Review and provide a NEMA license for the ESMP. - Be part of the RAPIC and participate in the resolution of grievances. - Escalate unsolvable grievances to the tribunal.
The County Government (Elgeyo Marakwet)	- It will be responsible for safeguarding the objectives of the road improvement by ensuring adherence to development control measures along the road corridor. - They will harmonize the location of social amenities with the road corridor to mitigate negative impacts.
Project Implementation Team	The Project Engineer will be overall responsible for the project implementation of the RAP and will provide necessary assistance for successful implementation of the social safeguards. The various staff in the PIT will; - Provide training on social safeguard issues - Conduct public awareness and consultations - Training of the various stakeholders - Coordinate matters with other agencies on matters pertaining to social safeguards - Monitoring and Evaluation of social safeguard matters of the project and
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Name of Institution	Role of Institution
	- Supervise implementation of the grievance redress committee decisions. - Ensure effective flow of information between NLC and PAPs - Coordinate Locational Grievance Committees (LGCs), validate inventories of PAPs and affected assets; monitor the disbursement of compensation funds; guide and monitor the implementation of relocation - Coordinate activities between the various organizations involved in relocation; facilitate grievance and conflict resolution; and provide support and assistance to vulnerable groups. - Resolve disputes that may arise relating to resettlement process. If it is unable to resolve any such problems, will channel them through the appropriate formal grievance procedures laid out in this RAP. Assist with the livelihood restoration where feasible.
Locational level committee (LGRMC) / Local Grievance Committee	- Conduct extensive public awareness and consultations with the affected people. - Help ensure that local concerns raised by PAPs as regards resettlement and compensation among others are promptly addressed by relevant authorities. - Assist the effective working of RAP consultants in preparation and validation of the RAP - Resolve manageable disputes that may arise relating to resettlement and compensation process. If it is unable to resolve, help refer such grievances to the Project level Committee - Ensure that the concerns of vulnerable persons such as the disabled, widowed women, orphaned children affected by the project are addressed and included in the RAP.
Other Relevant Stakeholders such as County Governments, KURA KeRRA, Kenya Power Survey of Kenya among others	Provision of technical support in resettlement, including road reserve issues.
Independent NGOs/CBOs	It is anticipated that members of the civil society working in the project areas will assist the communities to internalize the project implications and create a sense of public ownership of the project process. The process will be continuous until the project is completed with the consultations diminishing in frequency as the emerging issues are resolved.

E15.Land Tenure Systems

Land ownership within the project affected areas falls under public land, private land and community land.

- Public Land is owned by the government and is used for public purposes such as schools, dispensaries, parks, forests etc. This type of land cannot be sold to individuals, but it can sometimes be leased for specific uses.
- Private Land consists of registered land held by any person under any freehold tenure, land held by any person under leasehold tenure or any other land declared private land under an Act of Parliament.

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- Community Land in Kenya can be categorized into two; Registered and unregistered community Land.
- Registered Community Land is that which a particular community has certificate of title which is private to the community and the process of land acquisition is similar to acquisition of private land.
- Unregistered community land is land that is not officially registered or assigned to any community but on the ground and ordinarily the claimant community is known. These are regulated by the communities using their own rules such as customary or community law. The constitution of Kenya recognizes customary law only if it is consistent with the constitution.
- Customary tenure refers to a system of land ownership, access, and use that is governed by traditional customs, practices, and community rules rather than formal statutory laws or registered land titles. Under customary tenure, land is often held collectively by families, clans, lineages, or communities, and rights to use or occupy the land are acquired through inheritance, kinship, community membership, or traditional allocation by local leaders.
- Land use: Land use along the project corridors is predominantly characterized by extensive tree cover, particularly along the escarpment and mid-altitude zones, reflecting forested and wooded landscapes. Crop cultivation is the next dominant land use, mainly concentrated in the highland areas where favorable climatic and soil conditions support intensive agriculture. Grasslands and shrub/scrub areas are common within the Kerio Valley and transitional zones, supporting livestock grazing and mixed agro-pastoral systems. Built-up areas occupy a relatively small proportion of the corridors and are largely confined to trading centres and linear settlements along existing roads, while bare land and surface water occur only in localized pockets. The observed land use patterns indicate ongoing pressure from agricultural expansion, infrastructure development, and population growth, with implications for forest resources, grazing areas, and ecologically sensitive landscapes.

Table 9: Summary of Land Tenure Status Biretwo-Arror-Chesongoch and Associated Spur Roads Phase 1

Project Road	Chainage Kms	Registration Section	Land Tenure
Biretwo-Arror Chesongoch(B126)	0-9.5	-Chepsigot A Reg. Section -Lower/upper Kabito Reg. Section -Kapterik Chhet 14 &17 Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
	12.2-22.3		Not titled Under Adjudication
	22.4-38.9	-Kamoing Reg. section -Chegilet Reg. section	Private and public land adjudicated and titled Tenure: Freehold
	38.9-46.6	Kilos Adj. Section	Adjudication not started
	44.6-51.3	-Arror Adj. Section	Private and public Land Adjudication ongoing
	51.3-54.7	- Chepkum Adj. Section	
	54-57.8	Resim Adj. Section	Adjudication not started
Kimwarer- Emsea(B122)	58.2-70.2	Mogil	Community Land (Under clan Ownership)
	0-6.6	Fluorspar	Flourspar/Mine Area
	7-8.1	Lower Muskut Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
	9.2-11.69	Emsea Changach Reg. Sec	Private and public Land Adjudication ongoing

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Project Road	Chainage Kms	Registration Section	Land Tenure
	10.5-11.8	Lower Sego Reg. Sec	Private and public land adjudicated and titled Tenure: Freehold
	13.4-16.5	Emsea/Changach Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
Nyarur – Kapkayo (124)	3.2-4.8	Forest /escarpment	Forest/Escapement
	7.2-14.8	Turesia Reg Section	Private and public land adjudicated and titled Tenure: Freehold
	20.6-25.7	Flourspar	Flourspar/Mine Area
	26.3-31.8	Koimur Reg. Section	Private and public land adjudicated and titled Tenure: Freehold

E16. Valuation Methodology

The valuation exercise was conducted to determine fair and equitable compensation for Project Affected Persons (PAPs) in line with applicable laws, valuation standards, and compulsory acquisition requirements outlined in AfDB OS5.

Land Valuation: The Comparable (Market) Approach was used, relying on recent sales of similar properties and adjusting for factors such as location, accessibility, land use, tenure, and infrastructure. Where market data was limited, values were derived from comparable nearby areas to ensure compensation reflected prevailing market conditions and replacement value principles.

Structures and Improvements: Buildings and other developments were valued using the Cost (Replacement Cost) Approach, based on current construction costs, labour, materials, and professional fees. All affected structures were assessed at full replacement cost in accordance with resettlement principles and International Valuation Standards (IVS 2022).

Crops and Trees: Trees, perennial crops, and fruit trees were valued according to their type, age, productivity, and expected yield, using approved rates from the Ministry of Agriculture and Kenya Forest Service. Seasonal crops will be assessed and compensated during project implementation based on actual conditions at the time of acquisition.

Businesses and Livelihoods: The Income Approach was applied to assess losses arising from business disruption, relocation, and reduced income. Compensation and livelihood restoration measures were designed to support the re-establishment of affected economic activities.

Community and Communal Resources: The valuation considered both market value and value in use, recognizing the social, cultural, and livelihood significance of communal and clan-owned resources.

Disturbance Allowance: A statutory disturbance allowance of 15% was added to the assessed value of land and improvements to compensate for inconvenience and other impacts associated with compulsory acquisition.

The valuation methodology was designed to ensure that affected persons receive compensation at replacement cost and are adequately supported in restoring their livelihoods and living standards.

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E17. Land Survey Methodology

The land survey was undertaken to identify, demarcate, and quantify all land parcels and associated assets affected by the proposed project. The survey provided the spatial basis for determining land acquisition requirements and supported the identification of Project Affected Persons (PAPs), valuation of assets, and preparation of compensation and livelihood restoration measures under this Resettlement Action Plan (RAP). The methodology ensured that all affected land and assets were systematically identified, verified in the field, and linked to socio-economic and asset data.

- a) **Data Retrieval and Desk Review:** Prior to field surveys, a desk review of relevant spatial and administrative data was undertaken. This included engineering design drawings defining the project alignment and construction corridor required, available cadastral and land registry information, administrative boundary data, and recent aerial drone data. These datasets were used to preliminarily identify potentially affected land parcels and to guide field verification and mapping activities.
- b) **Survey Control and Positioning Framework:** The survey was conducted using Global Navigation Satellite System (GNSS)-based equipment to ensure spatial accuracy of the project footprint and affected parcels. The project spatial data was referenced to the national coordinate reference system. Existing old control points were searched before the start of the exercise and were used as the reference points. Additional ground control was established to support accurate positioning of the project alignment and affected land parcels.
- c) **Field Survey, Setting Out and Parcel Identification:** Field surveys were conducted along the project corridor to physically identify the alignment and determine affected land parcels and assets. Survey plans covering the alignments were identified from the survey of Kenya offices in Iten. Preliminary index diagrams for the registered sections were obtained from the survey offices at survey of Kenya offices Ruaraka and Eldoret. Other maps covering the area but have not been registered were obtained from the land adjudication office in Iten.
- d) The survey team demarcated the project footprint on the ground and identified all intersecting parcels. Parcel boundaries were confirmed through field observation and participatory verification with landowners, occupants, and neighboring land users. Each affected parcel was assigned a unique Parcel Identification Number (PIN) to ensure traceability across the RAP database, including linkage to the census of Project Affected Persons (PAPs) and the asset inventory.
- e) **Cadastral Identification and Boundary Verification:** Where cadastral or land registry information was available, it was used to support identification and confirmation of parcel boundaries. In areas without formal cadastral data, boundaries were established through participatory verification with land users/owners and local leaders. Boundary confirmation included identification of visible markers, land use limits, and agreement between adjoining land users to ensure consistency and reduce disputes.
- f) **Mapping Methodology and GIS Processing:** Survey data were processed and integrated into a Geographic Information System (GIS) to produce spatial outputs, including the project alignment, affected parcels, and impacted assets. IS analysis was used to determine the extent of land acquisition per parcel, classify impacts (partial or full acquisition), and generate maps for valuation, consultation, and RAP disclosure purposes.
- g) **GPS Survey Controls and Data Accuracy:** GNSS-based positioning was used throughout the survey to ensure spatial consistency and accuracy. All spatial data were aligned to the project coordinate reference framework. Quality assurance checks were undertaken during data collection

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and processing to ensure consistency between field observations, GIS outputs, and engineering design information.

- h) Land Parcel Verification and Stakeholder Engagement:** Land parcel boundaries, ownership details, and affected assets were verified through consultations with affected persons, local leaders, and relevant authorities. This participatory process ensured transparency in parcel identification and helped resolve discrepancies or disputes during the survey process.
- i) Survey Equipment, Software, and Tools (Summary Level):** The survey was conducted using standard GNSS/GPS equipment, drone and GIS software for spatial data capture and processing. Mapping and analysis were undertaken using industry-standard GIS and CAD software.
- j) Datum Parameters and Coordinate System:** All spatial data were referenced to the national coordinate reference system used for the project. The datum and projection parameters ensured consistency of spatial data across all survey components.
- k) Integration with PAP Census and Asset Inventory:** The land survey was closely integrated with the socio-economic census and asset inventory. Each affected parcel was linked to identified Project Affected Persons (PAPs) and their assets, ensuring consistency between spatial, social, and valuation datasets. This integration enabled accurate determination of eligibility, compensation, and livelihood restoration measures.
- l) Survey Outputs:** The land survey generated the following outputs:
 - ✓ Georeferenced project alignment and affected area maps
 - ✓ Parcel-level inventory of affected land
 - ✓ Classification of impacts (partial/full acquisition)
 - ✓ Spatial database linking parcels to PAPs
 - ✓ Inputs for valuation and compensation assessment
 - ✓ Summary statistics for RAP reporting

E18. Compensation Issues

During the RAP studies several compensation related issues were raised and identified as follows;

- **Project Awareness:** During the RAP studies over 90% of the community was aware on the proposed project road due to the numerous consultations undertaken in the project area since the year 2024 by the KeNHA and the consultant. The findings indicate a well-informed community on issues regarding land acquisition, project benefits and improved accessibility among others.
- **Land ownership and documentation** was found to be challenging due to the fact that most lands are still under adjudication or communal. Hence PAPs raised the issues of how compensation will be done, as one needs official land ownership documentation which is a title deed. Further PAPs were informed to secure national identification cards and open bank accounts in readiness for compensation before project commencement.
- **Delays in compensation** was mentioned which will likely be due to family/clan disputes, high costs of succession and delays in the process of land transfers for buyers and land adjudication process.
- **Priority of Employment opportunities** especially for the youth and PAHs, how will the project ensure recruitment of local labour and suppliers.
- **Livelihood Restoration Measures** especially for traders in Arrior and Nyaru, PAPs requested for construction of accessible and modern roadside markets and alternative livelihood restoration measures like trainings and employment to the project.

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- Preferred form of compensation: Majority of the PAPs (92%) preferred monetary compensation over other forms of payment and 8% expressed preference for alternative compensation modes such as in-kind replacements, roadside markets, boda-bodas sheds or other arrangements by the project.
- Willingness to accept compensation packages: The PAPs showed tremendous support for the road project such that they were showed willingness to pave way for the construction as long as affected assets are compensated in time, fairly, at current market rates and additional assistance to vulnerable households.
- Gender and Vulnerability Concerns: Due to the patriarchy nature of the community reported at ~76% and female headed households at 24%, this gender parity underscores the need for targeted interventions during compensation to ensure women led households are not disadvantaged during compensation and in decision making.

E19. Estimated RAP Costs

The estimated RAP budget costs are **Kshs.97,333,957.50** including a 10% percent contingency item. In addition, a 10% per cent each for administration cost for the RAP implementation, GRM (5%), PAPs awareness and sensitization (5%), monitoring and evaluation (20%) was be considered.

Road Corridor	County	Sub County	Location	No. of Paps	Total Land Taken(Acres)	Value of Land Taken (Ksh)	Value of Structures (Ksh)	Value of Crops & Trees (Ksh)	Sub Total (Ksh)	15% Disturbance Allowance	Value of Income Loss (Ksh)	Value of Business (Ksh)	Total Compensation Award (Ksh)
Biretwo-Arror-Chesongoch	Elgeyo Marakwet	Keiyo South	Epke	12		-	1,195,000.00	-	1,195,000.00	-	13,800.00	747,000.00	1,955,800.00
		Keiyo South	Chepsigot	4	0.485	311,600.00	120,000.00	415,600.00	847,200.00	127,080.00	-	-	974,280.00
		Keiyo North	Kiptuilong	12	0.975	487,500.00	663,500.00	387,000.00	1,538,000.00	131,175.00	-	162,000.00	1,831,175.00
		Keiyo North	Keu	10	1.380	690,000.00	208,600.00	500,000.00	1,353,600.00	203,040.00	-	-	1,601,640.00
		Kerio Valley	Arro	77	5.651	2,825,500.00	18,398,500.00	1,470,000.00	22,689,000.00	1,041,015.00	38,490.00	4,593,000.00	28,366,505.00
		Kerio Valley	Chesuman	12	1.577	788,500.00	1,303,600.00	492,600.00	2,574,700.00	208,965.00	-	234,000.00	3,027,665.00
		Kerio Valley	Mon	9	0.153	76,500.00	2,639,500.00	-	2,716,000.00	11,475.00	-	288,000.00	3,015,475.00
		Kerio Valley	Kibaimwa	2	0.506	303,600.00	993,500.00	106,500.00	1,403,600.00	210,540.00	-	60,000.00	1,674,140.00
		Kerio Valley	Chemwonyo	16	0.538	1,456,200.00	1,283,600.00	693,900.00	3,433,700.00	473,745.00	-	-	3,907,445.00
		Kerio Valley	Chechan	9	0.678	406,800.00	5,000.00	136,000.00	542,800.00	81,420.00	-	-	629,220.00
Kerio Valley	Murkutwo/Kiptumbur	13	0.047	23,500.00	2,734,100.00	91,000.00	2,848,600.00	9,675.00	44,550.00	771,000.00	3,673,825.00		
Sub Total 1													50,657,170.00
Emsea-Kimwarer	Elgeyo Marakwet	Keiyo South	Soy	11	0.086	716,000.00	2,490,800.00	5,000.00	3,211,800.00	481,770.00	32,400.00	228,000.00	3,921,570.00
		Keiyo South	Chepsigot	9	0.550	553,000.00	2,465,600.00	148,000.00	3,166,600.00	474,990.00	5,400.00	-	3,641,590.00
Sub Total 2													7,563,160.00
Kapkayo - Nyaru	Elgeyo Marakwet	Keiyo South	Nyaru	15	0.085	42,500.00	1,332,000.00	-	1,374,500.00	206,175.00	54,000.00	849,000.00	2,429,675.00
		Keiyo South	Soy	10	0.000	-	3,284,400.00	-	3,284,400.00	492,660.00	-	462,000.00	4,239,060.00
Sub Total 3													6,668,735.00
Total Cost of PAP Compensation													64,889,065.00
RAP Implementation Costs													
Operation and Administrative Costs of RAP Implementation (10%)													6,488,906.50
PAPs Sensitization and Awareness Creation(5%)													3,244,453.25
Grievance Redress Mechanism(5%)													3,244,453.25
Monitoring and Evaluation(20%)													12,977,813.00
RAP Contingency(10%)													6,488,906.50
Sub Total 4													32,444,532.50
Total Cost of PAP Compensation and RAP Implementation(KSHS)													97,333,597.50

E20. Implementation Schedule

The implementation schedule for this RAP covers the period from the finalization of the preparation of the RAP and its subsequent approval to the conclusion of the envisaged. The responsibility of ensuring the resettlement plan is implemented as agreed with the project affected persons' rests with KeNHA and Project Implementation Committee. The sequence of activities will be based on the following steps;

STEP No. 1: Scoping Phase: The RAP process begins with scoping, where the project footprint is defined and potential resettlement impacts are identified. Baseline socio-economic data is collected, stakeholders are consulted, and Project Affected Persons (PAPs) and affected assets are identified. The project proponent (KeNHA) submits the list of affected assets to the National Land Commission (NLC), which is the lead

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agency for compulsory land acquisition. The NLC reviews the request in consultation with the relevant ministry and the National Treasury to confirm approval and funding readiness. Once approved, the NLC issues a formal Notice of Intention to Acquire Land through the Kenya Gazette, officially initiating the land acquisition and RAP process.

STEP No. 2: Notice of Intention to Acquire Land: Upon approval, NLC will publish a formal notice of intention to acquire in the Kenya Gazette in accordance with national legislation. The PAPs are served with a notice of inquiry and a public hearing will hold through the use of local administration offices where the notices are displayed, further compensation process, procedures and appeals are explained. During this stage, continuous stakeholder engagement is undertaken, and the Grievance Redress Mechanism (GRM) is established to receive and manage complaints and concerns arising from the project.

STEP No. 3: RAP and LRP Development: A detailed Resettlement Action Plan (RAP) and Livelihood Restoration Plan (LRP) are then developed based on a census and asset inventory of all affected persons and properties. Socio-economic studies are conducted to determine vulnerability levels and livelihood dependencies. Asset valuation is carried out to determine compensation entitlements, and an entitlement matrix is prepared. The RAP and LRP are developed through inclusive consultations and subsequently disclosed for review and approval by KeNHA.

STEP No. 4: Implementation Preparation: Once the RAP is approved, implementation arrangements are established, including formation of RAP implementation committees and assignment of institutional roles and responsibilities by KeNHA. Compensation schedules are finalized, and compensation agreements are prepared and signed with PAPs. Funds for compensation and livelihood restoration are mobilized, and continuous engagement with PAPs is maintained to ensure readiness for implementation. Grievances are managed and resolved before compensation payments commence.

STEP No. 5: Land Acquisition, Compensation, and Resettlement: Compensation for land, structures, crops, and other assets is disbursed to PAPs in a timely and transparent manner. Upon completion of compensation and assistance, land is formally acquired and handed over for construction activities through NLC.

STEP No. 6: Monitoring, Evaluation, and Completion: Continuous monitoring and evaluation are undertaken throughout RAP implementation to assess compliance with AfDB Operational Safeguards and GOK national requirements. Both internal and external monitoring systems are used to track compensation delivery, livelihood restoration outcomes, and grievance resolution. A RAP completion audit is conducted to verify whether PAPs have been adequately compensated and livelihoods restored or improved. The RAP process is formally closed once all objectives have been achieved and compliance is confirmed.

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Table 10:RAP implementation schedule for Phase 1Roads

S/ No	Task (Activity)	Period (Month)																			
	Resettlement Action Plan Activities	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1	Public consultation and awareness campaigns with the PAPs.	■	■	■	■	■	■	■	■	■	■	■	■	■							
	RAP Disclosure			■	■	■															
2	A Verification RAP Study of the road corridor, Socio-economic activities of the PAPs and identification of structures and other physical features requiring evaluation, valuation, Verification, Compensation and issuance of notice to relocate.		■	■	■	■															
3	Putting together the required machinery, legal and educational processes, training of resettlement staff					■	■														
4	Compensation and resettlement of PAPs (Sourcing of resettlement sites in consultation with PAPs &stakeholders). Use of media like radio to disseminate information on meetings with PAPs						■	■	■	■	■										
5	Detailed road route survey and reclaiming of encroached land for the road upgrade			■	■	■	■	■	■	■	■	■									
6	Clearing of proposed road corridor earmarked for upgrade and construction activities as well as continuing of upgrade and other construction activities.							■	■	■	■	■	■	■	■	■	■	■	■	■	■
7	Management of grievances, monitoring and evaluation of resettlement of PAPs especially vulnerable groups			■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
8	Social needs assessment infrastructure identification process	■	■	■	■																
9	RAP Completion Audit							■	■	■	■	■	■	■	■	■	■	■	■	■	■

E21. Monitoring and Evaluation

- **Objectives of the M&E System:** The Monitoring and Evaluation (M&E) system is to ensure that RAP implementation is carried out in compliance with national legislation and AfDB Operational Safeguards, and that Project Affected Persons (PAPs) are adequately compensated and their livelihoods restored or improved. Specifically, the M&E system aims to: (i) track timely and transparent implementation of RAP activities; (ii) verify that all eligible PAPs receive appropriate compensation and assistance; (iii) assess the effectiveness of livelihood restoration measures; (iv) identify and address implementation gaps and grievances; and (v) ensure accountability, transparency, and continuous improvement throughout the RAP process.
- **Performance Monitoring:** This is mainly tracking the progress of RAP implementation activities against planned targets and timelines. This will be undertaken through internal monitoring by the KeNHA, supported by Supervising Consultant through field inspections, routine data collection, and progress reviews. Key indicators will include the number of PAPs identified, compensation agreements signed, compensation payments completed, relocation cases supported, grievances received and resolved, and livelihood restoration activities implemented. Regular site inspections and consultations with PAPs will be conducted to verify compliance and address emerging issues in immediately.
- **Impact Monitoring:** KeNHA will appoint an independent consultant to evaluate whether the RAP implementation activities have been achieved, its intended outcomes, particularly the restoration of livelihoods and living standards of PAPs. This will be conducted through periodic socio-economic surveys, household interviews, focus group discussions, and key informant interviews with affected persons and stakeholders. The monitoring will compare pre-project baseline conditions with post-resettlement conditions among the PAHs resulting to a RAP Completion Report.
- **Completion Audit:** A RAP completion audit will be undertaken by an independent external evaluator once all compensation, resettlement, and livelihood restoration activities have been completed. The audit will verify whether all eligible PAPs have been compensated in full and whether livelihood restoration objectives have been achieved. It will also assess compliance with RAP commitments, national legal requirements, and AfDB safeguard policies. The audit will involve document review, field verification, and consultations with PAPs and stakeholders. The final audit report will determine whether RAP implementation can be formally closed or whether outstanding corrective actions are required.
- **Reporting Requirements:** RAP monitoring reports will be prepared on a regular basis to document progress, challenges, and corrective actions to improve RAP outcomes. Internal monitoring reports will be compiled monthly and quarterly by the Supervising Consultant/Independent RAP consultant submitted to KeNHA and shared with AfDB. These reports will include updates on compensation payments, grievance resolution, relocation progress, and livelihood restoration activities. All reporting will be evidence-based and supported by field verification data, and key findings will be shared with stakeholders through structured consultation meeting.

E22. Recommendations and Commitments

The RAP recommends based on identified impact and number 336 PAPs, a full compensation to be undertaken before project commencement.

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1 INTRODUCTION AND PROJECT BACKGROUND

1.1 Project Background

The Kenya National Highways Authority has set aside funds in its budget toward the cost of engaging the services of a Consultancy Firm to undertake Consultancy Services for Feasibility Study, Environmental and Social Impact Study, Preliminary and Detailed Design of the Great Rift Economic Development Corridor (Biretwo - Arror - Chesongoch (B126) Road) and Associated Spur Roads. The road sections form a critical link between the busy Eldoret – Malaba (A8) highway and the Kenya-Sudan Link Road; both of which promote and facilitate a regional economic integration with Kenya and her neighbours Uganda and South Sudan.

The Government of Kenya, through its implementing agency, the Kenya National Highways Authority (KeNHA) has engaged M/S Norken International Limited JV M/S. VejTech Consult Limited to render all technical support services relevant to this exercise towards the achievement of the project objectives. As part of the Consultancy services, is to undertake an Environment and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) for the proposed project to conform with African Development Bank (AfDB) Integrated Safeguard System (2023) requirements.

1.2 Project Description

The proposed Biretwo–Arror–Chesongoch (B126) Road and Associated Spur Roads Project forms part of the Great Rift Economic Development Corridor and comprises the improvement and upgrading of a primary corridor road together with its associated spur roads within Uasin Gishu and Elgeyo Marakwet Counties, located in the North Rift Region of Kenya’s classified road network.

Phase 1 of the project includes the improvement of three road sections, namely the Biretwo–Arror–Chesongoch Road (B126) and two associated spur roads, Nyaru–Kapkayo Road (B124) and Kimwarer–Emsea Road (B122). The Biretwo–Arror–Chesongoch (B126) Road starts at Biretwo, located along the Iten–Kabarnet Road, at approximately 0°32'13"N, 35°33'26"E, and proceeds in a generally north-easterly direction through Arror before terminating at Chesongoch, located at approximately 1°07'06"N, 35°38'35"E, within Elgeyo Marakwet County.

The Nyaru–Kapkayo Road (B124) commences at Nyaru, which is located along the Eldoret–Eldama Ravine Road, at approximately 0°19'32"N, 35°34'29"E, and extends eastwards to Kapkayo, located at approximately 0°18'50"N, 35°42'28"E. The Kimwarer–Emsea Road (B122) starts at Kimwarer, located at approximately 0°18'48"N, 35°37'58"E, and terminates at Emsea, which is located along the Iten–Kabarnet Road, at approximately 0°27'09"N, 35°37'48"E. These spur roads provide critical connectivity between the main B126 corridor, the Kerio Valley region, and surrounding rural settlements. See Error! Reference source not found.-1 illustrating the proposed project layout and areas.

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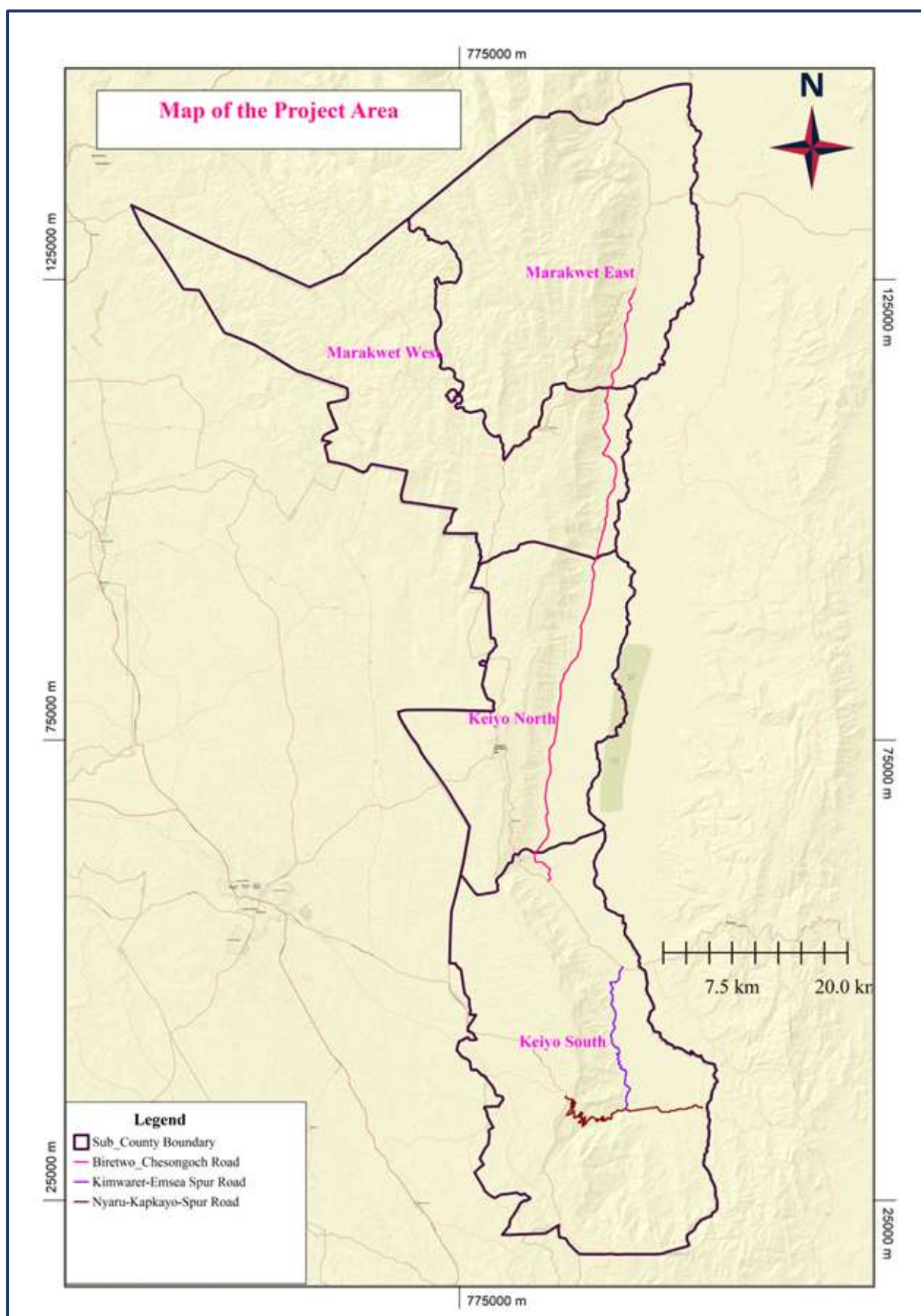


Figure 1:A Map Showing the Proposed Project Location Layout

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1.3 Project Objectives and Rationale

The main objective of the project is to design and upgrade the proposed road sections to their applicable current road standards, with improved road geometry and enhanced cross-sections. The project scope includes the provision of adequate drainage structures, dualling of road sections where required to enhance capacity, construction of bypasses where necessary, and improvement of major intersections. These interventions are aimed at reducing travel time, lowering vehicle operating costs (VOC), enhancing road safety, promoting regional trade, alleviating poverty, and supporting socio-economic development within the project influence area.

The study will provide decision-makers within the Government of Kenya with sufficient technical, environmental, and socio-economic information to facilitate the rehabilitation and upgrading of the roads to all-weather conditions and to higher design standards, in line with national transport policies and development priorities. The Project Road traverses one of the marginalized, relatively underdeveloped, arid areas of Kenya with relatively high levels of poverty among the communities and insecurity incidences.

The road is currently in fair condition but the shoulders has been completely eroded in most areas. The road carriageway has a narrow width thereby compromising the safety of road users. The project road traverses through a flat and rolling terrains. However, with the development earmarked in the region, an increase in traffic volume, socio-economic and environmental impacts are expected. This change needs to be supported by appropriate infrastructure to avoid unnecessary long travel time and high transportation costs.

The development of this project road will support the proposed development intervention in the region by facilitating transport, promote trade, increased administrative reach, alleviate poverty and promote regional integration. Ultimately, the project aims to project Kenya in the achievement of the Kenya Vision 2030 that aims to transform Kenya into a newly industrializing, middle-income country providing a high quality of life to all its citizens by 2030 in a clean and secure environment.

1.4 Project Rationale

The rationale for the proposed road improvement project is grounded in the need to address persistent transportation, connectivity, and socio-economic development challenges within Elgeyo Marakwet County and the wider North Rift region of Kenya.

The existing road network, with a combined length of approximately 123.4 km, is predominantly gravel surfaced and characterized by poor riding quality, inadequate structural capacity, steep escarpments, and sharp horizontal and vertical curves, particularly along the Nyaru–Kapkayo section. These conditions are exacerbated during the rainy seasons due to insufficient drainage infrastructure, leading to erosion, localized flooding, slope instability, and frequent disruption of traffic flow. Consequently, road users experience increased travel time, high vehicle operating costs, and reduced reliability of access to markets and essential services.

The Biretwo–Arror–Chesongoch Road serves as a critical north–south transport corridor linking the Nairobi–Nakuru–Eldoret (A8) highway to the Kerio Valley and onward connections toward West Pokot, Baringo, and Turkana Counties via the Tot–Marich Pass axis. Similarly, the Nyaru–Kapkayo and Kimwarer–Emsea roads provide essential east–west connectivity between the Elgeyo Escarpment, highland agricultural zones, valley settlements, and mineral-rich areas, including the fluorspar belt. Collectively, these roads play a vital role in supporting inter-county mobility, regional trade, and access to social and economic infrastructure.

Upgrading the roads to improved all-weather standards, including enhanced pavement structure, improved geometry, and adequate drainage systems, is expected to significantly improve transport efficiency, road safety, and climate resilience. The project will facilitate the movement of agricultural produce, livestock,

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and construction materials, thereby strengthen local livelihoods and enhance market access for farming communities. This is particularly important in view of ongoing and planned water and agricultural development initiatives within the Kerio Valley region, which are expected to increase agricultural productivity.

The improved road network will also enhance security operations and emergency response, given the strategic importance of the corridor in areas that have historically experienced insecurity due to difficult terrain and limited accessibility. Improved accessibility will support the presence and mobility of government services, including security agencies, health services, and disaster response units.

In addition, the project is expected to contribute to the growth of tourism, particularly along the Biretwo-Arror-Chesongoch section, which provides access to natural and cultural attractions such as the Rimoi National Reserve and scenic escarpment landscapes. Improved road infrastructure is anticipated to increase tourist accessibility, stimulate local enterprise development, and generate additional revenue for both National and County Governments.

Overall, the proposed road improvements align with the Government of Kenya's development priorities, including the Bottom-Up Economic Transformation Agenda (BETA), by promoting inclusive growth, improving rural accessibility, reducing poverty, and fostering sustainable socio-economic development within the project area of influence.

1.5 Purpose and Objectives of the RAP

The need for a RAP study arose during the screening and scoping of resettlement risks which identified land take and displacement (either physical or economic) as one of the adverse social impacts of the proposed works on some of the proposed road components.

This RAP focuses expansion or realignment of the corridor on the proposed Phase 1 for Biretwo-Arror-Chesongoch(B126) approximately 72Km as the major road corridor and some sections for Kimwarer -Emsea and Nyaru – Kapkayo of approximately 51.4Km.

Table 11:Proposed Project Roads for Phase 1

S/No.	Road Section	Road Classification	Length (Km)	County
1	Biretwo – Arror – Chesongoch	B126	72.0	Elgeyo Marakwet
2	Nyaru – Kapkayo	B124	32.0	Elgeyo Marakwet
3	Kimwarer – Emsea	B122	19.4	Elgeyo Marakwet

1.5.1 Objectives of the RAP

The objectives of the resettlement action plan are;

- Screening and identifying potential resettlement risks and impacts associated with the proposed road project at an early planning stage this will inform the project design alignment aimed at avoiding or minimizing involuntary resettlement where feasible.
- Identification and mapping of Project Affected Persons (PAPs) and potentially affected assets within the proposed road corridor.
- Providing an initial assessment of the nature, scale, and severity of resettlement impacts, including physical displacement, economic displacement, and impacts on vulnerable groups.
- Establishing an early understanding of land tenure arrangements, ownership patterns, and land use within the project areas to inform next phase of resettlement studies.

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- v. Undertaking stakeholder engagement with key stakeholder's/community leaders and key institutions (including KeNHA, county governments, and local leaders) to capture early concerns and expectations related to resettlement.
- vi. Assessing legal compliance requirements under Kenyan laws (KeNHA procedures and GOK regulations on matters compulsory land acquisition) and the AfDB Integrated Safeguards System ,2023, particularly ESS (OS 5) on Involuntary Resettlement.
- vii. Making a clear and evidence-based recommendation on whether a full Resettlement Action Plan (RAP) or alternative instrument is required, in line with KeNHA and AfDB criteria.

1.6 RAP Methodology and Approach

The information for formulation of the Resettlement Action Plan was based on primary and secondary data sources. The information collected through the different methods was analysed to generate social and economic data of the community members and PAPs. The key steps are explained below;

1.6.1 Data Collection Methodology

1.6.1.1 Desk Review and Secondary Data Analysis

The development of the resettlement action plan was complemented by reviewing of relevant literature on land use and settlement patterns within the immediate areas of influence of the road sections. This review informed the identification of potential resettlement risks, sensitive receptors, and high-impact zones along the road corridor. The study undertook a comprehensive review of the relevant documents including:

- (i) Review of the Kenya National Bureau of Statistics data, County Government Development Plans, County Review Plans, lands use maps and other relevant data associated with socio-economic profile for the area.
- (ii) Identifying and harmonizing any differences in resettlement and compensation guidelines between the Kenya Government constitution and land acquisition policies;
- (iii) Establishing the land use rights in the project area since the land is held on development leases from the government and;
- (iv) Reviewing of International Best Practice related to Involuntary resettlement including AfDB's Environmental Social Operational Safeguards particularly ESS OS 5 on Involuntary Resettlement.
- (v) Project design documents, land acquisition and spatial maps, and engineering drawings.

1.6.1.1 Screening and Scoping of Resettlement Impacts

A screening exercise was conducted to identify likely resettlement risks associated with the road project. This involved:

- (i) Reviewing the proposed road alignment and associated project components such as bypass at Arrior,
- (ii) Identifying areas likely to require land acquisition, displacement, or livelihood disruption;
- (iii) Assessing the potential scale of impacts (low, moderate, or high) and
- (iv) Determining whether the project would trigger involuntary resettlement under KeNHA and AfDB requirements.

The screening identified that there will be acquisition of land where the project will entail alignment, constrained existing corridors and wayleave for other road infrastructure.

1.6.1.3 Stakeholder Consultation and Participation

Stakeholder engagement process methodologies used a mix of participatory methods and structured approaches to sensitize, inform, consult, and actively involve stakeholders at different levels within the project area. These methodologies integrated participatory, inclusive, and context sensitive techniques to

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promote meaningful engagement and ensure that the views of all stakeholders particularly vulnerable and marginalized groups are effectively captured and considered in decision-making.

Initial stakeholder engagement was undertaken during the screening of impacts stage through No.7 high-level entry meetings held on 8th – 11th December 2025 with a total attendance of 366(M=259, F=106) these meetings coordinated with the offices of Deputy County Commissioners in all the five sub counties transversed by the road project. These meetings brought together national and county government department heads, community representatives, including local leaders, elders, women, youth, and persons living with disabilities, to introduce the project, capture preliminary concerns and local insights, and inform the design of more detailed consultations for the Full RAP. (See detailed outcomes Chapter 4)

During the RAP studies, extensive consultations were conducted across national, county, sub-county, and community levels to establish baseline environmental and socio-economic conditions and identify stakeholder needs. Engagements included government institutions, NGOs, CBOs, and community groups such as farmers, transport operators, and traders. A total of eight community meetings (barazas) were held between 8th – 18th April 2026 across the project sub-counties, reaching 1,497 participants (580 women and 917 men). Additional meetings with local leaders supported awareness creation and preparation for detailed RAP studies. The gender representation in the meetings was at ~60%male and ~40% female.

Focused Group Discussions (FGDs) number 18 with about 30 people from each group (men. Women and youth) and over No. 20 Key Informant Interviews (KIIs) complemented the broader consultations, enabling in-depth engagement on land tenure, social services, gender, social inclusion, environmental and safety concerns, and benefit-sharing. These targeted discussions included youth, women, men, the elderly, vulnerable groups, and persons with disabilities. Inputs from all consultations were incorporated into the RAP and ESMP to guide project implementation, monitoring, and stakeholder engagement throughout the project lifecycle.

Feedback from key stakeholders and PAPs informed the need for the project to ensure proper resettlement planning is in place. While detailed minutes of the meetings proceedings are in the

APPENDIX 1 this section outlines the key issues that emerged from community sensitization and awareness meetings, concerns, clarifications and opinions registered. These are summarised in the below;

Table 12: Summary of Key Issues, Concerns and Clarifications from Community Meetings and PAP Meetings

No.	Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
2	Concerns regarding land acquisition and potential loss of ancestral land.	Land acquisition will be undertaken in accordance with the Resettlement Action Plan (RAP), consistent with national legislation and the African Development Bank's safeguard requirements. All affected persons will be identified, and compensation and livelihood restoration measures will be implemented prior to displacement through NLC.
3	Lack of designated livestock crossing points, posing risks to animals and road users	The project design will incorporate appropriate livestock crossing points and related safety features, informed by community consultations and Road Safety Awareness creation will be emphasized.
4	Increased risk of gender-based violence (GBV), Sexual harassment and exploitation, together with Child Abuse associated with influx of construction workers	The Contractor will implement a GBV Action Plan, Child Protection Strategy, including Codes of Conduct for workers, awareness programs, confidential reporting mechanisms, and referral pathways aligned with national systems and AfDB requirements.

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No.	Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
		Local residents and youth will be prioritized for unskilled and semi-skilled jobs during construction, subject to contractor requirements and labour laws.
5	Limited employment opportunities for local youth	The project will promote local employment opportunities through fair and transparent recruitment processes, with preference given to qualified local labor in line with applicable labor laws and AfDB standards at 70%.
6	Disruption of roadside businesses and livelihoods during construction	Temporary economic displacement will be addressed in the RAP, including compensation and livelihood restoration measures for eligible affected persons, in line with AfDB safeguard requirements OS5.
7	Dust emissions affecting nearby households and vulnerable populations	The Contractor will implement mitigation measures as outlined in the ESMP, including dust suppression, traffic management, and continuous monitoring to minimize health impacts.
8	Risk of exclusion of vulnerable and marginalized groups from consultations and project benefits	The project will ensure inclusive stakeholder engagement through targeted consultations and implementation of measures to enhance participation and benefit-sharing for vulnerable and marginalized groups, consistent with AfDB operational safeguards OS7.
9	Road safety concerns, particularly for school-going children and other vulnerable road users	Road safety measures will be incorporated into project design and implementation, including signage, speed calming infrastructure, and community awareness programs, in line with a recommendation to have a Road Safety Awareness Program for the project.
10	Potential disruption of water sources and irrigation infrastructure	The project will avoid or minimize impacts on water resources through careful design such as installation of access culverts. Where impacts are unavoidable, affected infrastructure will be restored or improved in consultation with users/community.
11	Community Liason Officers to be recruited from the community.	Request was noted and the recommendation has been outlined in the ESMP.
12	Raised concern about elephants in the region and some roaming the households/road corridor.	The consultant acknowledged the presence of elephants, noting the project's proximity to Rimoi National Reserve. Mitigation measures will include wildlife warning signage, speed reduction zones, designated crossing points, and community sensitization to reduce human-wildlife conflict and vehicle collisions. Consultation with Kenya Wildlife Service (KWS) will also be undertaken for collaboration on appropriate mitigation measures.
13	Community requested for several Access roads linking to markets, public infrastructure like schools, hospitals and other areas.	Access roads to public institutions such as schools, health facilities, and markets will be assessed during the detailed design phase. Feasible improvements within the project scope will be considered. This request will also be submitted to KeNHA for consideration during construction.
14	Concern: There was a massacre in 1992, and the victims were buried along the road corridor. Inquired whether there will be a cost for exhumation and reburial. (at Sambirir Ward)	The project acknowledges the sensitivity of this concern. Any gravesites identified within the road corridor will be handled with dignity and respect. The cost of exhumation and reburial, including cultural or religious rites, will be

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No.	Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
		borne by the project in accordance with Kenyan law through RAP.
15	Materials be sourced from the community and proper rehabilitation of the borrow sites	The project will prioritize sourcing of materials such as sand, ballast, and gravel from the community where quality, quantity, and timely supply can be met. Specific arrangements will be discussed with local suppliers during implementation. Material Sites rehabilitation and restoration measures will be incorporated in the ESMP.
16	Community members raised concerns regarding the need to improve nearby hospital and health facility services, noting that improved road access alone may not address existing gaps in healthcare infrastructure as well as serving the expected population influx during construction.	While acknowledging the importance of health service delivery, it was clarified that the road project does not include direct interventions in the health sector infrastructure. However, the project is expected to generate indirect positive impacts by improving physical access to health facilities, reducing transport time for patients, and enhancing emergency referral systems. The issue was documented and will be communicated to relevant County Government health authorities and KeNHA for consideration in their respective investment planning frameworks.
17	Requested access culverts for access to households, proper drainage systems.	- Access culverts will be provided where necessary to maintain connectivity to homes, farms, and institutions. However, not every home may receive a dedicated culvert. Design decisions will be based on engineering standards, safety, and hydrological requirements. - Proper drainage systems will be designed as per the Hydrological studies are being conducted to ensure adequate drainage structures, including side drains, culverts, and bridges, are incorporated into the design to prevent flooding and erosion. - Box culverts will be considered where hydrological and topographical conditions require them, particularly in areas with high water flow or where access for livestock and vehicles is needed.

1.6.1.2 Socio-economic Profiling of PAPs

The socio-economic data collection for the Resettlement Action Plan (RAP) of the Biretwo–Arro–Chesongoch B126 Road and Associated Spur Roads was carried out to identify, document, and profile all Project Affected Persons (PAPs) along the project corridor. The exercise aimed to establish a comprehensive socio-economic baseline to inform fair and equitable compensation and livelihood restoration measures, in compliance with GOK regulations, the KeNHA Resettlement Policy Framework, and AfDB OS 5. A mixed approach was adopted, combining quantitative and qualitative data collection tools to ensure a holistic understanding of the affected persons. The four primary methods used were the Household Survey, Key Informant Interviews, Focus Group Discussions and community meetings (Baraza).

Socio-economic survey managed to interview a total number of 80 of PAPs out of total of 336 whose assets were identified, However, the number interviewed may not correspond with the total number of PAPs whose assets were inspected, as some PAPs were unavailable during the survey period, while others were represented by individuals who lacked adequate information on the characteristics of the affected households. Data collection was conducted digitally using online tool Kobo Collect, a team of No.18 locally

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recruited and trained enumerators undertook the assessment due to their familiarity with local languages and culture. Key Socio-economic survey of PAH findings include:

- **PAP Profile:** The most common category is Structure Owner + Business (18%), confirming a predominantly commercial displacement scenario.
- **Demographics:** 76% of households are male-headed; the majority of respondents (54%) are aged 35–65 years.
- **Education:** Most household heads have secondary (42%) or tertiary (31%) education, with no illiterate respondents recorded.
- **Livelihoods:** Business (53%) and crop farming (33%) are the dominant occupations, with informal business categories prevalent.
- **Religion:** The community is entirely Christian (100%), simplifying community engagement design.
- **Vulnerability:** Physical disability and chronic illness each affect 1% of households; 29% of respondents confirmed elderly-headed households.
- **Land:** 39% of PAPs will have land affected; 67% of those with documents hold title deeds.
- **Structures:** 97% of affected structures are commercial; iron sheets dominate walls (28%) and roofing (94%).
- **Compensation:** 92% prefer monetary compensation, which should form the primary mechanism of the RAP entitlement matrix.

1.6.1.3 Asset Identification, Inventory and Valuation

The consultant designed a methodology for the assessment of compensation for land and property within the proposed corridor as part of the RAP update study. The land and property valuation for compensation was carried out within the broader terms of reference of the preparation of a Resettlement Action Plan for the project. In accordance with the scope of the assignment the tasks undertaken were;

- a) Surveying and valuing all land affected within the proposed road corridor and assets to be acquired and loss of livelihood.
- b) Obtaining all cadastral and other relevant information necessary in the identification of all property owners and other persons that are affected by the project. Use maps and drawings that show the land tenure system and affected land along the alignment including listing all registered parcels whose properties are not traceable. Each type of tenure system was uniquely demarcated using a personal identifier/ PAP code.
- c) Surveying and verifying copies of all the registered land titles, digital maps of the site and immediate neighbourhood (for purposes of injurious effects), including full cadastral survey(s) of the affected parcel of land.
- d) Preparing maps, drawings and data complying with requirement of the Valuation Division and the Department of Surveys and Mapping for Elgeyo Marakwet for purposes of acquiring properties and relocation of utilities falling within the project foot print.
- e) Using procedures approved by and working in close liaison with the NLC, Ministry of Agriculture and Kenya Forest Service for purposes of obtaining current market rates for use in valuation land, crops and trees and loss of business affected by the project in order to provide the basis for compensation/resettlement.
- f) Working closely with the local administration and community elders in identifying rightful land owners and where cases of absentee land owners arose, they were used to verify and track owners for signing of the PA acknowledgement forms.
- g) Compilation of land acquisition and resettlement costs.
- h) Obtaining consents from land owners, businesses owners to undertake valuation, census and socio-economic studies.

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1.6.2 Land Survey Methodology

Overview and Purpose

The land survey was undertaken to identify, demarcate, and quantify all land parcels and associated assets affected by the proposed project. The survey provided the spatial basis for determining land acquisition requirements and supported the identification of Project Affected Persons (PAPs), valuation of assets, and preparation of compensation and livelihood restoration measures under this Resettlement Action Plan (RAP). The methodology ensured that all affected land and assets were systematically identified, verified in the field, and linked to socio-economic and asset data.

- (a) **Data Retrieval and Desk Review:** Prior to field surveys, a desk review of relevant spatial and administrative data was undertaken. This included engineering design drawings defining the project alignment and construction corridor required, available cadastral and land registry information, administrative boundary data, and recent aerial drone data. These datasets were used to preliminarily identify potentially affected land parcels and to guide field verification and mapping activities.
- (b) **Survey Control and Positioning Framework:** The survey was conducted using Global Navigation Satellite System (GNSS)-based equipment to ensure spatial accuracy of the project footprint and affected parcels. The project spatial data was referenced to the national coordinate reference system. Existing old control points were searched before the start of the exercise and were used as the reference points. Additional ground control was established to support accurate positioning of the project alignment and affected land parcels.
- (c) **Field Survey, Setting Out and Parcel Identification:** Field surveys were conducted along the project corridor to physically identify the alignment and determine affected land parcels and assets. Survey plans covering the alignments were identified from the survey of Kenya offices in Iten. Preliminary index diagrams for the registered sections were obtained from the survey offices at survey of Kenya offices Ruaraka and Eldoret. Other maps covering the area but have not been registered were obtained from the land adjudication office in Iten.
- (d) The survey team demarcated the project footprint on the ground and identified all intersecting parcels. Parcel boundaries were confirmed through field observation and participatory verification with landowners, occupants, and neighboring land users. Each affected parcel was assigned a unique Parcel Identification Number (PIN) to ensure traceability across the RAP database, including linkage to the census of Project Affected Persons (PAPs) and the asset inventory
- (e) **Cadastral Identification and Boundary Verification:** Confirmation of parcel boundaries. In areas without formal cadastral data, boundaries were established through participatory verification with land users/owners and local leaders. Boundary confirmation included identification of visible markers, land use limits, and agreement between adjoining land users to ensure consistency and reduce disputes.
- (f) **Mapping Methodology and GIS Processing:** Survey data were processed and integrated into a Geographic Information System (GIS) to produce spatial outputs, including the project alignment, affected parcels, and impacted assets. GIS analysis was used to determine the extent of land acquisition per parcel, classify impacts (partial or full acquisition), and generate maps for valuation, consultation, and RAP disclosure purposes.
- (g) **GPS Survey Controls and Data Accuracy:** GNSS-based positioning was used throughout the survey to ensure spatial consistency and accuracy. All spatial data were aligned to the project coordinate reference framework. Quality assurance checks were undertaken during data collection and processing to ensure consistency between field observations, GIS outputs, and engineering design information.
- (h) **Land Parcel Verification and Stakeholder Engagement:** Land parcel boundaries, ownership details, and affected assets were verified through consultations with affected persons, local leaders, and relevant authorities. This participatory process ensured transparency in parcel identification and helped resolve discrepancies or disputes during the survey process.

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- (i) **Survey Equipment, Software, and Tools (Summary Level):** The survey was conducted using standard GNSS/GPS equipment, drone and GIS software for spatial data capture and processing. Mapping and analysis were undertaken using industry-standard GIS and CAD software.
- (j) **Datum Parameters and Coordinate System:** All spatial data were referenced to the national coordinate reference system used for the project. The datum and projection parameters ensured consistency of spatial data across all survey components
- (k) **Integration with PAP Census and Asset Inventory:** The land survey was closely integrated with the socio-economic census and asset inventory. Each affected parcel was linked to identified Project Affected Persons (PAPs) and their assets, ensuring consistency between spatial, social, and valuation datasets. This integration enabled accurate determination of eligibility, compensation, and livelihood restoration measures.
- (l) **Survey Outputs:** The land survey generated the following outputs:
 - ✓ Georeferenced project alignment and affected area maps
 - ✓ Parcel-level inventory of affected land
 - ✓ Classification of impacts (partial/full acquisition)
 - ✓ Spatial database linking parcels to PAPs
 - ✓ Inputs for valuation and compensation assessment
 - ✓ Summary statistics for RAP reporting

1.6.3 Valuation Methodology

The valuation exercise was undertaken to determine fair and equitable compensation for Project Affected Persons (PAPs) in accordance with applicable laws, valuation standards, and the principles of compulsory land acquisition. The methodologies adopted for various asset categories are described below.

Land Valuation: The Comparable (Market) Approach was adopted for the valuation of land. Under this method, the value of the subject land was derived from analysis of recent sales and market evidence of comparable properties within the locality or areas with similar characteristics. Appropriate adjustments were made to account for differences in location, land use, accessibility, tenure, proximity to infrastructure and services, topography, and other value-influencing factors. The approach is based on the principle that an informed purchaser will not pay more for a property than the cost of acquiring a comparable substitute property in the market. For areas where direct market evidence was limited, values were inferred from transactions in nearby trading centres and localities with similar land characteristics, tenure systems, and economic activities, including pastoralism and agricultural production. This ensured that compensation reflected prevailing market conditions and replacement value principles.

Valuation of Structures and Improvements: The Cost (Replacement Cost) Approach was adopted in valuing buildings and other improvements. This approach is founded on the economic principle that a prudent purchaser will pay no more for an asset than the cost of acquiring or constructing an equivalent asset with similar utility. The replacement cost of each structure was estimated using current construction rates, labor costs, material prices, and professional fees in accordance with the International Valuation Standards (IVS 2022). All affected structures and developments within the project corridor were inspected, measured and valued at full replacement cost without depreciation where required under resettlement and compensation principles.

Valuation of Crops and Trees: The valuation of trees, perennial crops and fruit trees was undertaken based on their type, age, productivity and expected yield, using compensation rates adopted from the Ministry of Agriculture and the Kenya Forest Service guidelines applicable within the project area. The valuation was

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conducted in accordance with prevailing statutory requirements and established compensation frameworks to ensure fair and equitable assessment of affected assets.

Seasonal crops were not considered at this stage of the valuation exercise, as their assessment and compensation can only be undertaken during the project implementation stage to reflect the actual crops existing at the time of possession or acquisition.

Valuation of Businesses and Livelihoods: Affected businesses and livelihood activities were assessed using the Income Approach and livelihood restoration principles. Compensation considered potential loss of income, business interruption, relocation impacts and restoration measures necessary to enable affected persons to re-establish their economic activities. Where reliable income data was available, estimates were based on net earnings and prevailing market conditions.

Community and Communal Land Considerations: In addition to market value (value in exchange), the Resettlement Action Plan (RAP) considered value in use, particularly for communal and clan-owned resources. Such resources provide social, cultural and economic benefits to communities and their valuation considered the continued utility and livelihood support derived from them.

Statutory Disturbance Allowance: In accordance with the provisions governing compulsory acquisition, a statutory disturbance allowance of fifteen percent (15%) was applied to the assessed value of land and improvements to compensate for inconvenience and additional losses arising from acquisition. The compensation values presented in this valuation therefore incorporate the applicable statutory addition.

Roles of KeNHA valuers and NLC: A joint meeting was held on 11th May 2026 between KeNHA, NLC and Consultant RAP team before the commencement of valuation process. The meeting was mainly to guide the consultant on how to capture the affected assets, development of rates and aligning the compensation rates with the existing ongoing projects within the project area to avoid discrepancy and PAPs retaliation. KeNHA valuer supported the consultant and supervised the process of valuation from commencement of field activities, verifying land parcels as per the land acquisition plans provided by the surveyor on the ground, guided on the compensation rates and signed the PAPs acknowledgement forms thereafter.

1.6.4 Cut – Off Date

Persons who encroach on the area after the census cut-off date of 15th May 2026 are not entitled to compensation or any other form of resettlement assistance, For the development restrictions for land acquisition the statutory cut of date will be declared by the National Land Commission through national gazette notice for intention to acquire land for the project before project commenced.

1.6.5 Acknowledgement signing of consent forms

Following awareness creation and explanation of the RAP process, PAPs signed the consent and acknowledgement forms to confirm their participation and understanding. The signing process was witnessed by local administration representatives, village elders, and, where possible, PAP witnesses to enhance credibility, transparency, and community trust. The forms also serve as an important record for resolving disputes and demonstrating compliance with legal and resettlement requirements as per AfDB OS5. A total of No.213 PAP consent forms were dully filled by respective land owners and signed by the local administration while No.6 forms these are forms signed by the Area Chief only No.2 are for Kenya Forest Service land (KFS) whereby KeNHA need to officially engage for signing , No.4 forms were on disputed land hence this cases will be dealt with during project implementation. The PAPs also willingly provided their personal details, including phone and ID numbers, through phone communication for purposes of identification and confirmation.

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1.7 Determination of Full RAP Requirement

Based on the screening, field observations, and early consultations, it was evident that a full RAP was required to address the significant displacements or livelihood impacts identified along the corridor. In this regard, where a full RAP is considered necessary, the following steps were undertaken in the detailed design stage as follows;

- i. Detailed census of PAPs,
- ii. Comprehensive asset inventory and valuation,
- iii. Detailed Land survey and parcel mapping,
- iv. Livelihood restoration planning,
- v. Vulnerability assessment and targeted support measures,
- vi. Grievance Redress Mechanism (GRM) design,
- vii. Stakeholder Engagement at the community level with the PAPs,
- viii. Implementation plan, budget, and institutional arrangements; and
- ix. Monitoring and evaluation framework

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2. POLICY AND LEGAL FRAMEWORK

2.1 Introduction

This chapter outlines the legal provision for the resettlement and Involuntary resettlement. It provides an overview of the National Provision, AfDB guidelines and provides the differences between the National and AfDB provisions. The following summary of the applicable legislative/regulatory provisions relevant to involuntary resettlement under the project i.e. compensation and land acquisition procedures.

1. Kenyan Land and land related laws relating to land and resettlement namely:
 - Constitution of Kenya (2010),
 - National Land Commission Act 2012,
 - Land Act 2012,
 - Land Registration Act 2012,
 - The Environment and Land Court Act, 2011,
 - The Land Control Act Cap 302,
 - Public Roads and Roads of Access Act (Cap. 399)
 - Valuers Act, Cap 532 Laws of Kenya among others tabulated below.
2. Other relevant laws related to protection of vulnerable individuals and gender-based violence:
 - Sexual Offences Act 2012,
 - Children Act 2012,
 - Labour Relations Act No. 18 of 2018, and
 - Matrimonial Property Act, No.9 of 2013
3. Kenyan Policies relating to land, resettlement and sustainable development namely:
 - National Land Policy, 2007
 - National Gender Policy;
 - KeNHA ESS Policy
4. Relevant AfDB Policies and guidelines namely:
 - AfDB Integrated Safeguard Standards, 2023 – Operational Safeguard (OS 5) on Involuntary Resettlement.
 - AfDB Gender Policy and Handbook on Stakeholders Consultations and participation on AfDB Funded Projects.

NOTE: *The Kenyan Legal regulatory environment may be subject to changes to both regulatory instruments and authorities during the projected project lifecycle. It is therefore recommended that the regulatory framework is reviewed and assessed periodically.*

2.2 GOK Legal Provision Related to RAP

The RAP has been prepared in compliance with the requirements of the relevant national legislation of the Republic of Kenya. The process and procedures of land acquisition for the Project will be principally governed by Kenya land laws including; Land Act 2012, Land Registration Act 2012, National Land Commission Act 2012 as well as the African Development Bank Safeguards Policy on Resettlement (OS2 Involuntary Resettlement; land acquisition population displacement and compensation. Articles 40 of the 2010 Constitution of the Republic of Kenya establish the fundamental principles of right to and protection of private property. In addition to the overarching principles stated in the Constitution, key legislation applicable to land management and expropriation in Kenya is listed in the table below.

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Table 13: Summary of the Kenya legislation relevant to the RAP

Legal Section	Relevant Provisions	Relevance To the RAP
The Constitution of Kenya, 2010	In the Constitution of Kenya, 2010 Part II (Environment and Natural Resources), (I) the State clearly undertakes to carry out the following: • Ensure Sustainable exploitation, utilization, management and conservation of the environment and natural resources and ensure the equitable sharing of the accruing benefits; • Work to achieve and maintain a tree cover of at least ten percent of the land area of Kenya; • Protect and enhance intellectual property in, and indigenous knowledge of biodiversity and the genetic resources of the communities; • Encourage public participation in the management, protection and conservation of the environment; • Protect genetic resources and biological diversity; • Establish systems of environmental impact assessment, environmental audit and monitoring of the environment; • Eliminate processes and activities that are likely to endanger the environment; and • Utilize the environment and natural resources for the benefit of the people of Kenya. (II) “Every person has a duty to cooperate with State organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources. Chapter 5 on land and environment emphasizes on the following: • Land use and management shall by law benefit local communities; • Community land is protected from encroachment by state; • Rivers, forests and water bodies shall be protected by law; • Equitable access to land; • All lawful land rights are secured; only someone who has stolen land needs to worry; and • County Governments will manage land in trust of the people in accordance with the constitution.	The Project should observe the conditions stated alongside in as far as environmental protection is concerned. It should also take into account the protection of the rights of every Kenyan to a healthy environment including the rights of all community members within the Project area.
The Lands Act, 2012 No. 6 of 2012	Part II Section 8 provides guidelines on management of public land by National Land Commission on behalf of both National and County Governments. This law in Section 8(b) stipulates that the Commission shall evaluate all parcels of public land based on land capability classification, land resources mapping consideration, overall potential for use, and resource evaluation data for land use planning. Section 8(d) stipulates that the Commission may require the land to be used for specified purposes subject to such conditions, covenants, encumbrances or reservations as are specified in the relevant order or other instrument. In managing public land, the Commission is further required in Section 10(1) to prescribe guidelines for the management of public land by all public agencies, statutory bodies and state	This part of the law seeks to preserve and direct management of fragile public land held by the various public bodies for sustainable development. KeNHA is a public body and once land has been acquired for roads, it is vested into their custody as the acquiring body. Thus, expected to comply with this statute.

Legal Section	Relevant Provisions	Relevance To the RAP
	corporations in actual occupation or use. In these guidelines management priorities and operational principles for the management of public land resources for identified uses shall be stated. This in essence means that the Commission shall take appropriate action to maintain public land that has endangered or endemic species of flora and fauna, critical habitats or protected areas. As well the Commission shall identify ecologically sensitive areas that are within public lands and demarcate or take any other justified action on those areas and act to prevent environmental degradation and climate change. Section 107 of the Act requires that National or County Governments after satisfying that it is necessary to acquire land for public development; the respective CS will submit a request to the Land Commission. Upon approval, the target land will be geo-referenced and authenticated at the national and county levels (Section 110). In accordance with Section 111, just compensation shall be paid promptly to all persons whose interests have been affected by the land acquisition.	KeNHA and the Contractor will also be required to ensure protection of any sensitive habitats and endangered species that may be identified.
The Community Land Act, 2016	The Community Land Act provides for compulsory acquisition of land from Community Land subject to Article 40(3) of the Constitution and the Land Act 2012. Under Section 5(4), no interest in, or right over community land may be compulsorily acquired by the State except in accordance with the law, for a public purpose, and upon prompt payment of just compensation to the person or persons, in full or by negotiated settlement. Transitional arrangements on payment of compensation for community land are therefore prescribed in the following sections: <i>6(2) County Governments shall hold in trust for a community any monies payable as compensation for compulsory acquisition of any unregistered community land.</i> <i>6(3) upon registration of community land, the respective county government shall promptly release to the community all such monies payable for compulsory acquisition.</i>	This section of the law is applicable in the project areas where most of the land to be acquired for the expansion of the road lies community land. Hence KeNHA, will seek the assistance of the County Government in processes to follow as described in the law.
Physical and Land Use Planning Act No. 13 of 2019	This Act of Parliament is to make provision for the planning, use, regulation and development of land and for connected purposes. The objects of this Act are to provide: - The principles, procedures and standards for the preparation and implementation of physical and land use development plans at the National, County, Urban, Rural and Cities level; - The administration and management of physical and land use planning in Kenya - The procedures and standards for development control and the regulation of physical planning and land use; - A framework for the co-ordination of physical and land use planning by County Governments; - A mechanism for dispute resolution with respect to physical and land use planning; - A framework for equitable and sustainable use, planning and management of land;	The Project is compatible with the existing physical plans and approved development and land use. KeNHA through a consultant undertakes public consultation through holding public consultation meetings and the administration of a structured questionnaire to promote public awareness on proposed road projects. This helps creating awareness on best environmental protection and preservation, and to promote public safety and
Prepared for KeNHA	16	NIL/VCL

Legal Section	Relevant Provisions	Relevance To the RAP
	g) The functions of and the relationship between planning authorities; h) A robust, comprehensive and responsive system of physical and land use planning and regulation; and i) A framework to ensure that investments in property benefit local communities and their economies. Section 5 of the Act states that every person engaged in physical and land use planning and regulation shall adhere to the following principles and norms of physical and land use planning; a) Physical and land use planning shall promote sustainable use of land and liveable communities which integrates human needs in any locality; b) Development activities shall be planned in a manner that integrates economic, social and environmental needs of present and future generations c) Physical and land use planning shall be comprehensive, sustainable and integrated at all levels of government, taking into consideration the interests of all parties concerned; d) Physical and land use planning shall take into consideration long-term optimum utilization of land and conservation of scarce land resource including preservation of land with important functions; e) Physical and land use planning shall be inclusive and must take into consideration the culture and heritage of people concerned; and f) Physical and land use planning shall take into account new approaches such as transit-oriented development, mixed land-uses, planning for public transport and non-motorized transport among others to achieve sustainable development and more efficient use of natural resources. Section 55 (1) of the Act provide the objectives of development control as: a. To ensure orderly physical and land use development; b. To ensure optimal land use; c. To ensure the proper execution and implementation of approved physical and land use development plans; d. To protect and conserve the environment; e. To promote public safety and health; f. To promote public participation in physical and land use development decision-making; g. To ensure orderly and planned building development, planning, design, construction, operation and maintenance; and h. To promote the safeguarding of national security. Section 56 of the Act provide that the Urban Areas and Cities Act, 2011, and the County Governments Act, 2012, that the County Governments shall have the power within their areas of jurisdiction to: prohibit or control the use and development of land and buildings in the interests of proper and orderly development of its area; control or prohibit the subdivision of	health during construction and operational phases.
Prepared for KeNHA	17	NIL/VCL

Legal Section	Relevant Provisions	Relevance To the RAP
	land; consider and approve all development applications and grant all development permissions; ensure the proper execution and implementation of approved physical and land use development plans; formulate by-laws to regulate zoning in respect of use and density of development; reserve and maintain all the land planned for open spaces, parks, urban forests and green belts in accordance with the approved physical and land use development plans; and consider and determine development planning applications made in respect of land adjoining or within reasonable vicinity of safeguarding areas. Section 57 states that person who commences any development without obtaining development permission commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding two months or to both. The Act also states that in case one has commenced a development without obtaining development permission to restore the land on which the development is taking place to its original condition or as near to its original condition as is possible and that such restoration shall take place within ninety days. If no action is taken, then the relevant County Executive Committee Member will restore the land and recover the cost incurred thereto from the developer. In addition, the same section also states that no person shall carry out development within the area of a local authority without development permission granted by the relevant County Executive Committee Member. The third schedule states that any Planning authorities shall require applications for major developments to be subjected to environmental and social impact assessment.	
Internally Displaced Persons (IDP) Act: Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012	This Act applies to all internally displaced persons either through calamities, social conflicts or development projects and is guided by the Bills of Rights under the Constitution of Kenya. Section 5 of the Act lists development projects among the displacement factors and outlines involvement of the affected persons through awareness, sensitization, training and education on causes, impacts, consequences and prevention measures. Under Section 6 of the Act indicates displacements and relocations from development projects will take place only justified by compelling and overriding public interests. The procedures to follow are listed under Section 22 such as to include: ▪ Justification as to why the displacement is unavoidable and that there is no other feasible alternative; ▪ Seeking free and informed consent from the affected persons; ▪ Holding public hearing on the project planning; ▪ Provision of reasonable notice time to allow affected persons review and react to the displacement conditions; and ▪ Displacement process should reflect respect to human rights. Relocation of the affected persons will be guided by the following factors:	The RAP has addressed the concerns of the vulnerable and marginalised.

Legal Section	Relevant Provisions	Relevance To the RAP
	▪ Full information on the affected persons and ensuring their participation; ▪ Identification of safe, adequate and habitable alternatives; ▪ Availability of safety, nutrition, health and hygiene as well as protection at the new locations; and ▪ Acceptability by the host communities in the new locations.	
Traffic Act (Cap. 403)	Section 91 states that (1) Every person who, without the written permission of the highway Authority: a) Encroaches on a road or on any land reserved therefore at the side or sides thereof by making or erecting any building, fence, ditch, advertisement sign or other obstacle, or by digging thereon or by planting or sowing any tree, shrub or seeds thereon; or b) Deposits or causes to be deposited in any manner whatever on a road any material or matter, other than road-making materials deposited for the purpose of making up or repairing the road; or c) Digs up, removes or alters in any way the soil or surface of a road, or of any land reserved therefore at the side or sides thereof, or if done for the purpose of moving a vehicle without immediately thereafter making good the damage; or d) Wilfully fills up, alters or obstructs any ditch or drain, whether on a road or contiguous thereto, made by or under the control of the highway authority, to carry water off the road or to keep it from flowing on to the road; or e) Allows any sludge or any filthy or noisome matter to flow from any building or land in his occupation on to a road or into any ditch or drain made by the highway authority; or f) Causes or allows any timber, sledge, plough or other heavy material, vehicle or implement not wholly raised above the ground on wheels to be dragged on a road; or g) Pitches any tent, booth or stall on a road; or h) Makes any fire on any road, shall be guilty of an offence. (2) It shall be lawful for the highway authority to remove anything whatsoever which has been placed or erected on a road or land reserved therefore in contravention of this section. Under the Traffic sign rules Part 13, temporary traffic sign signal unit may be used for purposes of controlling the movement of vehicles on the road where the road works are in progress or where the width of the carriageway is temporary restricted.	This Section of the law makes it illegal for any form of encroachment to be erected in a road reserve without express permission from the Authority
Public Roads and Roads of Access (Cap 399)	Section 9 of this Act states that in where any owner or occupier of land is in respect of his land so situated in relation to a public road which is passable to vehicular traffic, or to a railway station or halt, that he has not reasonable access to the same, he may	The construction is based on an existing corridor and the design has envisaged to minimize land acquisition.
Prepared for KeNHA	19	NIL/VCL

Legal Section	Relevant Provisions	Relevance To the RAP
	make application to the board of the district in which such land is situated for leave to construct a road or roads (hereinafter called a road of access) over any lands lying between his land and such public road or railway station or halt, and every such application shall be made in duplicate in the form and contain the particulars required by the First Schedule to this Act: Provided that, if the applicant is unable to make the sketch plan mentioned in the said Schedule without entering upon the lands over which he proposes that the road of access is to pass, he may apply to the board for leave to enter upon the said lands for the purpose of making the said sketch plan and the board may then make an order entitling the applicant to enter on the said lands. Should the said road of access pass through an existing fenced enclosure, or an enclosure which at the time of granting the road of access was not fenced but which subsequently becomes fenced, the board in its discretion may require the applicant to provide, erect and maintain to its satisfaction a fence or fences of approved design, and shall apportion the cost of such fencing and its maintenance between the parties interested as it shall deem fit.	
The County Government Act, 2012	This Act of Parliament that gave effect to Chapter eleven of the Constitution which is to provide for County Governments'' powers, functions and responsibilities to deliver services and for connected purposes. The object and purpose of this Act is to: • Provide for matters necessary or convenient to give effect to Chapter Eleven of the Constitution pursuant to Article 200 of the Constitution; • Give effect to the objects and principles of devolution as set out in Articles 174 and 175 of the Constitution; • Give effect to Article 176(2) of the Constitution in respect of further decentralization; • Provide for the powers, privileges and immunities of County assemblies, their committees and members under Article 196 of the Constitution; • Provide for public participation in the conduct of the activities of the county assembly as required under Article 196 of the Constitution; • Seek to ensure that the community and cultural diversity of a county is reflected in its county assembly and county executive committee as contemplated in Article 197 of the Constitution; • Prescribe mechanisms to protect minorities within counties pursuant to Article 197 of the Constitution; • Give effect to Article 176(2) of the Constitution in respect of further decentralization; • Provide for the powers, privileges and immunities of county assemblies, their committees and members under Article 196 of the Constitution; • Provide for public participation in the conduct of the activities of the county assembly as required under Article 196 of the Constitution;	The proposed Road Project during construction and operation phases should be in line with the regulations of this Act set by the Senate and the CS. KeNHA will ensure it consults and works closely with County Government throughout the Project Cycle.

Legal Section	Relevant Provisions	Relevance To the RAP
	- Seek to ensure that the community and cultural diversity of a county is reflected in its county assembly and county executive committee as contemplated in Article 197 of the Constitution; Prescribe mechanisms to protect minorities within counties pursuant to Article 197 of the Constitution; The County Government Act, 2012 repealed the Local Government Act. Section 114 of this Act, Sub-Sections (1) and (2) require that a project of national significance in a County be preceded by mandatory public hearings for approval. (1) Development of nationally significant development projects within Counties shall be preceded by mandatory public hearings in each of the affected Counties. (2) Projects under, (1) shall, subsequent to the mandatory public hearings, be considered and approved or rejected by the County Assembly. In addition, Section 115, Sub-Section (1) Public Participation in the County planning processes shall be mandatory and be facilitated through the mechanism stated under this section. The Act further states in Section 108 under County Integrated Development Plan, (2) (b) requires each County Integrated Development Plan to at least identify (as informed by the strategies and programmes set out in the plan): - Any investment initiatives in the County; - Any development initiatives in the County, including infrastructure, physical, social, economic and institutional development; - All known projects, plans and programme to be implemented within the County by any organ of state; and - The key performance indicators set by the County. There being no regulations set that touch on road projects, the Project will according to the County Government Act, 2012 (Section 135 Sub-Section (1) the CS may make regulations for the better carrying out of the purposes and provisions of this Act and such regulations may be made in respect of all County Governments and further units of Decentralization generally or for any class of County Governments and further units of decentralization) comply to the set regulations and by laws.	
Intergovernmental Relations Act No. 2 of 2012	The intergovernmental Relations Act of Parliament establish a framework for consultation and cooperation between the national and county governments and amongst county governments; to establish mechanisms for the resolution of intergovernmental disputes pursuant to Article 6 and 189 of the Constitution, and for connected purposes. The objects and purpose of this Act are to: - Provide a framework for consultation and cooperation between the national and county governments; - Provide a framework for consultation and cooperation amongst county governments; - Establish institutional structures and mechanisms for intergovernmental relations; - Provide a framework for the inclusive consideration of any matter that affects relations between the two levels of government and amongst county governments;	It will be necessary for KeNHA to work with County Government during the proposed Project as the Act requires.
Prepared for KeNHA	21	NIL/VCL

Legal Section	Relevant Provisions	Relevance To the RAP
	- Give effect of Articles 187 and 200 of the Constitution, in respect of the transfer of functions and powers by one level of government to another, including the transfer of legislative powers from the national government to the county government; and - Provide mechanisms for the resolution of intergovernmental disputes where they arise.	
Land Registration Act No.3 of 2012	It is an Act of Parliament to revise, consolidate and rationalize the registration of titles to land, to give effect to the principles and objects of devolved government in land registration, and for connected purposes. The Act applies to: - Registration of interests in all public land as declared by Article 62 of the Constitution; - Registration of interests in all private land as declared by Article 64 of the Constitution; and - Registration and recording of community interests in land.	KeNHA will acquire approximately 6Ha of land under this Project even though the areas is minimal.
National Land Commission Act No. 5 of 2012	This is an Act of Parliament to make further provision as to the functions and powers of the National Land Commission, qualifications and procedures for appointments to the Commission; to give effect to the objects and principles of devolved government in land management and administration, and for connected purposes. The object and purpose of this Act is to provide: - - For the management and administration of land in accordance with the principles of land policy set out in Article 60 of the Constitution and the national land policy; No. 5 of 2012 National Land Commission [Rev. 2016]. - For the operations, powers, responsibilities and additional functions of the Commission pursuant to Article 67(3) of the Constitution; - A legal framework for the identification and appointment of the chairperson, members and the secretary of the Commission pursuant to Article 250(2) and (12) (a) of the Constitution; and - For a linkage between the Commissions, County Governments and other institutions dealing with land and land related resources.	It may be necessary for KeNHA to work with the Commission especially in regard to any potential land conflicts and compensation.
National Transport and Road Safety Authority Act, 2012	The National Transport and Safety Authority Act, Number 33 on 26th October 2012, was the Act through which the National Transport and Safety Authority was established. The objective of forming the Authority was to harmonize the operations of the key road transport departments and help in effectively managing the road transport sub-sector and minimizing loss of lives through road accidents. The set-out functions of the Authority according to Section 4 (1) of the Act are: <i>(1) The functions of the Authority shall be to-</i> <i>Advise and make recommendations to the CS on matters relating to road transport and safety;</i> <i>Implement policies relating to road transport and safety;</i>	KeNHA works hand in hand with the Authority to ensure that safe roads are constructed for all.

Legal Section	Relevant Provisions	Relevance To the RAP
	c) <i>Plan, manage and regulate the road transport system in accordance with the provisions of this Act;</i> d) <i>Ensure the provision of safe, reliable and efficient road transport services; and</i> e) <i>Administer the Act of Parliament set out in the First Schedule and any other written law.</i>	
The Valuers Act Cap 532	The National Land Commission based on land valuation determined by registered valuers will make compensation awards. Besides, the Valuers Act establishes the Valuers Registration Board, which regulates the activities and practice of registered valuers. All valuers must be registered with the Board to practice in Kenya. The Board shall keep and maintain the names of registered valuers, which shall include the date of entry in the register; the address of the person registered the qualification of the person and any other relevant particular that the Board may find necessary. The Valuer's Act does not provide for a description of the valuation procedures and methods.	Provision for valuation by Valuers registered by the Valuers Registration Board. The act governs the formation and composition of best valuation practices.
Kenya Roads Act Cap.2	Section 49 of the Kenya Roads Act, 2007 (No. 201 of 2007) prohibits erection of structures on a road reserve without permission from the Roads' Authority. Where a person, without the required permission, erects constructs or establishes a structure or other thing, or makes a structural alteration or addition to a structure, the Authority may by notice in writing direct that person to remove the unauthorized structure. If the person to whom a notice has been issued fails to remove the structure, alteration or addition mentioned in the notice, within the period stated, such item may be removed by the Authority itself and the Authority can recover the cost of the removal from that person.	Applies specifically to the function of Kenya Urban Roads Authority, Kenya Rural Roads and County Roads in implementation of Lot 2B project. KeNHA/KURA/KeRRA shall have the responsibility for supervising construction, rehabilitation and maintenance of all public roads in the municipalities in Kenya.
Matrimonial Property Act, 2014	Section 4 of the Act states that a married woman has the same rights as a married man to acquire, administer, hold, control, use and dispose property. However, property acquired or inherited before marriage is not covered under the Act. Section 7 provides that ownership of matrimonial property vests in the spouses according to the contribution of either spouse towards its acquisition, and shall be divided between the spouses while Section 8 defines property rights within polygamous unions stating that; If the parties in a polygamous marriage divorce or a polygamous marriage is otherwise dissolved, then (a) matrimonial property acquired by the man and the first wife shall be retained equally by the man and the first wife only, if the property was acquired before the man married another wife; and (b) matrimonial property acquired by the man after the man marries another wife shall be regarded as owned by the man and the wives taking into account any contributions made by the man and each of the wives. Despite subsection (1)(b), where it is clear by agreement of the parties that a wife shall have her matrimonial property with the husband separate from that of the other wives, then any such wife shall own that matrimonial property equally with the husband without the participation of the other wife or wives.	Matters of resettlement for the proposed project in the project region touches on families' land (monogamy and polygamy). This law regulates how proceeds from matrimonial land and property are to shared out and/or managed among the families.
Prepared for KeNHA	23	NIL/VCL

Legal Section	Relevant Provisions	Relevance To the RAP
	Interest in property by contribution is provided for under Section 9 where when one spouse acquires property before or during the marriage and the property acquired during the marriage does not become matrimonial property, but the other spouse makes a contribution towards the improvement of the property, the spouse who makes a contribution acquires a beneficial interest in the property equal to the contribution made. On the flipside, liabilities incurred on properties acquired before the marriage remains with the spouse who acquired unless the property is declared matrimonial property. Section 11 states that During the division of matrimonial property between and among spouses, the customary law of the communities in question shall, subject to the values and principles of the Constitution, be taken into account. Finally, according to Section 12 Sub-Section 1 an estate or interest in any matrimonial property shall not, during the subsistence of a monogamous marriage and without the consent of both spouses, be alienated in any form, whether by way of sale, gift, lease, mortgage or otherwise. Subsection 2, provides that a spouse in a monogamous marriage, or in the case of a polygamous marriage, the man and any of the man's wives, have an interest in matrimonial property capable of protection by caveat, caution or otherwise under any law for the time being in force relating to the registration of title to land or of deeds.	

2.3 GOK National Policies

The policies highlighted below pertain to the resettlement, compensation and livelihood restoration in Kenya in the event of involuntary displacement, whether economic or physical

Table 14: GOK National Policies

S/No	Policy	Key Relevant Provisions	Relevance To RAP
1.	Sessional Paper No. 10 of 2012 on Vision 2030	Kenya Vision 2030 is the country's development blueprint covering the period 2008 to 2030. It aims to transform Kenya into a newly industrializing, middle-income country providing a high quality of life to all its citizens by 2030 in a clean and secure environment.	Adherence to the rule of law is identified as being core to realization of Vision 2030. This is important for purposes of all legal procedures and human rights elements of land acquisition, resettlement and involuntary displacement.
2.	Sessional Paper No. 3 of 2009 on National Land Policy	Recognizes the need to establish compulsory acquisition criteria, processes and procedures that are efficient, transparent and accountable	This sets the basis for compulsory acquisition and is applicable in preparation and implementation of the RAP.
3.	Sessional Paper No. 1 of 2017 on National Land Use Policy	It recognizes that the process of acquisition, relocation and compensation has in most cases resulted in conflict between resulting land uses, affected people and the developers, hindering development of these resources	Policy guideline that the government should establish land banks and make land available for investment, development redistribution and resettlement.
4.	National Gender and Development Policy, 2011	Policy objectives: (i) To facilitate the mainstreaming of the needs and concerns of men and women in all areas in the development process in the country.	Provides a framework for mainstreaming gender in all policies, planning and programming in Kenya and puts in place institutional mechanisms

		(ii) To enable men and women to have equal access to economic and employment opportunities. (iii) Enhance measures that guarantee equity and fairness in access to employment opportunities, in both formal and informal sectors	to ensure effective implementation. This should be integrated into all resettlement processes
5.	National Children Policy, 2010	The overall goal of this policy is to realize and safeguard the rights and welfare of the child the policy goals stated are based on the key pillars of Child Rights as articulated in the (UNCRC), 1989. These are Survival Rights, Development Rights, Protection Rights and Participation Rights. The vision of this policy is to create an environment where all the rights of a child in Kenya will be fulfilled. Guiding Principles (p.7) (i) To uphold the best interest of the child in all situations. (ii) To ensure respect for human dignity, accountability, non-discrimination, equity and equality in relation to children. (iii) To ensure accessibility of services and participation by children (iv) To commit every individual adult to take responsibility to protect the rights of the child regardless of the individual's relationship with the child.	This policy, together with the Constitution and the Children Act should be integrated into resettlement and livelihood restoration processes to address the best interests of the child at all times.
6.	Sessional Paper No. 3 of 2014 on National Policy and Action Plan on Human Rights	Policy Objectives (i) To promote the observance, respect, promotion, protection and fulfilment of all human rights by the State and Non- State actors. (ii) To strengthen the capacity of all State and Non- State actors to observe, respect, protect, promote and fulfil human rights. (iii) To promote the human rights-based approach to planning, implementing, monitoring and evaluating of programmes in all sectors in the country. (iv) To mainstream human rights in public policy development and resource allocation.	Reinforces the obligation of the Kenyan State to respect, protect and fulfil human rights during compulsory acquisition and involuntary resettlement.

2.3.1 Relationship Between Property Rights and Human Rights

Property rights as enshrined in the Constitution of Kenya, are also human rights. This is set out in the Bill of Rights, which makes extensive provisions regarding property rights, and other critical human rights. The linkage between the right to own property of any kind in any part of this country and fundamental human rights are analyzed below;

Table 15: Fundamental Human Rights

Provision of the Constitution	Relevant Constitutional obligation
Article 40-Right to property.	- Provides for the right of every person (man or woman) to own property of any description in any part of Kenya - Article 40(2)(b) provides that no law can be enacted in Kenya to limit the enjoyment of the right to own property on account of any of discriminatory grounds that are prohibited in article 27(4) - Provision is made for payment of just compensation, in a prompt manner, whenever property is acquired for a public purpose, or in the public interest.

Provision of the Constitution	Relevant Constitutional obligation
Article 10–national values and principles of governance	- National values and principles of governance that are mandatory/binding on all state organs, state officers, public officers and all persons implementing the Constitution, making and implementing any law; making or implementing public policy decisions. - Supreme Court¹ and Court of Appeal² have determined that the national values and principles in article 10 are immediate and enforceable; and that a violation of the principles can form a basis for court action. - The values include: a) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized b) good governance, integrity, transparency and accountability; and c) sustainable development
Article 19– Fundamental rights and freedoms	- Article 19(2) affirms that the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potential of all human beings. - Article 19(3)(a) is critical because of its provision and explicit clarification that the fundamental rights and freedoms in Kenya belong to each individual and are not granted by the State
Article 21- Obligations of the State to implement human rights –	- Article 21(1) provides that it is a fundamental duty of the State and every State organ to observe, respect, protect, promote and fulfil the rights and fundamental freedoms in the Bill of Rights. - Article 21(3) provides that all State organs and public officers have the duty to address the needs of vulnerable groups within society. This would include women and marginalized communities. - Article 21(4) further requires the State to enact and implement legislation to fulfil its international obligations in respect of human rights and fundamental freedoms.
Article 27- Equality before the law and freedom from discrimination.	- Article 27(1) provides that every person is equal before the law and has the right to equal protection and equal benefit of the law. - Article 27(2) specifies that equality includes the full and equal enjoyment of all rights and fundamental freedoms. - Article 27(3) provides clearly that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. - Article 27(4) is clear in its prohibition of the State from discriminating directly or indirectly against any person on any ground, including age, sex (gender), or marital status.
Procedural human rights	- Right of access to information (article 35) - Access to court article 22 with respect to protection of the fundamental right to own property under article 40 - Article 70 which provides a right of access to the Environment and Land Court established under article 162(2)(b) of the Constitution - Fair administrative action (article 47)

2.4 Institutional Framework

Resettlement falls under the jurisdiction of various levels of government in Kenya and are governed by a range of legislation. In summary, the following institutions exercise a legal mandate on land administration, with an impact on compulsory acquisition procedures and livelihood restoration processes.

Table 16: Institutions with Legal Mandate on compensation and livelihood restoration

¹ Communications Commission of Kenya & 5 others v Royal Media Services Limited & 5 others [2014] eKLR

² Independent Electoral and Boundaries Commission (IEBC) vs, National Super Alliance (NASA) Kenya & 6 others, [2017] eKLR.

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Public Institution	Mandate On Land Administration and Impact on Compulsory Acquisition
National Land Commission	- Manage public land on behalf of the national, and a county government - Undertake all compulsory acquisition throughout all stages - Allocate public land for investments
Cabinet Secretary for Land	Administration of the implementation of the Land Act, Community Land Act, and the Land Registration Act.
National Government Institutions	- Request the NLC to undertake compulsory acquisition - Undertake initial process of identification of the land including development of a Resettlement Action Plan and Livelihood restoration plans, as maybe appropriate - Justify to the NLC the public purpose or public interest underlying compulsory acquisition of private or community land. - Requisition monies for compensation from the National Treasury for allocation through the national budget
County Governments	- Request the NLC to undertake compulsory acquisition - Undertake initial process of identification of the land including development of a Resettlement Action Plan, as maybe appropriate - Justify to the NLC the public purpose or public interest underlying compulsory acquisition of private or community land. - Requisition monies for compensation from the National Treasury for allocation through the national budget - Hold in trust for a community any monies payable as compensation for compulsory acquisition of any unregistered community land.
Chief Lands Registrar	- Undertake the transfer of private land that has been taken through compulsory land acquisition, to become public land - Appointment of a qualified registrar under section 9 of the Community Land Act who is responsible for registration of community land
Environment and Land Court	Jurisdiction to determine all disputes arising from the process of compulsory land acquisition and livelihood restoration.

2.5 The African Development Bank African Development Bank Group's Integrated Safeguards System, 2023

The African Development Bank's updated Integrated Safeguards Systems, 2023 is designed to guide bank staff and borrowers in the identification, assessment, and management of involuntary resettlement associated with bank-financed projects. The policy seeks to avoid or minimize involuntary resettlement, and where it is unavoidable, ensure that those affected are properly compensated and assisted in their transition into new living conditions. The key elements of the policy include:

- (i) Scope: The policy applies to all Bank-financed projects that involve involuntary resettlement, regardless of sector or financing instrument.
- (ii) Definition: Involuntary resettlement is defined as the physical displacement of people or the loss of access to resources and assets as a result of Bank-financed projects.
- (iii) Procedures: The policy requires the borrower to conduct a social and environmental assessment to identify and assess the impacts of involuntary resettlement. The assessment should include a consultation process with affected communities and the development of a resettlement plan.

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- (iv) Compensation and Assistance: The policy requires that affected people receive compensation and assistance to restore or improve their living standards. The compensation should be prompt, fair, and transparent, and should reflect the full value of the lost assets and resources.
- (v) Grievance Redress: The policy requires the borrower to establish a grievance redress mechanism to address complaints and disputes related to involuntary resettlement.
- (vi) Monitoring and Reporting: The policy requires the borrower to monitor the implementation of the resettlement plan and report regularly to the Bank on its progress.

Overall, the policy is intended to ensure that involuntary resettlement is managed in a way that respects the rights and dignity of affected people and minimizes the social and economic costs of project implementation. Towards addressing said impacts E&S OS5 requires that a RAP be prepared with the following objectives:

- ✓ To outline measures to ensure that the displaced persons are: (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.
- ✓ If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are: (i) provided assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.
- ✓ Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are: (i) offered support after displacement for a transition period based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and (ii) provided with development assistance in addition to compensation measures demanded by the policy; (iii) such as land preparation, credit facilities, training, or job opportunities.

This RAP complies with the requirements of ESS OS5 in the following ways:

- (i) The RAP study assesses project alternatives to avoid, where feasible, or minimize involuntary resettlement.
- (ii) The potential economic and social impacts of the project have been assessed in this study and summarized as well.
- (iii) Project-affected persons, host communities and local non-governmental organizations, as appropriate, have been consulted.
- (iv) PAPs have been informed of their rights, including prompt compensation at full replacement cost for loss of assets attributable to the project, assistance during relocation, and transitional support and development assistance.

Further, E&S OS10 on stakeholder engagement and information disclosure acknowledges that for effective implementation and planning for a RAP report there is a requirement for public participation and transparency for inclusivity of the communities in development projects. The proposed roads Project as a development project is objected to and complies to the OS 10 guideline. Ensuring that the communication lines between the project stakeholders and the borrowers are open, to enhance the project's impact and the RAP's impacts.

The E&S OS 10 requires that a RAP achieves the following in the life of the project and the RAP;

- Evaluate the level of interest and support from the stakeholders for the project.

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- Promote safe and effective, and inclusive engagement with project- affected parties including women's perspectives and vulnerable groups.
- Improve project benefits and minimize harm to local communities.
- Provide information in a timely, understandable, accessible and appropriate manner and format.
- Establish accessible and inclusive mechanisms for PAPs to provide input, raise issues, ask questions, propose suggestions express concerns and file grievances.

To this effect this RAP complies in the following ways;

- (i) A stakeholder analysis was conducted to establish the levels of interest and support for proposed road Project.
- (ii) Involvement of the community's perspectives that include women's perspectives and vulnerable persons, that have been included in the preparation of the project's documents.

By openly discussing and disclosing of information pertinent to the local administration, stakeholders, PAPs and the affected communities. This is information such as the cut-off date, RAP Implementation Procedures and the legal frameworks that guide resettlement and compensation activities.

2.5.1 Difference between the Kenyan Laws and African Development Bank Policies.

There are some differences between the African Development Bank Policy (AfDB ESS(OS5) on resettlement and the Laws of Kenya.

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Table 17: Comparison between AfDB ESS(OS5) and Kenyan legislation

AfDB ESS(OS5)	Kenyan Legislation	Comparison	Recommendation to address gap
General Requirements			
AfDB ESS(OS5) has overall policy objectives, requiring that: Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives.	Involuntary resettlement may occur because of projects implemented in public interest.	The Land Act stipulates that resettlement should be avoided wherever possible. However, if a project is for public interest, involuntary resettlement is inevitable.	For RAP, ensure that resettlement issues are considered at the design stage of the project to avoid/ minimize resettlement.
Resettlement programs should be sustainable, include meaningful consultation with affected parties, and provide benefits to the affected parties.	The Land Act, 2012 Act outlines procedures for sensitizing the affected population to the project and for consultation on implications and grievance procedures	Same as the AfDB ESS(OS5)	Implement AfDB ESS(OS5). Displaced persons should be assisted in improving their livelihood to pre-project standards
Displaced persons should be assisted in improving livelihoods etc., or at least restoring them to previous levels	The Land Act 2012 guarantees the right to fair and just compensation in case of relocation	Just and fair compensation as outlined in the Land Act 2012 is not clear and can only be determined by NLC, which can be subjective. It does not talk about improving livelihood or restoring them to pre-project status	Where possible livelihood restoration should be considered. This will enable the project affected person have a continuous livelihood/income.
Process Requirements			
Consultation: Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs	The Land Act outlines procedures for consultation with affected population by the NLC and grievance management procedures.	Same as AfDB ESS(OS5)	Implement consultation procedures as outlined in both Kenyan legislation and AfDB ESS(OS5).

AfDB ESS(OS5)	Kenyan Legislation	Comparison	Recommendation to address gap
Grievance: For physical resettlement, appropriate and accessible grievance mechanism will be established.	Land Act 2012 clearly outlines the steps and process for grievance redress that includes alternative dispute resolution, re-negotiation with NLC and is backed by the judicial system through the Environmental and Land Court.	Kenyan legislation meets AfDB ESS(OS5) requirements.	N/A
Eligibility Criteria <i>Defined as:</i> - those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); - those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets— provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan <i>To determine eligibility:</i> Carry out resettlement census. Cutoff date for eligibility is the day when the census begins.	The Land Act 2012 provides that written and unwritten official or customary land rights are recognized as valid land right. The Law provides that people eligible for compensation are those holding land tenure rights Land Act also recognizes those who have interest or some claim in the land such pastoralist or who use the land for their livelihood. The constitution recognizes ‘occupants of land even if they do not have titles and payment made in good faith to those occupants of land. However, this does not include those who illegally acquired land Land Act 2012 provides for census through NLC inspection and valuation process.	Kenya’s Land Law defines eligibility as both formal (legal) and informal (customary) owners of expropriated land. However, it does not specifically recognize all users of the land to be compensated. The constitution of Kenya on the other hand recognizes ‘occupants of land’ who do not have title and who the State has an obligation to pay in good faith when compulsory acquisition is made. Same as AfDB ESS(OS5).	Ensure ALL users (including illegal squatters, laborer’s rights of access) of affected lands are included in the census survey and are paid. Implement cut-off procedures as outlined in the AfDB ESS(OS5) and Kenyan Law.

AfDB ESS(OS5)	Kenyan Legislation	Comparison	Recommendation to address gap
Measures: Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. Cash based compensation should only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for lost assets exist and there is enough supply of land and housing; or (c) livelihoods are not land- based. The policy requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an option, relocation assistance is recommended.	Legislation provides for land for land compensation, but the Land Act 2012 does not state whether preference should be granted to land-to-land compensation. Land Act 2012 appears to prefer mode of compensation by the Government to the affected population. Land Act talks of prompt, just compensation before the acquisition of land. However, interpretation of just compensation is yet to be clearly outlined through a specific schedule defining just compensation have not been put in place. The Act is does not out rightly stipulate assistance for relocation, but we can interpret that relocation cost will be included in just compensation.	Land for Land provided for in the Land Act based on agreement by the PAP. Cash based compensation seems to be the preferred mode of awarding compensation to the affected population by Government of Kenya ‘Just compensation’ as stipulated in the Land Act not yet specifically defined. AfDB ESS(OS5) provides related land transaction fees. The Land Act is not clear on this. AfDB ESS(OS5) requires that displacement must not occur before all necessary measures for resettlement are in place.	Ensure that all alternative options are considered before providing cash compensation Use AfDB ESS (OS5) procedures in determining form of compensation Implement prompt and effective compensation at full replacement cost for the losses of the assets. Ensure that ALL resettlement options are agreed on with PAPs and put in place before displacement of the affected person.

AfDB ESS(OS5)	Kenyan Legislation	Comparison	Recommendation to address gap
Valuation: With regard to land and structures, “replacement cost” is defined as follows: The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.	Valuation is covered by the Land Act 2012 and stipulates, as already mentioned, that the affected person receive fair and just compensation from NLC, as determined by National Land Commission. Valuers Act stipulates that a residual amount of 0.5% of the total valuation of an asset is expected to pay the valuer.	Though one could argue that there is some form of consistency between the Kenyan Law and the AfDB OS5 interpretation of ‘just and fair compensation has not been defined.	Apply the AfDB valuation measures, as outlined in the section on valuation, in order to fully value all affected assets in a consistent manner.
Monitoring: Adequate monitoring and evaluation of activities to be undertaken.	According to Land Act can be undertaken County Land Boards.	Both Kenyan Law and AfDB advocates for Monitoring and Evaluation.	Implement as prescribed in the AfDB and Kenyan Law.

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Table 18: Comparative Analysis for of AfDB's OS 5 & Kenya's Requirements

Category of PAPs and Type of Lost Assets	Kenyan Law	AfDB OS5
Land Users	Land Act is not clear on Land Users although in some cases they can receive some form of compensation depending on the determination by NLC.	Entitled to compensation for crops and investments made on the land; livelihood must be restored to at least pre-project levels.
Owners of Temporary Buildings	The constitution of Kenya respects the right to private property and in case of compulsory acquisition, just compensation must be granted to the owner for the loss temporary buildings.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Owners of Permanent Buildings	The constitution of Kenyan respects the right to private property and in case of compulsory acquisition, just compensation must be granted to the owner for the affected land/property.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.
Perennial crops	Compensation for the loss of crops.	Full replacement cost for the loss of crops valued at market price Relocation assistance and livelihood restoration program. Relocation assistance and livelihood restoration program.
Informal Traders/Mobile/Makeshift traders /Vendors	Not specific on livelihood. The constitution says some pay maybe made in good faith.	Compensation and Livelihood restoration to pre- displacement level.

2.5.2 Conclusion on Comparison and Identification of Gaps Between Kenya and AfDB Policies

The following are the highlights of the findings on the comparison between Kenyan Law and AfDB Policy:

- This RAP recognises small traders along the road reserve so long as they were present in the project area within the cut-off date of compensation as set by this study. It also proposes relocation assistance in the form of re-establishment of livelihoods through the proposed markets to be developed under the project with collaboration of county governments;
- Valuation methodologies must be based on full replacement. The Land Act 2012 proposed development of valuation methodologies for land acquisition for public purposes but this is yet to be realised;
- The right to public participation is protected by the Constitution of Kenya. However, there are no documented regulations in place that clearly stipulate the requirements for consultation of displaced persons. This study therefore relied on the clear requirements and guidelines provided by AfDB policies;
- In compliance with Kenyan Law, Land Policy and AfDB Policy, this RAP has given proposals for a grievance redress and dispute resolution mechanism;
- The laws of Kenya are not explicit on monitoring of the efficacy of compensation modalities to ensure livelihood restoration of displaced persons. The AfDB policy however requires that the arrangement for reporting, monitoring and evaluation, consistent with the overall project planning and scheduling, should be included in the plan. The implementing agency s should be responsible for reporting the progress of the plan implementation, typically quarterly.

AfDB OS 5: Involuntary Resettlement: Land Acquisition, Population Displacement and Compensation: This safeguard consolidates the policy commitments and requirements set out in the Bank's policy on involuntary resettlement, and it incorporates refinements designed to improve;

- (i) The Operational effectiveness of those requirements: In particular, it embraces comprehensive and forward-looking notions of livelihood and assets, accounting for their social, cultural, and economic dimensions. It also adopts definition of community and common property that emphasizes the need to maintain social cohesion, community structures, and the social interlinkages that common property provides.
- (ii) The safeguard retains the requirement to provide compensation at full replacement cost; reiterates the importance of a resettlement that improves standards of living, income earning capacity, and overall means of livelihood; and emphasizes the need to ensure that social considerations, such as gender, age, and stakes in the project outcome, do not disenfranchise particular project-affected people.

3 MINIMIZING RESETTLEMENTS

This section of the report describes the potential project impacts, the efforts taken to minimize physical or economical displacement and propose further mechanisms to minimize impact during the implementation of the proposed Phase I(Biretwo – Arror – Chesongoch (B126), Nyaru – Kapkayo Spur and Kimwarer – Emsea Spur Roads. In an effort to minimizing resettlement the following measures were undertaken to avoided and minimize physical and economic displacement;

- (iv) Alignment optimization.
- (v) Design modifications.
- (vi) Alternatives considered.

Biretwo-Arror-Chesongoch(B126) Road

The existing road currently takes a near direct route from Biretwo to Chesongoch along the toe slope of an escarpment. There are no competing routes identified due to the parallel Elgeyo escarpment with its summit on the western side and a low elevation section (Kerio Valley) that is prone to flooding with Kerio river running parallel on the eastern side. Rimoi National Reserve, approximately 66Km² is located at the centre of the valley and similarly runs parallel to the road. From the foregoing, no alternative route options have been considered. The geometry of the existing road was improved in line with the required design standards for Class B Roads.

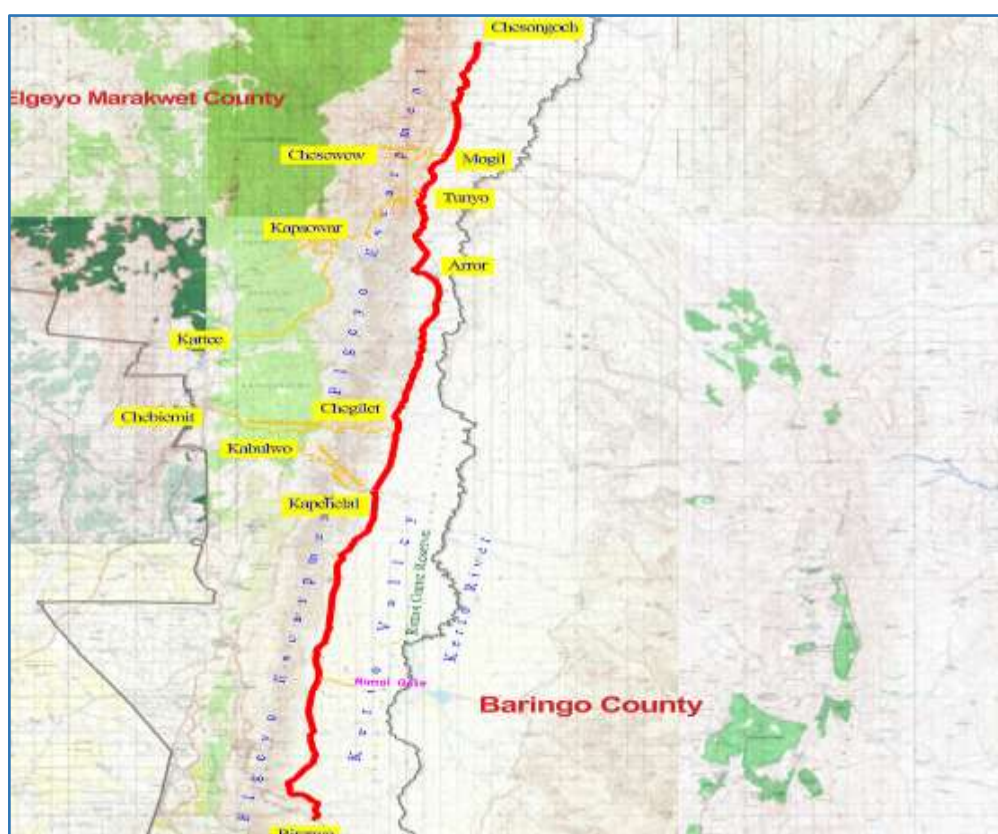


Figure 2: Biretwo-Arror-Chesongoch Road(B126) Alignment

However, we are proposing a bypass on eastern side of Arrior market where high impact RAP issues are expected if the proposed design standards are applied through the market center. If the bypass is adopted, a connecting loop road through the market will be considered. However, following the stakeholder meeting held at Arrior on 14th May 2026, the initial proposal to have a bypass in the eastern side of Arrior market was unanimously rejected by the local community and other stakeholders. The community strongly preferred the

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road alignment to be maintained at its current position through Aror town despite the anticipated high impact RAP implications associated with the required 40m wide corridor.



Figure 3: Illustration of existing Aror town verses proposed Aror Bypass Alignment

Kimwarer-Emsea (B122) Road

The existing road currently takes a direct route from Kimwarer to Emsea along the toe slope of an escarpment. There are no competing routes identified due to the parallel Keiyo escarpment with its summit on the western side and a low elevation section (Kerio Valley) that is prone to flooding with Kerio river running parallel on the eastern side. No alternative/competing route options were identified for consideration. The geometry of the existing road was improved in line with the required design standards.

Nyaru-Kapkayo (B124) Spur Road

The existing road is the shortest route linking the intended market centres of Nyaru and Kapkayo. It originates at the summit of Keiyo escarpment and winds down to Kerio Valley terminating at Kapkayo Market.

No competing route options were identified for consideration chiefly due to the terrain constraints. A 30m wide road reserve is available. The geometry of the existing road was improved in line with the required design standards.

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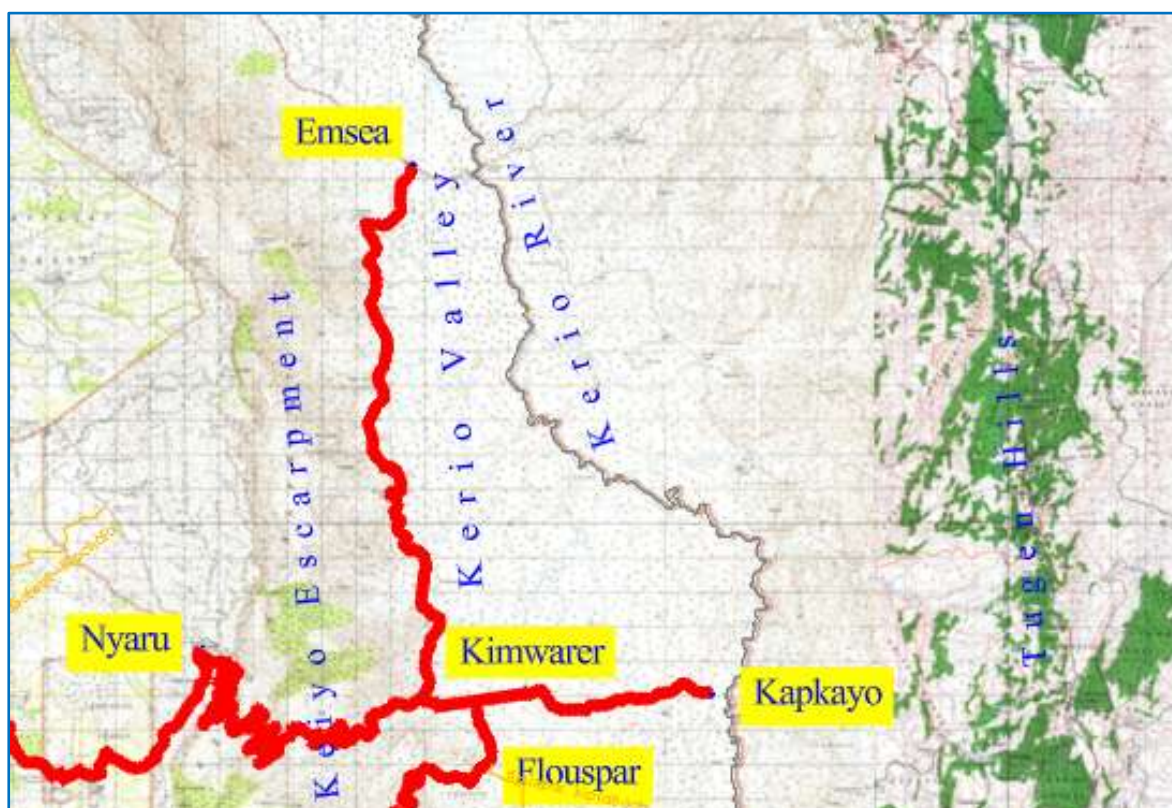


Figure 4: Kimwarer-Emsea (B122) Road and Nyaru -Kapkayo (B122) Road Alignment

Measures taken to reduce acquisition and displacement.

- (i) Efforts have been made to ensure that the designed road prism is within the available Road Reserve (ROW). Numerous improvements to the existing curves have been proposed attracting minimum social and cost impacts.
- (ii) The cut/fill slopes for the sections traversing through escarpment and hilly terrains have been optimized to ensure that the construction widths are within the available road reserve while ensuring stability. Other proposed measures include mechanical slope stabilization using gabion boxes/mattresses and reinforced concrete retaining walls.

3.1 Socio-Economic Impacts

3.1.1 Positive Impacts

The proposed road construction project in the project area is expected to generate several positive socio-economic benefits for local communities and the wider region. These positive impacts have been categorised according to the project phases as follows:

Table 19: Positive Socio-Economic Impacts

Project Phase	Positive Impact	Description
Pre-Construction Phase	Employment Opportunities	Recruitment of local community to support in survey and socio-economic assessment, feasibility studies, land acquisition processes, and stakeholder engagement activities.
	Increased Income to Landowners	Compensation payments for affected land, crops, trees, and structures can improve household incomes and enable investment in alternative livelihoods.
	Business Opportunities	Demand for accommodation, catering, transport, and other support services by project preparation teams.
	Improved Community Participation	Consultations enhance community awareness, participation in design planning, ESMP, RAP and understanding of project benefits.

Project Phase	Positive Impact	Description
	Land Value Appreciation	Anticipation of improved accessibility may increase land and property values along the proposed corridor.
Construction Phase	Direct Employment Creation	Job opportunities for skilled, semi-skilled, and unskilled local workers.
	Growth of Local Businesses	Increased demand for food vendors, accommodation facilities, transport services, fuel stations, hardware suppliers, and other local enterprises.
	Improved Household Incomes	Wages earned by workers will stimulate local economic activity and purchasing power.
	Skills Transfer and Capacity Building	Local workers will gain technical, construction, safety, and project management skills that enhance future employability.
	Market for Local Materials	Procurement of construction materials and services from local suppliers generates income within the county such as borrow sites and gravel.
	Improvement of Access During Construction	Temporary access roads and rehabilitation of sections of existing roads may improve connectivity in some areas.
	Increased County Revenue	Taxes, permits, and business licenses associated with project activities contribute to local revenue generation.
Operation Phase	Improved Transport Connectivity	Enhanced movement of people, goods, and services within the county and to neighboring counties.
	Reduced Travel Time and Transport Costs	Faster and more efficient transportation lowers vehicle operating costs and improves mobility.
	Enhanced Access to Markets	Farmers can transport agricultural produce more efficiently, reducing post-harvest losses and increasing market access along the Kerio Valley.
	Improved Access to Social Services	Easier access to schools, healthcare facilities, government offices, and other essential services.
	Promotion of Trade and Investment	Better infrastructure will attract private investment, commercial development, and industrial growth.
	Tourism Development	Improved access to attractions such as Kerio Valley, Rimoi National Reserve, and escarpment viewpoints can boost tourism activities.
	Increased Land and Property Values	Improved accessibility generally increases demand for land and real estate development along the road corridor.
	Enhanced Emergency Response	Improved road conditions will facilitate faster response by ambulances, security agencies, and disaster management teams along the corridor.
	Regional Economic Growth	Improved transport networks will support agricultural commercialization, trade, and long-term socio-economic development within the neighboring counties and beyond.

3.1.2 Anticipated Negative Impacts

The proposed road construction project may result in a number of adverse environmental and social impacts during the pre-construction, construction, and operation phases. These impacts will require appropriate mitigation measures to minimize their magnitude and significance as detailed in the project ESIA and ESMP Reports.

Pre-Construction Phase Impacts: During the pre-construction phase, the project will lead to land acquisition and involuntary resettlement resulting in the displacement of households, businesses, and community assets within the road corridor of approximately No. Affected 303 PAPs they will experience loss of land, structures, crops, trees, and sources of livelihood. Disputes related to land ownership, compensation eligibility, asset valuation, and delayed compensation payments may arise. The project may also create anxiety and uncertainty among affected communities regarding relocation, compensation, and future livelihoods. In addition, there may be concerns regarding the adequacy of stakeholder engagement and inclusion of vulnerable groups in RAP/LRP and decision-making processes.

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Construction Phase Impacts: The construction phase is likely to generate a range of environmental, health, safety, and social impacts. These may include increased dust emissions, noise, vibration, and air pollution from earthworks, operation of heavy machinery, and transportation of construction materials. Vegetation clearance and excavation activities may result in soil erosion, loss of vegetation cover, habitat disturbance, and visual impacts. Construction activities may also cause temporary disruption of access to homes, farms, businesses, schools, and health facilities.

Community health and safety risks may increase due to the movement of heavy vehicles and machinery, raising the likelihood of traffic accidents and injuries. Construction workers and local communities may be exposed to occupational health and safety hazards, communicable diseases, including sexually transmitted infections, and risks associated with labour influx. There is also potential for Gender-Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), child protection concerns, and social conflicts between workers and host communities. Damage to private property, public utilities, crops, and community infrastructure may occur during construction, leading to grievances and compensation claims. Improper management of construction waste, hazardous materials, and wastewater may further contribute to environmental degradation.

Operation Phase Impacts: During the operation phase, increased traffic volumes may contribute to road traffic accidents involving motorists, pedestrians, cyclists, and livestock. Higher traffic levels may also result in increased noise levels, air emissions, and road safety concerns, particularly in trading centres, schools, and densely populated areas. Improved accessibility may accelerate unplanned settlements, land use changes, and urbanization along the road corridor, potentially placing pressure on existing infrastructure and public services.

The road may create barriers to the movement of people, livestock, and wildlife where appropriate crossing facilities are not provided. Increased accessibility may also facilitate illegal activities such as encroachment on road reserves, illegal resource extraction, and other social challenges. In some areas, improved transport networks may contribute to rising land values and speculation, potentially affecting vulnerable households. Additionally, inadequate maintenance of drainage structures and road infrastructure could lead to localized flooding, erosion, and deterioration of road safety conditions over time.

Summary of Key Negative Impacts as detailed in the ESIA report with corresponding mitigation measures;

- Land acquisition and involuntary resettlement.
- Loss of assets, livelihoods, and income sources.
- Compensation and land ownership disputes.
- Dust, noise, vibration, and air pollution.
- Soil erosion, vegetation loss, and habitat disturbance.
- Traffic disruptions and restricted access.
- Occupational and community health and safety risks.
- Labour influx, GBV, SEA/SH, and child protection concerns.
- Damage to property and community infrastructure.
- Waste generation and pollution.
- Increased road traffic accidents during operation.
- Unplanned development and land use changes.
- Increased noise and air emissions from traffic.
- Pressure on social services and infrastructure

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4.2 RAP Impacts

3.1.3 Impacts at Community Level

A 40-30-meter road corridor would be required as per the proposed designs for class B road implementation. Construction of the road will include activities that give rise to resettlement including:

- (i) Expanding the existing road to accommodate proper two-lane facility and shoulders.
- (ii) Improve the horizontal alignment at selected locations to reduce sharp curves and thereby provide safe driving conditions,
- (iii) Widen, repair or reconstruct damaged bridges and culverts including construction of new drainage structures,
- (iv) Provision of service roads especially in the town centres.

The above activities will lead to physical displacement of people, loss of shelter, loss of assets, loss of income sources and livelihoods, and restriction of access to economic resources such water points, grazing lands, markets among others. It is required to compensate or provide assistance to all the project affected persons operating within the proposed road reserve.

3.1.4 Impact On Land

Land ownership within the project affected areas falls under community land or private land. Private land consists of registered land held by any person under any freehold tenure, land held by any person under leasehold tenure or any other land declared private land under an Act of Parliament. The land through which the roads are to be constructed varies in both terrain and soil types. The areas include;

Phase I: Biretwo – Arrior – Chesongoch, Nyaru – Kapkayo, Kimwarer – Emsea; This area comprises the lower terrain at the base of the escarpment, running along the Kerio River. It is predominantly flat, with gentle elevations. The soils are mainly black and rich in humus, with some areas characterized by sandy and rocky soils. The principal crops grown in this area include maize and other seasonal crops. Mangoes, pawpaw, and bananas are also cultivated in significant quantities. Coffee is a relatively new crop in the area, particularly in zones bordering the escarpment. The lower drier areas are mostly for rearing sheep and goats.

Rimoi Game Reserve forms part of the local ecosystem within the road corridor. It is managed by the County Government and is home to diverse wildlife, including elephants, as well as several endangered plant species. Land ownership generally consists of lots of varying sizes, ranging from town plots in local market centers to large ranching holdings. Fencing is predominantly barbed wire or chain-link supported by wooden posts, with some areas also featuring live hedges along the boundaries.

Nyaru – Kimwarer – Kapkayo Road: The road begins at Nyaru, an urban center at an altitude of 2,650 meters, located along the Eldoret–Eldama Ravine road. It then descends to Kimwarer and continues to Kapkayo at the base of the escarpment, at an altitude of 1,370 meters, via a steep, winding route of over 20 kilometres. The drop in altitude described above is accompanied by variations in soils, climate, and vegetation. The higher-altitude areas around Nyaru and the steep descent to Turesia are cold and wet, making them suitable for dairy farming, maize cultivation, and coffee farming. The steep terrain features deep, fertile loam soils with occasional stone or rock outcrops. Portions of the escarpment are community-owned, while the remainder is under private freehold ownership, typically enclosed by barbed wire fences supported by wooden posts or by live hedges.

Midway between Nyaru and Kimwarer, in the general Kewapmuen area, the terrain is steep and relatively drier. The soils are stonier, and the main crops cultivated include maize and fruit trees such as mangoes and pawpaws. Further down in the Kimwarer and Kapkayo areas, the terrain is gently sloping and generally dry.

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Kimwarer is predominantly characterized by fluorspar mining activities. The stretch from Kimwarer to Kapkayo, past the NYS Chepsirei station, features gently sloping and dry terrain. Land ownership in this area is primarily private, with properties enclosed by barbed wire fences supported by wooden posts.

Table 20: Estimated Affected Land Area along the Proposed Road Corridor

Road	Acres	Hectares
Phase I		
Biretwo – Arrior – Chesongoch	13.966	5.6518
Nyaru – Kapkayo	0.085	0.0344
Kimwarer – Emsea	1.269	0.5135
Sub Total	15.320	6.1997

The total estimated affected land area along the corridor is approximately ~15 acres/6Ha.

3.1.5 Impact on Structures and Improvements

There are anticipated impacts on the defined areas pertaining to loss of both permanent and temporary structures to give way for the proposed project components. The permanent structures are made of natural stone or concrete blocks beneath GCI sheet roofing, the floors are finished in cement screed, while doors and windows are fitted with glazed metal casements. Constructed of clay bricks, either colour washed or plastered and painted externally, and plastered and painted internally, with GCI sheet roofing. Floors are finished in cement screed, while doors and windows are in glazed metal casements.

The temporary and semi-permanent these are mostly in wooden framework with iron sheets cladding beneath GCI sheets. Floors in cement screed while doors and windows are in glazed metal casements. Done in wooden framework with iron sheets cladding beneath GCI sheets. Floors in cement screed while doors and windows are in glazed metal casements. Estimated No.115 structures of different categories will be impacted as illustrated in the table below.

Table 21: Categories of Improvements along the Biretwo-Arror-Chesongoch Road.

Phase I Road	Type of Improvements	Specs	No. of Structures	Total Area (Sq. ft or Length in ft)
Biretwo – Arrior – Chesongoch	Commercial	Permanent	21	7,531 Sq. ft
		Semi-permanent	22	4,142 Sq. ft
		Temporary	15	2,956 Sq. ft
	Residential	Permanent	2	415 Sq. ft
		Semi-permanent	1	
		Temporary	3	2,200 Sq. ft
	Kiosk		8	650 Sq. ft
	Fences		11	951 Ft
	Gate Houses	Permanent	1	Sq. ft
		Temporary	0	Sq. ft
	Public/Institutional/Church Bldgs	Permanent	2	240 Sq. ft
		Semi-permanent	1	480 Sq. ft
	Graves		4	
	Well		1	
	Toilets Blocks	Permanent	2	153 Sq. ft
Total Number of Improvements			94	

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Table 22: Categories of Improvements along Nyaru – Kapkayo (B124) Road.

Phase I Roads	Type of Improvements	Specs	No. of Structures	Total Area (Sq. ft or Length in ft)
Nyaru – Kapkayo	Commercial	Semi-permanent	1	2,465 Sq. ft
		Temporary	10	1,524 Sq. ft
	Public/Institutional/Church Buildings	Semi-permanent	1	272 Sq. ft
Total Number of Improvements			12	

Table 23:Categories of Improvements along Kimwarer-Emsea (B124) Road

Phase I Roads	Type of Improvements	Specs	No. of Structures	Total Area (Sq.m or Length in M)
Kimwarer - Emsea	Commercial	Permanent	1	48 Sq. ft
		Semi-permanent	3	1,476 Sq. ft
	Public/Institutional/Church Bldgs	Permanent	3	630 Sq. ft
	Public/Institutional/Church Bldgs	Semi-permanent	1	400 Sq. ft
	Toilet Block		1	12 Sq. ft
Total Number of Improvements			9	



PhotoPlate 1:Some of the Structures That Will Be Impacted Along the Road Corridor

3.1.6 Impact on Loss of Business

The main livelihoods and income generating activity across the project corridor is agriculture and small-scale trading within the market centres. It was evident that some of the traders are undertaking their businesses on the road reserve while others are within their individual land parcels. Most of the loss of business and livelihood has been considered as loss of income generated in a month for a period of three months. An estimated No.74 PAPs will suffer loss of income along the proposed road corridor.



PhotoPlate 2: Sample of Businesses to be impacted along the Biretwo-Arror-Chesongoch Road

3.1.7 Impacts on General Community

On the general community who will be either directly or indirectly affected by the proposed road improvements project activities, there are specific uncertainties to the landowners in the immediate neighbourhoods that emerged during the various RAP studies which include;

- (i) Potential intrusion and indirect damages through construction, post-construction and operations thereafter,
- (ii) An emergent increase in family conflicts which will be due to compensation money, issues of incomplete succession, cultural rites such as polygamy and wife inheritance as well as dominance of patriarchal society.
- (iii) Increase of Gender Based Violence (GBV) due to increase of interaction of new people in the community, labour influx, compensation amounts, cultural issues and political interferences.
- (iv) Loss of livelihood may result to increase in the rate of new crime and violence.
- (v) Conflicts with potential unplanned land use practices in some areas along the corridor

3.1.8 Impact on Graves

On cultural assets like graves, it has been established during inspection that the communities have graves at the homesteads, hence PAPs will be facilitated to relocate them at a one-off cost. Any other emerging sites during project implementation will require case by case attention at implementation phase. No.4 graves have been identified and enumerated during the asset valuation process.

Prepared for KeNHA	44	NIL/VCL
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3.1.9 Impact on Public institutions

There are schools within the project proposed will be impacted indirectly by the project due to construction activities. During project implementation there will be limited access to those learning institutions. The potential risks and impacts were identified during the ESIA study and their mitigation measures were provided in the ESMP. The project design currently will not necessitate loss of schools, however there are other public institutions infrastructures No.10 such as churches, national government offices in Muskut and wells which will be fully impacted by the project. The RAP has further recommended other emerging cases to be dealt with in the implementation phase of the project.

3.1.10 Impact on Vulnerable Households

Vulnerable groups are social and distinct groups of people who might suffer disproportionately or face the risk of being marginalized because of resettlement compensation. In Kenyan RAP (Resettlement Action Plan) exercises, disability is recognized as a critical vulnerability, with Persons with Disabilities (PWDs) included in the definition of vulnerable groups, ensuring their needs and rights are addressed in resettlement and compensation processes. The vulnerability criteria and cases were identified during the detailed full RAP study and where household census, socio -economic survey was used to identify the different categories of vulnerability. This RAP has recommended special assistance and consideration of VPs as guided by OS7 in resettlement benefits and as documented in the Vulnerable Peoples Plan developed for this project.

3.1.11 Impact Crops and Trees (Agriculture)

Socio economic baseline survey conducted during RAP and ESIA study showed that many households relied on subsistence agriculture. The Phase 1 Road project construction activities will lead to clearing of perennial crops and trees within the defined project corridor full replacement cost for such impact has been factored in this RAP. Among perennial plants and trees have economic values or other indirect benefits to the landowners and communities including fruit trees, shade trees, hedges and ornamental plants. As above mentioned, timber from agroforestry is among the major income earners in the region for building purposes. This highlights the significant financial impact on the affected households and emphasizes the need for appropriate compensation and livelihood restoration measures to mitigate the loss and ensure the socio-economic well-being of the affected individuals and communities.



PhotoPlate 3: View of trees affected along the road corridor

Impact on trees and crops are not limited to the loss of standing vegetation, but also to the time required to establish new crops at a new location, and the loss of livelihoods and income during this period. In the case

Prepared for KeNHA	45	NIL/VCL
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of trees and other perennial crops the period before these become productive could be spread over a period of years. Cash compensation is offered for crop and economic tree losses and a set of livelihood restoration initiatives addresses crop re-establishment and the improvement of agricultural effectiveness and productivity. Seasonal crops will not be paid compensation, instead PAPs will be given notice and time to harvest their crops before construction of the project.

Table 24: Summary of Different Categories of Affected Assets per Road Corridor

Road Corridor	Land	Structures	Business	Trees/Crops
Biretwo-Arror-Chesongoch	67	77	58	61
Emsea-Kimwarer	13	6	4	6
Kapkayo – Nyaru	1	4	22	0
Total No. of PAPs Per Category	98	87	84	67
Total No. of affected assets	336 (219 PAPs)			

It is worth to note that some PAPs fall either in two or more of these categories (See **APPENDIX 6** on the PAP distribution along the road corridor.

3.2 Impact Mitigation Measures

In view of the above, appropriate interventions and corrective measures would also be required, especially in terms of ensuring minimal losses and impacts to the PAPs. The RAP recommends the measures below for avoiding or minimizing resettlement and associated loss of livelihoods during project implementation.

- Provide fair and timely compensation for land, structures and other assets lost due to the project. Also, the PAPs to be accorded adequate notice to vacate.
- PAPs will be given a chance to demolish their structures and salvage materials including cement blocks, building stones, iron sheets, timber, plumbing materials, electrical materials that may be re-used,
- Livelihood Restoration Programs and support to the affected PAPs including opportunities in employment during constructions and operations. Consider building skills training programs to help PAPs transition into new employment opportunities.
- Consider financial Management skills to the PAPs on use of the compensation amounts as well as assistance in setting up business ventures.
- Facilitate easy access to agricultural inputs, markets, and extension services for displaced farmers as a continuation of livelihood.
- Support PAPs in community-driven development initiatives to enhance project ownership in terms of incorporating their suggestions and request for Corporate Social Responsibility into the design.
- Improve access roads to essential social services such as schools, hospitals, water points, and local administration offices.
- Establishment of a Grievance Redress Mechanism (GRM) where PAPs can address their concerns and complaints promptly.
- Stakeholder engagement process should be conducted on a continuous basis with the PAPs and general community as a way of getting feedback and incorporating them into the project planning and implementation. The SEP process will also promote transparency by sharing project updates and decisions openly.
- Provision of psychological support to the PAPs prior to relocation and continuous follow up.
- Special consideration to be provided for Vulnerable PAPs/groups through provision of additional support, ensuring access to social support services and they rightfully get their compensation.

4 STAKEHOLDER ENGAGEMENT AND PUBLIC PARTICIPATION PROCESS

4.1 Introduction

The Public Participation and Consultation process is a legal requirement by the Government of Kenya (GOK) and a mandatory procedure as stipulated in the Constitution and also by EMCA 1999 and EMCA (amendment), 2015 section 58, on Environmental and Social Impact Assessment (ESIA) for the purpose of achieving the fundamental principles of sustainable development. AfDB's Environmental and Social Operational Safeguard 10 (ESS OS 10) therefore recognizes the importance of open and transparent engagement between project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social (E&S) sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

Stakeholder engagement and consultation process in the ESIA/RAP process is undertaken to disseminate information to interested and affected parties, stakeholders, to solicit their views and consult them on Environmental, Social, resettlement and compensation issues surrounding the proposed project. Early consultation helps to manage public expectations concerning the impacts of a project and its expected benefits. Successive consultations are important as they provide opportunities for the Client (KeNHA) and respective community have inclusiveness in decision making process. Kenyan Legislation have laid emphasis on the need for meaningful, continuous consultation and disclosure of project activities at every level of project cycle.

Public participation ensures that due consideration will be given to public values, concerns and preferences when decisions are made. Hence, the stakeholder engagement process undertaken was beneficial in this way:

- The project team obtained local and traditional knowledge that may be useful for decision-making,
- Facilitating in consideration of alternatives, mitigation measures and alternatives
- Ensuring that important impacts are not over-looked and benefits are maximized with adverse impacts mitigated,
- Reducing conflict through the early identification of contentious issue,
- Provides opportunity for the public to influence project design in a positive manner,
- Improve transparency and accountability of decision-making, and
- Increase public confidence in the ESIA/RAP process.

Consultations for the proposed road project were initially initiated from February 2024 during the needs assessment stages of the Biretwo-Arro Chesongoch Road by KeNHA, and since then the consultations have taken a continuous approach throughout the project phases.

4.2 Objectives of the Stakeholder Engagement Process

Stakeholder consultation is generally useful for gathering environmental and social data, understanding likely impacts, gender and cultural settings, determining community preferences, selecting project alternatives, and designing viable and sustainable mitigation measures. Stakeholder consultation during ESIA study process main aim is to disseminate information to interested and affected parties (PAPs), solicit their views and consult on sensitive issues. The specific aims of the Public Consultation and Participation process during the RAP study were as follows;

- To inform the local people, leaders and other stakeholders about the proposed improvement of the road corridor to bituminous standards.
- To sensitize the community about the project and potential impacts on people and livelihoods.
- To promote project ownership by the KeNHA and beneficiaries in order to minimize conflicts;
- Obtain opinions and suggestions from the directly/indirectly affected persons on the Project impacts and recommendation of appropriate measures to mitigate them and later incorporate to the ESIA/RAP Study Report
- Obtain opinions and suggestions on the Project Concepts, Designs, etc. and therefore minimize conflicts and delays in implementation;
- To facilitate the development of appropriate and acceptable entitlements options;
- To increase long term Project sustainability and ownership; and
- To reduce problems of institutional coordination, especially at the different governments' levels through partnerships.

4.3 Stakeholder Identification, Mapping and Analysis

Stakeholders are persons or groups who are directly or indirectly affected by a project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively. Stakeholder mapping is done to understand the interest and influence of different stakeholders in the project and their varied expectations.

4.3.1 Stakeholder Categories

For the proposed road project stakeholders include the following categories of persons or institutions:

- A. Primary Stakeholders/Affected Parties:** These are groups that will be directly affected (positively or negatively) by the project.
- The Project Proponent- KeNHA and the Ministry of Roads and Transport (MoRT)
 - Immediate resident's/ community members who may be affected by project activities directly such as
 - Pastoral Communities,
 - Affected Households
 - Businesses and Traders
 - Public institutions in the vicinity of the project
 - Project-affected people: Individuals, households, and businesses directly impacted by land acquisition and project activities
 - Project Area Administration Personnel, i.e., National Government Administrative Officials (NGAOs), i.e., Deputy County Commissioner, Assistant County Commissioners, Chiefs, Assistant Chiefs, Village / Council of Elders

- Community-based organizations, and local women and youth groups
- National and local government bodies that are responsible for infrastructure development, and economic and social welfare
- Vulnerable and Marginalized Groups: Including women, youth, elderly, persons with disabilities, and minority ethnic groups

B. Secondary Stakeholders/ Interested Parties: These groups are interested in the project but are indirectly impacted by the project.

- Institutions, groups, and individuals who are involved in approving/implementing aspects of the project:
 - County Government of Elgeyo Marakwet and its various departments
 - National Government Parastatals such as NEMA, WRA, NLC, NDMA, NMK, etc.
- Academic institutions
- The local healthcare facilities
- The local security agencies
- NGOs active in the area

4.3.2 Stakeholder Mapping and Analysis

The stakeholder analysis process sought to prioritize identified stakeholders based on: interests and expectations in relation to the proposed project; required levels of participation for each stakeholder throughout the project lifecycle; degree of influence of each stakeholder group to the direction and success of the proposed project; interrelationships between different stakeholders and the convergence/divergence between their interests and expectations.

4.4 Methodology for Stakeholder Engagement Process

Stakeholder engagement methodologies used a mix of participatory methods and structured approaches to sensitize, inform, consult, and actively involve PAPs and community at different levels within the project area. These methodologies integrated participatory, inclusive, and context sensitive techniques to promote meaningful engagement and ensure that the views of all stakeholders particularly vulnerable and marginalized groups are effectively captured and considered in decision-making.

The stakeholder engagement process for the proposed project begun in the year 2024 led by the client (KeNHA) and have since been continuous. The consultant started consultation process in the Month of August 2025, followed by a several phases of stakeholder engagements at different levels.

Phase one of this was with key stakeholder/leaders' meetings in the month of December 2025 respectively and Phase two was with the general community members and project affected persons within the proposed alignment to ensure inclusive participation, effective information sharing, and incorporation of stakeholder concerns into project planning and mitigation measures.

The stakeholder engagement methodologies below were used in the various consultation phases:

- a) Key Stakeholder Entry Level/leaders meeting
- b) Community mobilization meetings/ Baraza
- c) Focus Group Discussions
- d) Key informants' interviews

- e) Engagement during PAP-on-PAP acknowledgement forms
- f) Baseline Socio Economic Survey

4.4.1 Key Stakeholders/Leaders Level Meeting

The RAP team undertook preliminary entry level meeting with key stakeholders and leaders in all the No.5 sub-counties and No.7 consultation meetings were held in the month of December 2025, with the main objective being to sensitize and create awareness among the leaders through whom the message of the project implementation was to reach the grassroots in preparation of the detailed RAP study activities including cadastral surveys and pegging of the corridor, socioeconomic studies, gender assessment studies and valuation of affected properties. The response and support of the project was very overwhelming with the leaders committing to mobilize the communities towards cooperating with the consultant into the design exercise and project construction thereafter. These key stakeholders included national and county government departmental officers, community-based organisations, Persons with disability representatives, members of parliament and opinion leaders along the proposed road corridor. The key leaders meeting attendance is illustrated in the table below. (See **Appendix 1** list of attendance and Minutes of the meeting)

Table 25:Attendance of Key Stakeholders and Leaders Meetings(gendered)

S/No	Sub-County	Meeting Venue	Male (M)	Female (F)	Intersex (I)	Total
1.	Kerio Valley	Aror Community Library	32	13	0	45
2.	Keiyo South	Biretwo-Child Fund Board Room	18	8	0	26
3.	Keiyo South	Muskut- Asst. Chief Office	54	12	0	66
4.	Keiyo South	Nyaru- Chief's Office	35	19	0	54
5.	Keiyo South	Kamwosor- Community Hall	25	6	1	32
6.	Kesses	Kesses-DCC Office Hall	20	15	0	35
7.	Ainabkoi	Ng'arua-RCEA Church Hall	75	33	0	108
Total			259	106	1	366

The main aim of having entry level meetings with the leaders was the assumption that these are the decision makers that inform policy implementation regarding their department's position on the project and the community in general. The discussions were open-ended to allow freedom of expression and to permit the respondents to discuss any information that would be useful to the project. The objective of this meeting was also to get information from an institutional point of view. The list of participants included both National Government and County Government officers together with other key opinion leaders in the communities were involved to enhance inclusivity.

1. Key Emergent Issues and Concern from the Leaders Meetings

While detailed minutes of the meetings proceedings are in the Appendix 3 this section outlines the key issues that emerged from Leadership sensitization and awareness meetings, concerns, clarifications and opinions registered. These are summarised in the matrix below;

Table 26:Summary of Key Issues, Concerns and Clarifications Emerging from Leaders Meeting

	Issue	Focal Areas	Concerns and Opinions	Responses and Clarification
	Landownership and Documentation	All Corridor	- Challenges in securing landownership documentation. - Government to consider assisting the PAPs in processing.	✓Compensations will only be paid to bona fide landowners as proved through official ownership documentation ✓Compensation will only be done on legal landownership documents ✓Complete transactions on land (transfers on sales, inheritance processes, etc.)
			Delays in transfers of landownerships upon sales	✓Landowners to finalize land transfers to the buyers ✓Buyers assist, where possible, original landowners obtain title deeds
			High costs of succession processes	✓Families have been encouraged to commence succession process where required ✓Seek assistance from the County Administration in the succession process
			Family disputes on landownership	RAP process is not a conflict resolution forum families to sort out internal conflicts and disputes before actual compensation.
		Kesses	Clarification on how landowners under the scheme ownership will be compensated	PAPs to give opportunity for RAP assessments and await guidance from the Government during implementation of the project.
	Vulnerability Issues	All Corridor	- Assisting the vulnerable persons in the succession processes and obtaining landownership documents due to the related costs - Desire for a livelihood restoration program on the compensation process. - Inclusion of the Vulnerable and women in the project	✓Community educations and livelihoods restoration programmes will be integrated into the RAP/ESMP Implementation process. ✓Stakeholder engagement is a continuous process through various functions and platforms. ✓A gender assessment study will be undertaken with recommendations of how they will be supported and included.
	Benefits and opportunities	All Corridor	- Employment opportunities, especially for the youth - Criteria used to recruit construction workers. - Indirect employment opportunities foreseen in the project. - Use of local suppliers to the project with construction materials.	✓This aspect was fully addressed and community informed to ensure they are eligible for employment, by having the right skills and national identification cards. ✓Most casual labour will be sourced from the community and the third gender rule will apply. ✓However, assured of employment at various levels through the project cycle

	Issue	Focal Areas	Concerns and Opinions	Responses and Clarification
				✓Collaboration between the project management and the leadership
			Corporate Social Responsibilities (CSR)	✓ CSR is NOT an obligation but good practices ✓ Contractor(s) and KeNHA to consider CSR Policies and available resources through the project cycle ✓ Communities may prepare wish-lists to guide relevance of any possible CSR initiative. ✓ All requested CSR activities were recorded and reported for consideration by KeNHA during implementation.
			▪ Bus station and boda-boda sheds	✓ Bus Stations will be provided based on functionality, economic potential and operations efficiency among other design parameters ✓ Areas to install Boda Boda sheds will also be mapped and included during project implementation.
	Livelihood Restoration Measures	Major trading centres	▪ Roadside Markets and Markets ▪ Consideration for Livelihood Restoration Measures for roadside traders	✓ Requests for improvement of roadside markets and local market centres. ✓ Loss of business will be compensated and alternative livelihood restoration measures will be recommended where appropriate.
	Valuation and Compensation of affected land	All Corridor	Compensation factors – Land, plants, trees, building structures, amenities	✓ Valuation process considers the land and all improvements on it ✓ Compensation based on market rates but also guided by comparable rates and replacement rates.
			▪ Title holders are deceased parents and succession not undertaken. ▪ What happens to the compensation?	✓ No compensation will be paid out without landownership documents (title deeds). ✓ Affected families are advised to commence the Succession Process early to avert a crisis and disappointments.
			Partial severances – land and building structures	✓ RAP valuation assessments take records as they are ✓ Land acquisition process to make decision on criteria for full or partial land-take and buildings ✓ The decision on economic viability of balance portions will be determined at the point of land acquisition by the NLC.

	Issue	Focal Areas	Concerns and Opinions	Responses and Clarification
			Cultural replacement and compensation – Grave yards	✓ The cost of relocation is considered, mostly to cater for facilitation of cultural activities.
			- Public Institutions – schools, health facilities, etc. - Public land – road reserves, railway reserves, public forests and conservations areas	✓ Public institutions are handled on replacement basis ✓ Institutions will be engaged by KeNHA and NLC on utilization of public land and reserves for the project
			Wondering whether one can use their private Valuers for comparison	The official report will be from the KeNHA and NLC.
			What will happen to land where there are ongoing court cases?	✓ The RAP Implementation will not resolve land dispute matters – compensations will be held by the Government awaiting resolutions. ✓ Affected families should commence early measures to resolve their differences
			What is the mode of payment for lost property, cash, bank, Mpesa.	At the point of land acquisition, the options will be floated to the PAPs.
			Roles of lawyers and other agents in assisting PAPs	PAPs advised to be wary of conmen in form of agents and/or lawyers through the compensation process
			How delayed compensations will be handled	Appropriate measures will be in place to mitigate unprecedented delay through the RAP Implementation process
			Improvements after the valuation process has been undertaken	✓ Valuation constitutes the thresh-hold of development. ✓ Valuation results are valid for 24 months after which the process will be reviewed.
			What happens to the residual PAPs – homes’ ambiances, land use activities, access roads, livestock, schools, religious premises, etc.	✓ Specific reparation and corrective measures to residual PAPs to be formulated for consideration
	Special public utilities	Water, power and communication lines	Water supply lines, power lines, sanitation facilities, communication lines, etc.	All public service lines and utilities are to be relocated in collaboration with respective services providers.

	Issue	Focal Areas	Concerns and Opinions	Responses and Clarification
			Access roads crossings	✓ All major roads crossing the corridor will be preserved and provided with appropriate culverts or overpasses. ✓ Other may be re-routed to be combined into common crossings
	Survey Issues		▪ Extend of acquisition in terms of width.	✓ The survey maps will be prepared after the cadastral survey work that will also pick parcel boundaries, ✓ Factors and parameters that determines the final alignment will communicate in the detailed design stage.
	Project Timelines	All Corridor	Commencement of the actual construction	✓ Stakeholders were informed that currently the project is at design stage. ✓ Continuous stakeholder engagement will undertaken to keep them inform each project cycle.
	Grievances Gender Based Violence	All Corridor	How will the project handle grievances in the project, cases of GBV and sexual harassment from the contractor. Cases might increase during project implementation	✓ A Grievance Redress Mechanism Committee will be formed at locational level ensure issues are solved as efficiently as possible. ✓ This committee will be comprised of community members and local administration, further the report will develop as detailed GRM strategy. ✓ All workers will sign mandatory code of conduct
	Project Acceptance	All Corridor	✓ Support and Need for the project	✓ Stakeholder confirmed and affirmed support for the project and requested to immediate implementation. ✓ All were in support of the project.

4.4.2 Key Informant Interviews

Key stakeholders in the Elgeyo County, Sub Counties and Community level were identified and consulted with the objective of establishing the existing environmental, social - economic conditions, gather institutional and community needs within the proposed project area and linkage to the neighbouring areas. This was done through visits to various National, County, Sub County government, NGO's, CBOs offices and other community groups such as farmers groups, transport and market groups between 8th – 21st April. Effort was made to collect all information relevant to the project and recommendation incorporated into the ESMP and RAP for monitoring during each of the project cycles. The minutes and attendance of this are attached in **APPENDIX 1** of this report.

The following stakeholders were engaged and one -on -one interviews held;

- (i) County Governor -Elgeyo Marakwet

- (ii) County Commissioner -Elgeyo Marakwet
- (iii) County Director of Environment, Climate Change and Forestry
- (iv) Kenya Wildlife Service
- (v) County Land Registrar
- (vi) County Director of Lands
- (vii) County Social Development Officer
- (viii) Kerio Valley Development Authority
- (ix) Sub County Administrators
- (x) No.9 Ward Administrators
- (xi) Market /Business community representatives along the corridor in Arrior, Biretwo, Emsea, Kapkayo and Nyaru.
- (xii) Transporters Associations (public service vehicles, boda-bodas) representatives in key centres along the road corridor
- (xiii) Key opinion leaders such as clan council elders at the locational levels
- (xiv) NGO's and CBO's (World Vision & Child Fund)

Table 27:Thematic Analysis of KII Key Issues, Concerns and Proposed Recommendations

Theme	Key Concern/issues raised	Proposed Recommendation
Land acquisition	- Delay in compensation might lead to disputes - Lack of land ownership documents might lead to conflict and delayed compensation	- Early disclosure and grievance mechanism to be developed - County Registrar to be consulted on land demarcation and adjudication. - NLC will disclose compensation awards as per constitution.
Livelihood disruption	Loss of business income	- Market relocation and support programs - Provision of employment opportunities during construction
Water use conflict	- Over abstraction of community water might result to water use conflict - Protection of community springs and water point	- Contractor to apply for water use abstraction permit. - Contractor to have his own water source for construction
Land Tenure	Fear that land owned which is going through the process of adjudication or community land may not be paid for.	The County Government and NLC shall engage and agree on the documentation of ownership and the compensation process
Employment opportunities	Local community to be give first priority	Local content as per guidelines is 70% casual labour.
Corporate Social Responsibility (CSR)	Requests for a clear CSR component benefiting host communities; desire for CSR initiatives that deliver long-term economic and social value	- CSR priorities will be identified in consultation with community leaders and local authorities to ensure initiatives align with local development needs. - All CSR requests were noted and reported in a separately in this report.
Access Roads	If the project could at least improve access to properties temporary affected.	Request was noted for inclusion into the RAP.

4.4.3 Community Engagement Meetings/Barazas

The consultant team carried out number eight (8) meetings forming part of the community consultative meetings /baraza with both the general community and project affected persons (PAPs) from the three sub counties and 18 locations traversed by the proposed road corridor. These community meetings took place between 8th April -18th April 2026 whereby a total of No.1497 (F=580, M= 917) as presented in the gender disaggregated **Table 29** below.

Table 28: Geographical distribution of Community meetings

Sub-County	Ward	Division	Location	Meeting Date	Meeting Venue
Keiyo Valley	Sambirir	Chesongoch	Murkutwa	8 th April 2026	Kibaimwa Chiefs camp
			Chechan		
			Mon		
			Kibaimwa		
			Chesetan		
			Kiptumbur		
	Arror	Tunyo	Arror	10 th April 2026	Arror Ward Admins office
			Chesuman		
Keiyo North	Emsoo	Central	Keu	11 th April 2026	Keu Chiefs Camp
	Tambach	Soy North	Kabulwo	13 th April 2026	Rimoi chiefs Camp
			Kiptuilong		
			Kamongich		
Keiyo South	Soy North	Soy	Chepsigot	14 th April 2026	Biretwo Market
			Epke		
			Kibargoi	16 th April 2026	Emsea-Kibargoi Chiefs Camp
	Soy South	Soy	Chemoibon	17 th April 2026	Kapkayo Chiefs camp
			Soy	18 th April 2026	Kimwarer Market
			Nyaru		

In preparation for community meetings process a structured engagement schedule that was then developed, outlining the proposed meeting dates, locations, and sequence of consultations along the corridor. To support coordination at the local level, the consultants formally engaged the County Commissioner (CC) for Elgeyo Marakwet County and the respective Deputy County Commissioners (DCC) for the three sub counties both of whom had been consulted earlier during the project inception phase. Introductory letters were submitted to their offices together with the public participation schedule to facilitate mobilization of meetings at the locational level and secure administrative support.

The NGAO officers played a critical role in mobilizing communities and potential PAPs by notifying residents of the planned meetings and encouraging their participation across the various social groups. Follow up communication was undertaken to ensure that mobilization efforts were on track.

Additionally, the DCC formally invited the county government officials who included the Sub County administrators, Ward Administrators and Members of County Assembly (MCA) who are representatives of specific areas within the project corridor and who later attended the community consultation meetings. Following these preparatory activities, public participation meetings were successfully conducted across

the identified locations, providing a platform for the general community to share their views, concerns, and expectations regarding the proposed road project

Table 29: Community Engagement Meetings Gender Disaggregated

Elgeyo-Marakwet County			Number			%	
Date	Sub-County	Meeting Venue	Male	Female	Total	M%	F%
8th April 2026	Kerio Valley	Kibaimwa Chiefs camp	164	306	470	34.89	65.11
10th April 2026	Kerio Valley	Arror Ward admins office	62	15	77	80.52	19.48
11th April 2026	Keiyo North	Keu Chiefs Camp	115	19	134	85.82	14.18
13th April 2026	Keiyo North	Kamongich/Rimoi chiefs Camp	178	82	260	68.46	31.54
14th April 2026	Keiyo South	Biretwo Maket	145	90	235	61.70	38.30
16th April 2026	Keiyo South	Emsea-Kibargoi Chiefs Camp	134	34	168	79.76	20.24
17th April 2026	Keiyo South	Kapkayo Chiefs camp	70	11	81	86.42	13.58
18th April 2026	Keiyo South	Kimwarer Market	49	23	72	68.06	31.94
Total			917	580	1497	61.25	38.74

During the Barazas the consultant presented the proposed project road design components, ESIA, Gender Assessment (GA) process and Resettlement Action Plan (RAP) procedure to both the local community and PAPs and in addition, feedback and suggestions from the community members and inputs for inclusion in the RAP report and ESMP were noted. Additionally, the meetings were conducted in English and Kiswahili languages and interpreted to the local language where necessary. It is important to note that, in addition to the community meeting engagement process, No.18 Locational Grievance Redress Mechanism Committees (LGRMCs) were established through the nomination of members in each location, and separate focus group discussions were held with women, men, and youth respectively. Minutes and attendance for these meetings are attached in **APPENDIX 1** of this report.

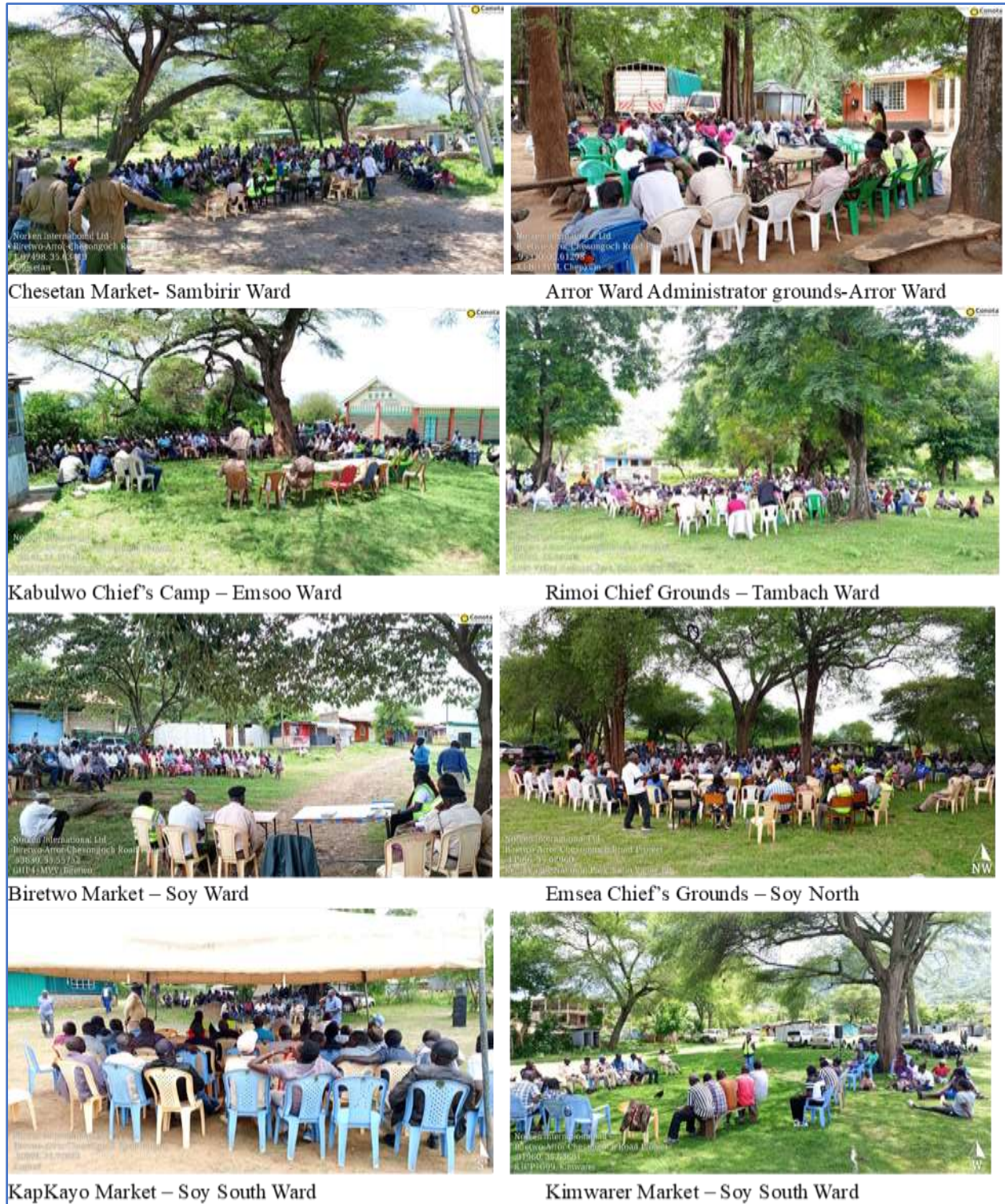
4.4.3.1 Findings of Community Engagement and Potential PAPs Meetings

The table below presents a collective summary of the issues raised by participants and the responses provided by the Consultant during the community engagement meetings.

Table 30: Summary of Key Community Engagement and Consultation Issues Raised and Responses

Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
Concerns regarding land acquisition and potential loss of ancestral land.	Land acquisition will be undertaken in accordance with the Resettlement Action Plan (RAP), consistent with national legislation and the African Development Bank's safeguard requirements. All affected persons will be identified, and compensation and livelihood restoration measures will be implemented prior to displacement through NLC gazette notice.
Lack of designated livestock crossing points, posing risks to animals and road users	The project design will incorporate appropriate livestock crossing points and related safety features, informed by community consultations and Road Safety Awareness creation will be emphasized.
Increased risk of gender-based violence (GBV), Sexual harassment and exploitation, together with Child	The Contractor will implement a GBV Action Plan, Child Protection Strategy, including Codes of Conduct for workers, awareness

Issue / Concern Raised by Participants	Response Provided by Consultant / Project Team
Abuse associated with influx of construction workers	programs, confidential reporting mechanisms, and referral pathways aligned with national systems and AfDB requirements. Local residents and youth will be prioritized for unskilled and semi-skilled jobs during construction, subject to contractor requirements and labour laws.
Limited employment opportunities for local youth	The project will promote local employment opportunities through fair and transparent recruitment processes, with preference given to qualified local labour in line with applicable labour laws and AfDB standards at 70%.
Potential soil erosion and landslides due to construction activities in steep terrain	The project will integrate erosion control and slope stabilization measures into design and construction, including drainage management, climate resilience and structural interventions, in accordance with the Environmental and Social Management Plan (ESMP).
Disruption of roadside businesses and livelihoods during construction	Temporary economic displacement will be addressed in the RAP, including compensation and livelihood restoration measures for eligible affected persons, in line with AfDB safeguard requirements.
Dust emissions affecting nearby households and vulnerable populations	The Contractor will implement mitigation measures as outlined in the ESMP, including dust suppression, traffic management, and continuous monitoring to minimize health impacts.
Risk of exclusion of vulnerable and marginalized groups from consultations and project benefits	The project will ensure inclusive stakeholder engagement through targeted consultations and implementation of measures to enhance participation and benefit-sharing for vulnerable and marginalized groups, consistent with AfDB operational safeguards.
Road safety concerns, particularly for school-going children and other vulnerable road users	Road safety measures will be incorporated into project design and implementation, including signage, speed calming infrastructure, and community awareness programs, in line with a recommendation to have a Road Safety Awareness Program for the project.
Potential disruption of water sources and irrigation infrastructure	The project will avoid or minimize impacts on water resources through careful design such as installation of access culverts. Where impacts are unavoidable, affected infrastructure will be restored or improved in consultation with users/community.
Community requested for several Access roads linking to markets, public infrastructure like schools, hospitals and other areas.	Access roads to public institutions such as schools, health facilities, and markets will be assessed during the detailed design phase. Feasible improvements within the project scope will be considered. This request will also be submitted to KeNHA for consideration during construction.
Concern: There was a massacre in 1992, and the victims were buried along the road corridor. Inquired whether there will be a cost for exhumation and reburial. (at Sambirir Ward)	The project acknowledges the sensitivity of this concern. Any gravesites identified within the road corridor will be handled with dignity and respect. The cost of exhumation and reburial, including cultural or religious rites, will be borne by the project in accordance with Kenyan law through RAP.



PhotoPlate 4:Illustration of the Community Participation and Consultation Process Conducted Along the Proposed Road Corridor in April 2026

4.5.4 Focus Group Discussions

Focus Group Discussions (FGDs) were a critical component of resettlement restoration planning as they provided qualitative insights into how project affected persons (PAPs) earn their livelihoods, socio-economic conditions of the project areas and linkage to the road corridor current status. These platforms provided interactive discussions that captured collective experiences, community dynamics and vulnerable groups perspective which were also gender specific. In this view, the consultant team conducted FGDs with an average of 30 minutes to specific groups who youth, women, men and each group incorporated the elderly, vulnerable and people with disability. Each group comprised of number 10 participants across the No. 8 meeting locations though some forums they were more due to high numbers of attendance at the community meetings comprising of a total of over 250 participants. The table below show distribution of FGDs across the meeting venues;

Table 31: FGDs Distribution Across the Proposed Road Corridor

	Date	Venue	Male	Female	Youth
1.	8 th April 2026	Kibaimwa Chiefs camp	13	9	5
2.	10 th April 2026	Arror Ward admins office	12	10	8
3.	11 th April 2026	Keu Chiefs Camp	18	10	24
4.	13 th April 2026	Kamongich/Rimoi chiefs Camp	18	16	16
5.	14 th April 2026	Biretwo Market	17	17	15
6.	16 th April 2026	Emsea-Kibargoi Chiefs Camp	15	12	10
7.	17 th April 2026	Kapkayo Chiefs camp	11	11	17
8.	18 th April 2026	Kimwarer Market	20	16	16
			124	101	111(M=79 F= 32)

4.5.4.1 Outcome of PAP related Focus Group Discussions

The Focus Group Discussions identified a wide range of issues relevant to land acquisition, compensation, resettlement, and protection of project-affected persons. While PAPs generally supported the proposed road project because of its anticipated contribution to socio-economic and regional development, participants emphasized that the resettlement processes must be implemented in a transparent, equitable, and socially inclusive manner to minimize adverse impacts on affected households. The following is a summary of the issues that arose from the FGDs;

- Men expressed concern over the acquisition of ancestral and family land, emphasizing that land represents not only an economic asset but also an important cultural and social resource. Participants indicated that many parcels within the project area are held under customary arrangements or remain without formal title deeds, raising concerns that some affected households could experience delays or difficulties in receiving compensation. Succession disputes, unresolved inheritance matters, and incomplete land documentation were identified as additional factors that could delay compensation and create conflict within families. To improve transparency and community confidence, participants recommended that clan leaders and traditional community structures be involved during consultation and compensation processes.
- Women in the project area consistently raised concerns regarding their potential exclusion from compensation processes due to prevailing patterns of land ownership. They explained that although women play a central role in agricultural production, household management, and maintenance of family livelihoods, land ownership and registration are predominantly vested in men among the

Keiyo's and Marakwet communities. As a result, women feared that they might have limited influence over compensation decisions despite being directly affected by land acquisition and livelihood losses. Women therefore emphasized the need for joint consultation of spouses, recognition of women's interests in affected assets, and meaningful participation throughout valuation, compensation, and resettlement processes. They further noted that exclusion from compensation decisions could increase household tensions, economic dependence, and vulnerability among women.

- The discussions also highlighted the influence of household decision-making structures on resettlement outcomes. PAPs observed that men generally retain primary authority over decisions relating to land, household finances, property disposal, and relocation. Women indicated that they are often excluded from decisions that directly affect their livelihoods and household welfare. Participants therefore recommended that the RAP incorporate deliberate measures to promote women's participation in consultations, decision-making forums, and compensation processes to ensure that resettlement outcomes reflect the interests of all household members.
- PAPs expressed concern regarding the potential loss of access to productive resources and community facilities during project implementation. Men highlighted the importance of maintaining access to agricultural land, grazing areas, and livestock routes, while women emphasized the need to safeguard access to water sources, markets, and firewood collection areas that support daily household activities. Women explained that disruption of these resources would increase unpaid domestic responsibilities, particularly for women and girls, while also reducing opportunities for income generation. Participants therefore stressed that temporary access arrangements should be maintained wherever possible and that affected community resources should be restored following construction.
- Social impacts associated with land acquisition and compensation were also discussed. PAPs expressed concern that compensation-related disputes could contribute to household conflict, family instability, and disagreements over the distribution and management of compensation funds. Youth observed that prolonged compensation delays and unresolved land disputes could undermine future inheritance rights and increase tensions between generations. Women further feared that exclusion from compensation processes could contribute to domestic conflict and weaken traditional family support systems. These concerns underscored the need for transparent compensation procedures, continuous stakeholder engagement, and accessible conflict resolution mechanisms throughout RAP implementation.
- The FGDs identified several categories of vulnerable persons requiring special consideration during resettlement planning. Women, female-headed households, widows, elderly persons, youth, persons with disabilities, low-income households, and individuals without formal land documentation were identified as particularly vulnerable to adverse resettlement impacts. Participants emphasized that these groups may have limited capacity to recover from displacement and livelihood losses and therefore require targeted support measures, including enhanced consultation, livelihood assistance, and continuous monitoring throughout RAP implementation.
- PAPs also emphasized the importance of establishing effective grievance redress mechanisms capable of addressing land acquisition, compensation, labour, environmental, and social concerns in a timely and transparent manner. Women requested confidential grievance channels capable of handling cases involving gender-based violence, sexual exploitation and abuse, sexual harassment,

and workplace-related complaints without fear of stigma or retaliation. Youth similarly requested transparent communication mechanisms and meaningful representation within grievance committees to strengthen community trust and reduce perceptions of exclusion.



Male FGD Session



Women FGD Session



Display of Community Meeting Notices



Youth FGD Session

PhotoPlate 5: Illustration of the Community Focus Group Discussions Held within the Project Areas



Left Frame :The project valuer explaining the process of compulsory land acquisition to stakeholders at Kamwosor and the Right Frame illustrates an ongoing discussion at Kessess Sub County Hall.



Left Frame: Shows community members and leaders at Muskut Chief's Office and Right Frame: Illustrates a community leader raising a concern on the proposed road project at Nyaru – Kimwarer section.



The above illustrations show the Area Member of Parliament for Ainabkoi Hon.Samuel Chepkonga sharing his views and concerns to the community members at Ng'arua area.

PhotoPlate 6: Illustration of Key Stakeholders Meetings held in December 2025

4.5.5 Engagement during PAP on the PAP acknowledgement forms

Following awareness creation and sensitization of the RAP process during the PAP meetings in April 2026 and valuation of affected assets in May 2026, PAPs signed the consent and acknowledgement forms to confirm their participation and understanding of the process. The signing process was witnessed by local administration representatives, village elders, and, where possible, PAP witnesses to enhance credibility, transparency, and community trust. The forms also served as an important record for resolving disputes and demonstrating compliance with legal and resettlement requirements as per AfDB OS5. The PAPs also willingly provided their personal details, including phone and ID numbers.

The PAPs who were absent during the census and had not signed nor provided next of kin details, the team made efforts to reach them on the 7th of July 2026. Further the project commits to continuously engage the PAPs during the project implementation phase in preparation for compensation.

4.5.6 Engagement with NLC and KeNHA during preparation the RAP report

Roles of KeNHA valuers and NLC: A joint meeting was held on 11th May 2026 between KeNHA, NLC and Consultant RAP team before the commencement of the valuation process. The meeting was mainly to guide the consultant on how to capture the affected assets, development of rates and aligning the compensation rates with the existing ongoing projects within the project area to avoid discrepancy and PAPs retaliation.

NLC confirmed they will engage the PAPs during the RAP disclosure process before commencement of construction and as they undertake validation of affected assets subject to request of intention to acquire from KeNHA and following of gazettment of these assets. KeNHA's valuers supported the consultant and supervised the process of valuation from commencement of field activities, verifying land parcels as per the land acquisition plans provided by the surveyor on the ground, guided on the compensation rates and signed the PAPs acknowledgement forms thereafter.



PhotoPlate 7: NLC, KeNHA and Consultant Asset Valuation Planning Meeting

4.6 RAP Report Disclosure and Future Engagements

The disclosure process of the RAP shall be undertaken in a manner that is inclusive, culturally appropriate and ensures participation of all stakeholders including vulnerable groups. The proponent KeNHA will publicly disclose this RAP, in English and in Kiswahili and any other local language, where need be and make copies available and distribute with a letter accompanied to the County Government of Elgeyo Marakwet and other government authorities concerned. This will be done by:

- Publishing it on KeNHA's website;
- Depositing/posting it in a range of publicly accessible places such as, County Government
- Offices, chief offices and other public places like churches and market centres where they could be protected and not abused.
- In addition, the proponent will ensure that the affected public is adequately sensitized through public meetings, notices, and information booklets.

Once this RAP is disclosed, the PAPs and larger community will be notified both through administrative structures and informal structures about the availability of the RAP documents and also be requested to make their suggestions and comments. The final approved RAP will be made available in easily accessible locations in or near the affected project areas. This RAP study has also noted that information specific to PAP units (those who are entitled to compensation) shall be disclosed only to the specific PAPs that are individual PAP or the household head and his spouse(s) only. These include inventory of assets, proposed compensation figures and baseline socio-economic data at household level. Participation of the local community will continue during the implementation of this RAP through public forums, key stakeholder meetings and case by case meetings. The community and PAPs will also continue to participate during the project implementation through:

- i. Resettlement Committee and PAPCs
- ii. Grievance mechanisms for the RAP implementation
- iii. RAP monitoring and evaluation events including social surveys and meeting discussions
- iv. Progress review by internal and external auditors
- v. Awareness creation and training with other community members

5 SOCIO-ECONOMIC CHARACTERISTICS OF THE PROJECT AREA

This section looks at the social economic terrain of the project areas and project affected peoples' general community focusing on a wider scope at the County level providing linkages across different socio-economic sectors that provides key inputs and insight on the economic aspect of the project area and not ignoring the region (North Rift region) and its neighbouring counties that plays a major role in the socio-economic distribution of key aspect toward the project. The section will focus on the demographic, economic activities, settlement patterns, water and sanitation, education, health and safety, gender issues, Security and Land Tenure and Use patterns characteristics among other cross cutting issues within the project area and the region as a whole with a respect to providing a picture of the baseline socio-economic situation.

The chapter will focus on the No.3 Sub Counties which are Kerio Valley, Keiyo South and Keiyo North where the Phase 1 roads transverse as well as Elgeyo Marakwet County.

5.1 Administration

Elgeyo Marakwet County is located in Kenya's Rift Valley region. It borders West Pokot to the north, Baringo to the east, Uasin Gishu to the west, and Trans Nzoia to the northwest. The county is divided into five sub-counties Keiyo North, Keiyo South, Kerio Valley, Marakwet East, and Marakwet West featuring striking ecological contrasts between the Kerio Valley, the highland escarpments, and the plateau. The county's geography ranges from semi-arid lowlands to fertile highlands, influencing settlement, livelihoods, and economic activities.

The proposed Phase 1 project will be largely transverse Elgeyo Marakwet County which cover three sub-counties, which are: Keiyo North, Keiyo South and Kerio Valley. Each of these sub-counties is further divided into 6 wards, with 18 locations and over 35 sub locations.

Table 32:Administration of the Project Area

County	Sub-County	Ward	Division	Location
Elgeyo Marakwet	Keiyo Valley	Sambirir	Chesongoch	Murkutwa
				Chechan
				Mon
				Kibaimwa
				Chesetan
				Kiptumbur
	Keiyo North	Arror	Tunyo	Arror
				Chesuman
		Emsoo	Central	Keu
				Kabulwo
		Tambach	Soy North	Kiptuilong
				Kamongich
	Keiyo South	Soy North	Soy	Chepsigot
				Epke
				Kibargoi
		Soy South	Soy	Chemoibon
				Soy
				Nyaru

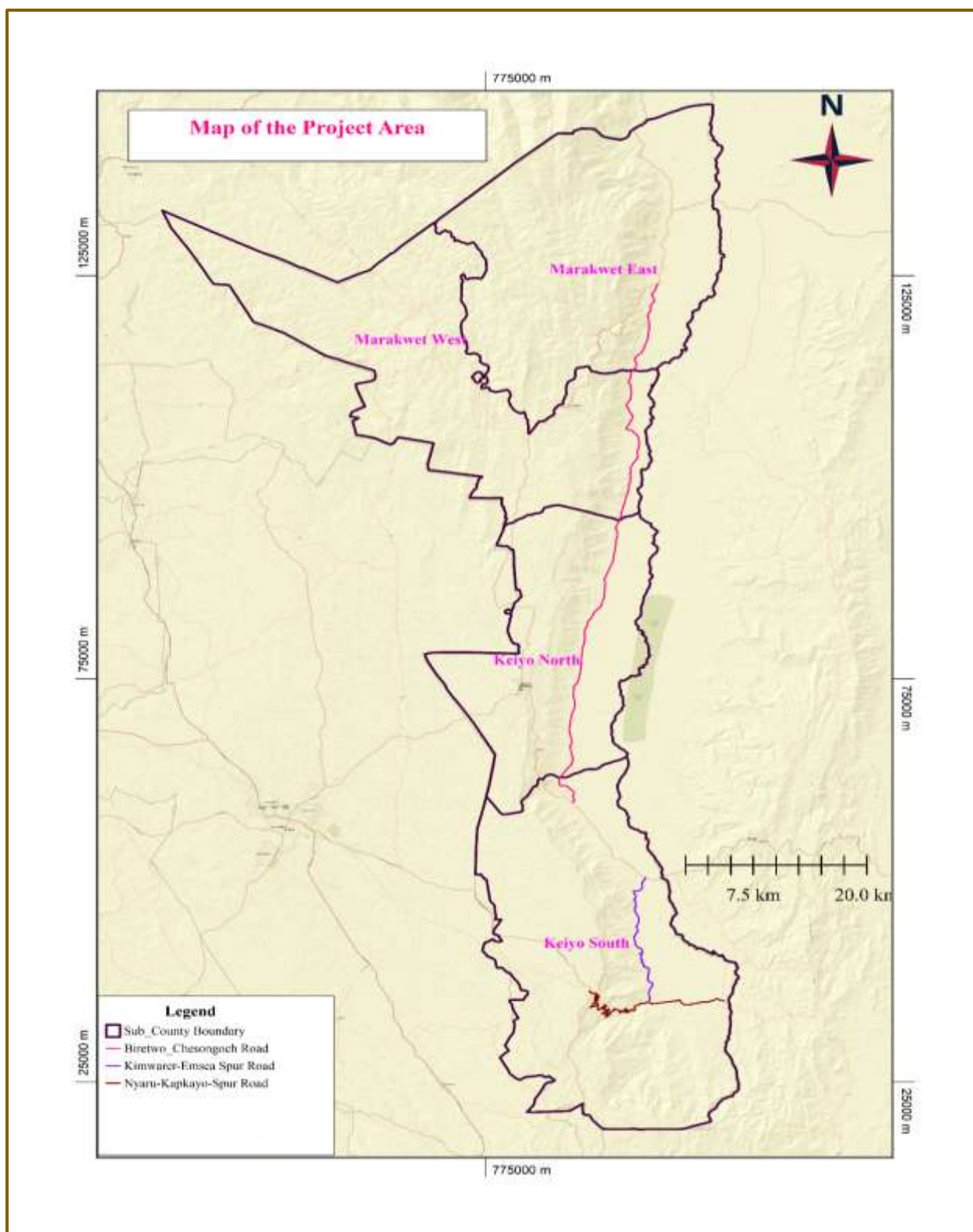


Figure 5: Illustration Map for the project area.

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5.2 Demographic Data

The proposed road corridor is characterized by a diverse population comprising various ethnic groups including the Marakwet, Keiyo's, Pokot, Sabot, Tugen, Nandi and Terik communities. Settlements observed are dispersed yet interconnected with small centres such as Murkutwa, Chesetan, Arror, Cheliget, Kabulwo, Rimoi, Biretwo, Emsea, Kimwarer, Turesia, Kapkayo, Nyaru among others which serve as socio – economic zones. The proposed road construction is expected to impact settlements positively by improving accessibility, connectivity and fostering economic growth.

Although currently the area has low population density of 612 Km² (KNBS 2019) it is anticipated it will increase to 702Km² by the year 2027. Hence, the improvement of the road to bitumen standards will lead to population influx into this area during construction and operation phases. It is also expected that human settlements and land use activities that are currently undertaken along the road corridor will increasingly move closer to the road. The land value will also increase as the road construction gets underway and correspondingly, speculative land acquisition and disputes are expected to increase

Table 33: Population Distribution and Density by Sub-County Within Project Area.

Sub County	2019 (Census)			2022 (Projection)			2025 (Projection)		2027 (Projection)	
	Area (Km ²)	Population	Density	Area (Km ²)	Population	Density	Population	Density	Population	Density
Keiyo North	541.0	99,176	183	541.0	106,180	196	109,202	202	111,147	205
Keiyo South	889.7	120,750	134	889.7	129,921	144	134,170	150	137,405	153
Marakwet West	804.6	137,513	171	804.6	148,638	185	154,529	192	158,696	197
Marakwet East	784.3	97,041	124	784.3	103,831	132	110,678	141	114,999	147
Total	3029.6	454,480	612	3029.6	488,300	658	509,119	685	522,247	702

Source: KNBS 2019

5.3 Socio-Economic Profile of the Project Affected Persons

The socio-economic data collection for the Resettlement Action Plan (RAP) of the Biretwo–Arrok–Chesongoch B126 Road and Associated Spur Roads was carried out to identify, document, and profile all Project Affected Persons (PAPs) along the project corridor. The exercise aimed to establish a comprehensive socio-economic baseline to inform fair and equitable compensation and livelihood restoration measures, in compliance with GOK regulations, the KeNHA Resettlement Policy Framework, and AfDB OS 5. A mixed-methods approach was adopted, combining quantitative and qualitative data collection tools to ensure a holistic understanding of the affected persons.

The four primary methods used were the Household Survey, Key Informant Interviews, Focus Group Discussions and community meetings (Barraza). A sample size of PAPs were identified and participated in the socio-economic survey. However, the number interviewed may not correspond with the total number of PAPs whose assets were inspected, as some PAPs were unavailable during the survey period, while others were represented by individuals who lacked adequate information on the characteristics of the affected households. The data collection methods which also formed part of stakeholder engagement have been explained in detail in **Chapter 4** above were used in triangulation and strengthening this section.

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1.3.1 Socio-Economic Household Survey (HHS)

The Socio –economic household survey was the primary quantitative data collection instrument. It was administered to sample of the identified PAPs along the project corridor on a census basis, ensuring no affected household was omitted from the baseline. The survey covered thematic areas including PAP category and nature of assets at risk, household demographic composition, education levels, main livelihood and economic activities, household income and expenditure, vulnerability status, land ownership and tenure arrangements, asset inventory of affected structures and property, construction characteristics of affected structures, preferred mode of compensation, and community expectations and concerns about the project. The survey questionnaire was structured into seven sections and pre-tested in the field before full deployment. Revisions were made based on pre-test findings to improve clarity and consistency of administration across all enumerators.

1.3.1.1 Digital Data Collection Using Kobo Collect

All household survey data was collected digitally using KoboCollect, a free open-source mobile data collection platform. The survey questionnaire was programmed into the Kobo Toolbox platform using XLSForm syntax, enabling the implementation of skip logic, mandatory field constraints, response validation, and automatic GPS coordinate capture at the point of each interview.

Disclaimer

KoboCollect enabled real-time, paperless data capture directly in the field. Completed questionnaires were automatically uploaded to a secure, password-protected Kobo Toolbox server upon internet connection, with offline functionality ensuring uninterrupted data collection in areas with limited connectivity. All data was stored and managed in accordance with Kenya's Data Protection Act (2019) and the KeNHA Data Protection Policy.

Key features of the deployment included automatic GPS coordinate capture linking each respondent to a precise location, built-in skip logic guiding enumerators through the questionnaire, drop-down response lists to minimize transcription errors, photographic documentation of affected structures, automatic date and time stamping of each interview, and offline data storage with synchronization upon reconnection to the internet. Data was exported from Kobo Toolbox in Excel format for subsequent cleaning, analysis, and reporting.

1.3.1.2 Locally Trained Enumerators

All field data collection activities were carried out by a team of locally recruited and trained enumerators. The use of local enumerators leveraged their familiarity with the community, proficiency in local languages including Marakwet and Keiyo dialects, and cultural competence all essential for building rapport with respondents and ensuring high-quality data collection. A total of 18 enumerators were recruited from within the project area communities, with an equal gender balance. This ensured that female PAPs, particularly female household heads, were interviewed by female enumerators in line with gender-sensitive data collection best practice. Enumerators were selected based on local language proficiency, prior field research experience, and strong interpersonal communication skills.

All enumerators underwent a structured training before the commencement of field data collection. Training covered an overview of the RAP process and ethical obligations, a detailed walk-through of the household survey questionnaire with worked examples, hands-on training on KoboCollect including device setup, GPS capture, photo documentation, and data synchronization, interviewing techniques and informed consent

Prepared for KeNHA	69	NIL/VCL
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procedures, field logistics and safety protocols, and a supervised field pre-test to validate the questionnaire and build enumerator confidence.

Field data collection was supervised daily project sociologist team members who conducted spot-checks on submitted questionnaires, reviewed data for completeness and consistency, and held daily debrief sessions.

1.3.2 Results of Socio –Economic Analysis of the Project Affected Persons (PAPs)

1.3.2.1 PAP Category Distribution

The Project Affected Persons (PAPs) were classified into five main categories based on the nature of their loss. The largest group comprises structure owners who are also engaged in business (18%), indicating that most affected persons run commercial enterprises in structures situated within the road reserve. Land Owners with crop/tree interests form the second largest group at 15%. Pure business operators and structure-only owners each account for 13% of respondents. Tenants running businesses make up 10%, reflecting a significant informal commercial presence along the corridor. Only a small proportion are purely land owners (4%) or tenants without a business (5%), suggesting the corridor is predominantly run by small scale businesses in character. The distribution is shown in the Table below;

Table 34: PAP category distribution

Category	Percentage
Structure Owner + Business	18%
Land Owner + Crop/Tree Owner	15%
Business Only	13%
Structure Owner Only	13%
Tenant + Business	10%
Land Owner + Structure + Business	6%
Tenant Only	5%
Land Owner Only	4%
Other Combinations	16%

1.3.2.2 Sex of Household Head

The majority of households along the project corridor are headed by males, representing 76% of all respondents. Female-headed households account for 24% of the total. This significant gender disparity underscores the need for targeted gender-sensitive interventions in the RAP/LRP, particularly to ensure female-headed households are not disadvantaged during the compensation and relocation process. The proportion of female-headed households (nearly 1 in 4) is noteworthy and aligns with national statistics for rural and peri-urban Kenya.

1.3.2.3 Age of Household Head

The age distribution of respondents reflects a predominantly working age population. The largest cohort, aged 35–65 years, constitutes 54% of all respondents the economically active mid-life group most likely to have established businesses or land holdings. The younger age bracket of 19–35 years forms a substantial 38%, indicating a vibrant youthful commercial presence along the corridor. Only 8% of respondents are

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above 65 years, classified as elderly. This group requires special attention under vulnerability provisions of the RAP/LRP given their limited capacity to recover from displacement. The distribution is shown in the figure below;

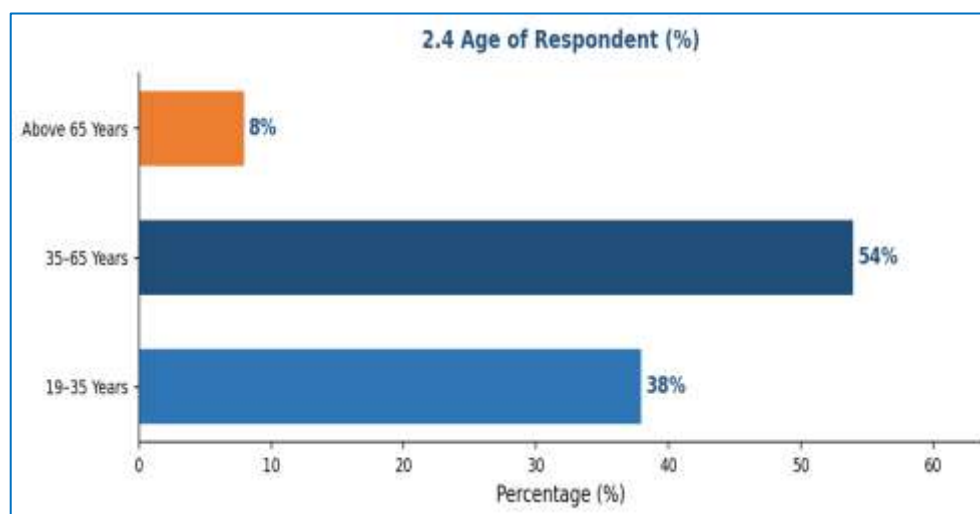


Figure 6: Age of the Respondent

1.3.2.4 Marital Status

The findings show that a vast majority of the household heads are married, accounting for 77% of the surveyed population. Single household heads constitute 12%, while those who are widowed make up 8%. Notably, divorced household heads represent the smallest segment at 3% of the total 86 respondents, highlighting that while conventional dual-parent household structures predominate, a combined 23% of households are headed by single, widowed, or divorced individuals who may require targeted social safeguard considerations.

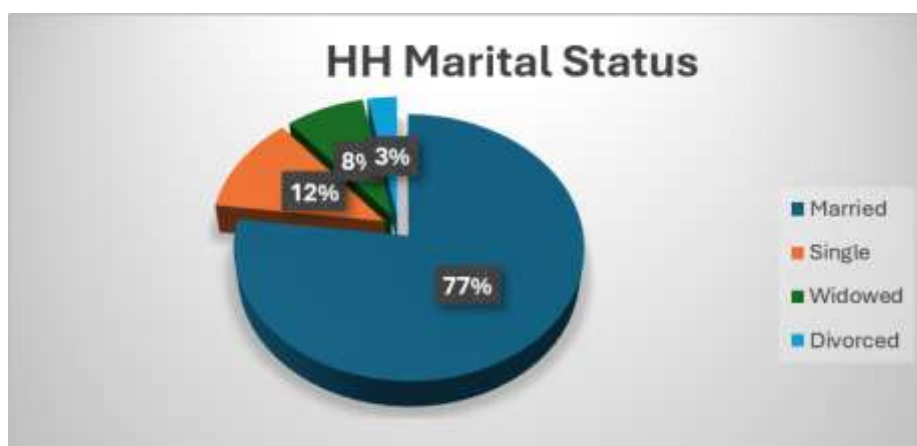


Figure 7: Illustration of Marital Status among the PAHs

1.3.2.5 Number of Children

Data from the PAHs indicate a significant household dependency burden. Minor children under the age of 18 represent the largest demographic group, comprising 58%, which highlights a high concentration of young dependents reliant on local educational and health infrastructure. Additionally, adult children aged 18 and older who remain economically dependent within primary households constitute 39% of the population, reflecting patterns of extended-family cohabitation. Orphaned children account for 3% of the tracked

Prepared for KeNHA	71	NIL/VCL
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population. Although this proportion is small, it represents a highly vulnerable segment that requires targeted social safeguards and prioritized livelihood support interventions during project implementation.

1.3.2.6 Household Size

Most households consist of 4–6 persons (43%), indicating moderately large family sizes. This was followed by households with 1–3 persons (36%), showing a significant proportion of small households. Households with 7–9 persons (22%) were also common, while a smaller proportion had 10–12 persons (7%). Only a very small fraction (1%) reported having more than 12 persons per household, indicating that very large households are rare in the study area.

1.3.2.7 Education Level of Household Head

Educational attainment among household heads is relatively moderate. The majority (42%) have attained secondary education, suggesting a literate population capable of engaging meaningfully in the RAP process. Those with college or university qualifications represent 31%, a notably high proportion attributable to the corridor. Primary level education is the lowest qualification category at 27%. Importantly, no respondent reported having no formal education, which is a positive indicator for the accessibility of information and consultation processes. The distribution is shown in the Table below;

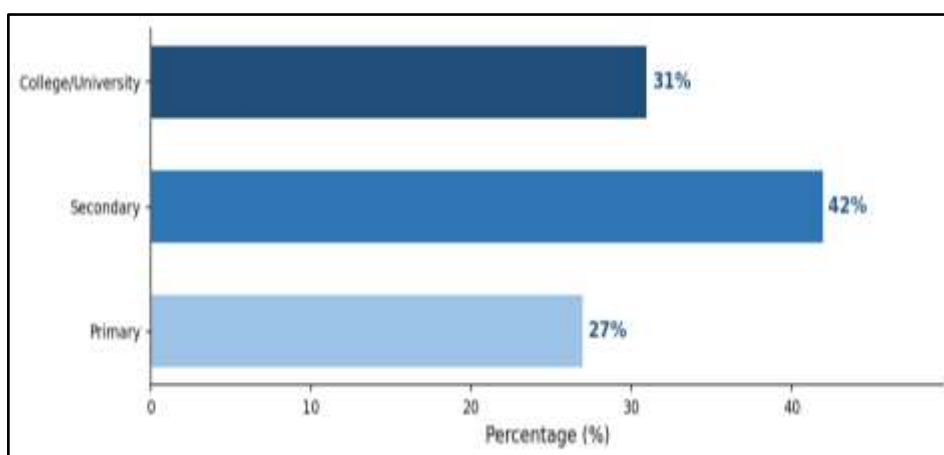


Figure 8 : Education level of the PAPs

1.3.2.8 Household Members' Education Levels

Primary level education is the most common attainment level at 46% of the total, followed by secondary education (26%) and college/university education (25%). A small proportion 3% reported no formal education. This distribution indicates that while household heads are relatively educated, a significant portion of their dependents remain at primary school level, reinforcing the importance of ensuring educational continuity is not disrupted by resettlement and construction activities.

1.3.2.9 Main Occupation of Household Head

Business is the dominant livelihood activity among PAPs, with more than half of all household heads (53%) engaged in small scale trading along the corridor. This finding is critical for the RAP/LRP as it confirms that the majority of affected households derive their primary income from businesses located within or adjacent to the project corridor. Crop farming is the second most prevalent activity at 33%, mainly practiced by PAPs with agricultural land in the affected area. Formal employment accounts for 9%, while livestock farming (4%) and other activities (1%) are marginal. The predominance of business activities implies significant economic displacement risk that must be addressed through business reinstatement and livelihood restoration measures. The distribution is shown in the figure below;

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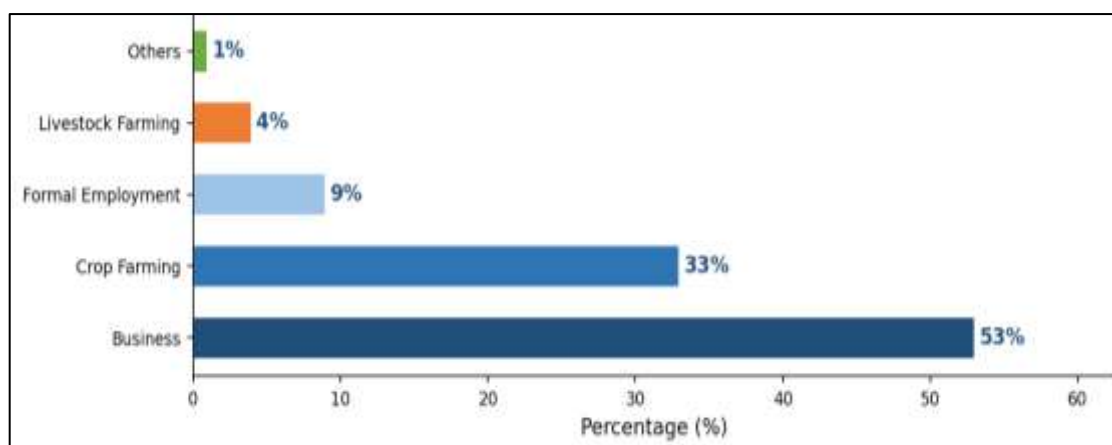


Figure 9: Main Occupation of the PAPs who are Household Head

1.3.2.10 Business Type Engaged by the PAPs

Among PAPs engaged in business activities, the majority (60%) fall under the “Others (specify)” category, reflecting the diverse and often informal nature of trade along the corridor including hawking, food kiosks, and small-scale services. Retail shops constitute a significant 38% of businesses, indicating a notable formal retail presence, Jua kali (artisan/informal manufacturing) operations are minimal at 2%. The prevalence of informal and diverse business types highlights the challenge of standardizing compensation valuation and underscores the need for tailored livelihood restoration approaches. The distribution is shown in the Table below;

Table 35: Business Type of the PAPs

Category	Percentage
Shop	38%
Jua Kali	2%
Others (Specify)	60%

1.3.2.11 Religion of Household

All respondents (100%) identified as Christian. This remarkable religious homogeneity along the Biretwo–Arro–Chesongoch and associated spur roads corridor simplifies certain aspects of community engagement and cultural sensitivity planning in the RAP. There are no inter-religious dynamics to navigate, and consultation processes, community meetings, and communication materials can be designed without the need to accommodate religious diversity. However, the project team should remain aware of potential denominational differences within Christianity that may influence community leadership structures and preferred consultation channels.

1.3.2.12 Vulnerability Assessment

Household Headed by a Disabled Person: The overwhelming majority of households (99%) are NOT headed by a person with a disability. Only 1 household (1%) is headed by a disabled person. While numerically small, this household requires special attention and specific provisions under the vulnerability framework of the RAP, including priority processing of compensation, accessible resettlement options, and psychosocial support.

Household Headed by a Chronically Ill Person: Similarly, 99% of households are NOT headed by a chronically ill person, with only (1%) reporting this vulnerability. Chronic illness can severely limit a

Prepared for KeNHA	73	NIL/VCL
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household's capacity to engage in income-generating activities and may increase dependency on existing assets and social networks. The RAP should include specific provisions for this households, including health-related livelihood support and expedited compensation processing.

Household Headed by an Elderly Person (Over 65 Years: Among respondents who answered this vulnerability question, 71% confirmed the household head is not elderly, while 29% indicated their household is headed by a person over 65 years. Elderly-headed households face particular vulnerability to displacement, with reduced capacity to rebuild livelihoods and adapt to new environments. The RAP has identified these households for enhanced support, including in-kind assistance, regular follow-up, and community-based care linkages.

1.3.2.13 Land Ownership Details

Will Land Be Affected by the Project? A significant majority of PAPs (61%) reported that their land will NOT be directly affected by the proposed road project. However, 39% confirmed that their land will be affected. This proportion nearly 4 in 10 PAP represents a substantial number of households whose land assets are at stake, necessitating thorough land valuation, compensation, and alternative land provision mechanisms in the RAP.

Land Ownership Status: Among those whose land is affected, 67% own the land they currently reside on, while 33% do not own the land they occupy. Non-owners may be tenants, family members, or informal settlers. This distinction is critical for determining compensation eligibility landowners are entitled to full compensation for land and assets, while non-owners may be eligible for disturbance allowances, relocation support, and assistance in finding alternative accommodation.

Land Ownership Documents: Among landowners with documentation, 67% possess a Title Deed, the most formal and legally recognized proof of land ownership in Kenya. The remaining 33% have other forms of documentation, which may include succession certificates, sale agreements, or allotment letters and informal allocation through clannism. The relatively low proportion of PAPs with no title deeds or where land is currently under adjudication suggests a significant proportion of land along this corridor is held through customary, informal, or undocumented tenure a common challenge in RAP implementation.

1.3.2.14 Access to Water, Energy, Sanitation and Waste Management

Primary Source of Drinking Water: River water is the dominant source of drinking water (49%), indicating high reliance on natural surface water. Piped water is the second most common source (31%), reflecting some access to improved water infrastructure. Other sources such as springs (6%), boreholes (4%), wells (3%), and communal pumps (3%) contribute modestly to water supply. Rainwater harvesting (2%) and purchased water from vendors (1%) are least used. The findings show that while improved water sources exist, a significant proportion of households still depend on river water.

Main Energy Source for Lighting: Solar lighting systems (40%) are the most frequently used energy source for household lighting, indicating strong uptake of off-grid renewable energy solutions. Connection to electricity follows at 27%, showing moderate access to the national grid. Traditional energy sources such as wood (13%) and torches (11%) remain significant, reflecting continued reliance on non-electric lighting in some households. Charcoal and other minor sources (paraffin, candles, biogas, and batteries) collectively account for 8%. the findings show a transition towards cleaner energy, though traditional lighting methods are still widely used.

Type of Sanitation Facilities: Pit latrines are the most commonly used sanitation facility (86%), indicating widespread reliance on basic sanitation systems. Open defecation is still practiced by 12% of households,

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highlighting gaps in access to sanitation. Flush toilets connected to septic tanks (6%) and improved ventilated pit latrines (3%) are less common, reflecting limited access to improved sanitation facilities. The sanitation is largely basic, with a need for improved facilities.

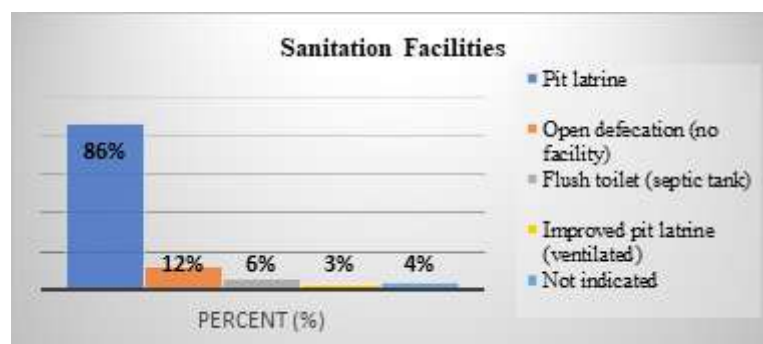


Figure 10: Type of Sanitation Facility Used in the Households

Waste Generation and Management: Food waste (46%) and animal waste (46%) are the most commonly generated types of solid waste, indicating that most households produce organic waste linked to domestic and agricultural activities. The household waste is largely organic, with a smaller proportion of inorganic waste. Burning (37%) is the most common method of solid waste disposal, followed by composting (33%) and reusing (31%), indicating that households use a mix of disposal and recycling practices. Burying (22%) is also practiced, but to a lesser extent. While some environmentally friendly practices like composting and re-use are evident, burning remains widely used.

1.3.2.15 Characteristics of Affected Assets

Type of asset affected by the Project: Structures constitute the most commonly affected asset category, with 46% of PAPs reporting structures as their primary affected asset. Trees and land collectively affect 14% of respondents, while structures combined with other assets (fences, land, crops, trees, graves) account for the remaining categories. This confirms that physical infrastructure particularly commercial structure represents the greatest displacement risk along the corridor. The distribution is shown in the figure below;

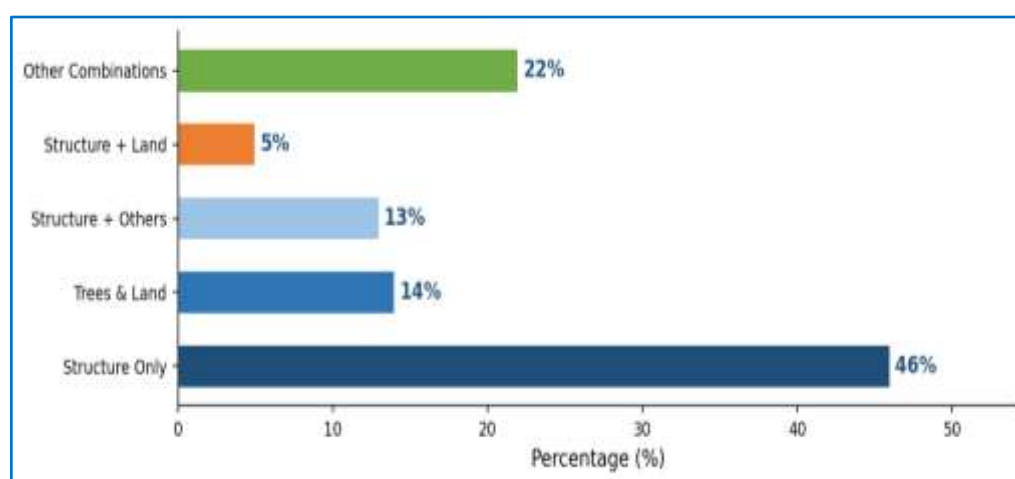


Figure 11: Type of asset affected by the Project

Type of Structure: Commercial vs. Residential: An overwhelming 97% of affected structures are commercial in nature, with only 3% being residential. This near total dominance of commercial structures confirms that the project corridor functions primarily as small commercial trading centers. The RAP must

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therefore prioritize business displacement compensation, income restoration, and trading site relocation as core components of its entitlement framework and alignment with the LRP.

Type of Wall of Affected Structures: Iron sheet walls are the most prevalent walling material, used in 28% of affected structures, consistent with the informal commercial character of the corridor. Other wall types account for 23%, followed by wooden walls (16%) and stone-plastered construction (14%). Mud walls (8%), bricks and plastered (5%), stone not plastered (3%), and mud-plastered (3%) make up smaller proportions. The predominance of non-permanent walling materials indicates a largely semi-permanent structural standard, which will influence replacement cost valuations.

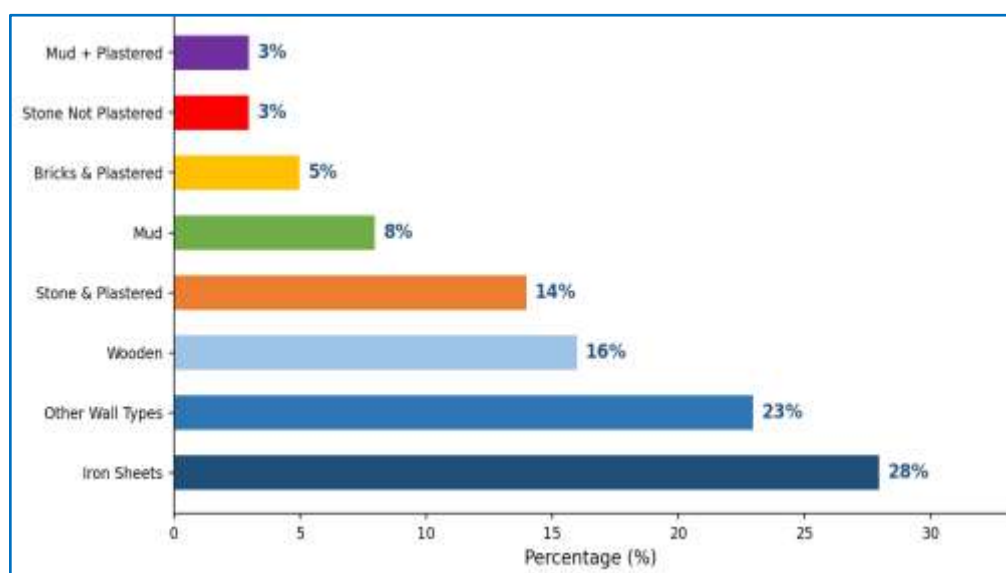


Figure 12 : Wall Character of Affected Structures

Type Roof of Affected Structures: Iron sheets dominate roofing across affected structures at 94%, reflecting the near-universal use of this affordable roofing material in rural and peri-urban Kenya. A small proportion (5%) have other roof types, and 1% use plastic paper a clear indicator of extreme informality and economic unpredictability for those households. The predominance of iron sheet roofing facilitates standardization of roofing replacement cost estimates in the valuation exercise.

Type of Floor of Affected Structures: Plain concrete floors are the most common, found in 45% of structures, indicating at least a semi-permanent standard of construction. Earth floors are nearly as prevalent at 42%, confirming a significant proportion of highly informal structures. Other floor types account for 11% (use wooden while tiled floors indicative of higher construction quality is present in only 2% of structures). The near-equal split between concrete and earth floors reinforces the mixed construction standard profile of affected structures.

1.3.2.16 Preferred Mode of Compensation

The vast majority of PAPs (92%) prefer monetary compensation over any other form of payment. This strong preference for cash payments is consistent with findings from RAP surveys across the sector, where affected communities typically prefer direct financial compensation that provides flexibility. Only 8% expressed a preference for alternative compensation modes such as in-kind replacement, construction of alternative roadside markets, boda-boda sheds or other specified arrangements. The RAP's compensation methodology has structured cash payments as the main mode of compensation, while maintaining alternative options for

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PAPs who prefer non-monetary forms of compensation. Safeguard provisions have also been included to support vulnerable groups with additional assistance.

Table 36 : Preferred Mode of Compensation

Category	Percentage
Monetary (Cash) Compensation	92%
Other Forms	8%

1.3.2.17 Household and Community Gender Dynamics

The study established that the project area is characterized by existing socio-economic vulnerabilities that may influence how different groups experience project impacts and opportunities. These vulnerabilities are linked to gender roles, age, land ownership systems, unemployment levels, poverty, access to resources and cultural practices.

The local economy largely depends on small-scale farming, livestock keeping, informal trade and transport services. Women undertake a significant proportion of household and productive responsibilities including food provision, water collection, caregiving, farming and small-scale trading. However, ownership and control of productive resources such as land, major businesses and transport assets largely remain under male control.

The consultations further established that women, widows and female-headed households may be disproportionately affected during land acquisition and compensation processes due to customary land ownership systems and limited formal ownership documentation. Delayed or inadequate compensation may negatively affect household livelihoods, food security and women-managed enterprises.

Youth-related vulnerabilities also emerged strongly during the consultations. Young women expressed concerns related to unemployment, dependence on informal livelihoods, early pregnancies, school dropout risks and vulnerability to GBV/SEA/SH associated with labor influx. Young men raised concerns relating to unemployment frustration, risky labor migration, exclusion from project opportunities, boda-boda dependency, gambling, drug and substance abuse, and potential involvement in crime and social unrest.

The influx of workers during construction may also contribute to increased risks of sexual exploitation and abuse, child protection concerns, spread of communicable diseases, family instability and erosion of social cohesion if not effectively managed.

Additional concerns raised by stakeholders included road safety risks for school-going children and vulnerable road users, disruption of access to farms and water sources, dust and noise pollution, loss of business during construction, and exclusion of local communities from employment and procurement opportunities.

Despite these concerns, stakeholders emphasized that the project presents significant opportunities for women's economic empowerment, youth employment, improved access to markets, healthcare, education and enhanced economic growth within the project corridor. *(A separate and detailed Gender Analysis and Action Plan Report has been submitted.)*

1.3.2.18 Presence of Burial/Sacred/Cultural Sites

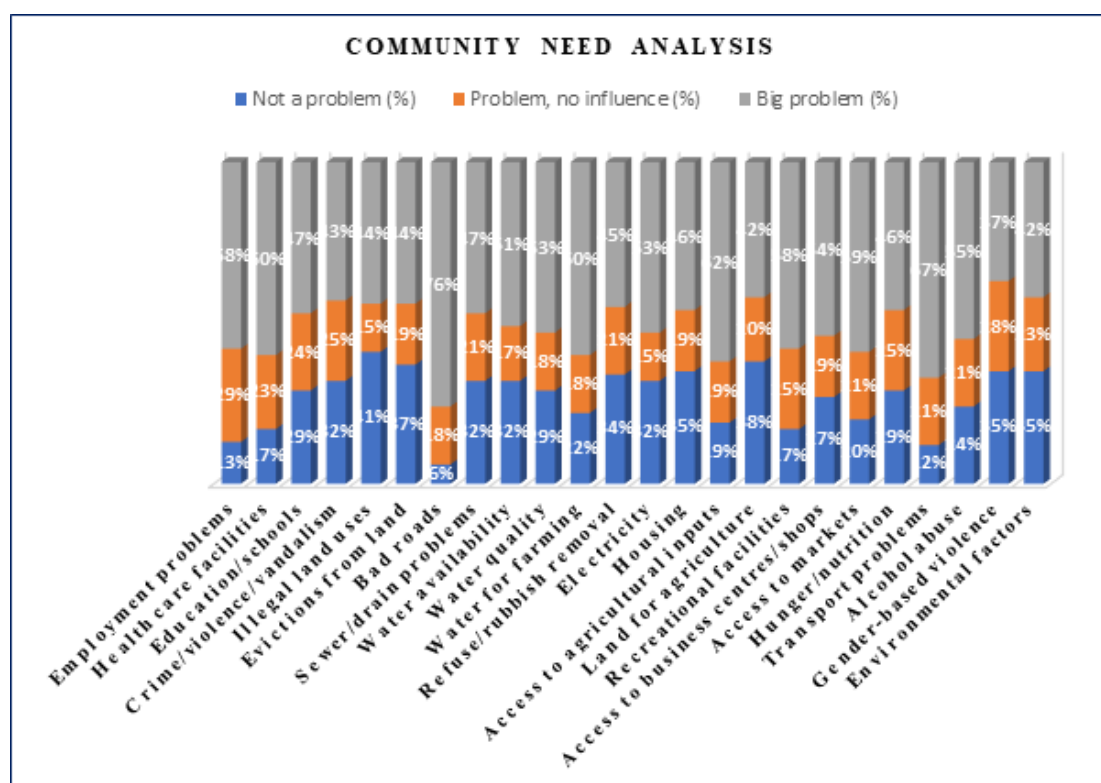
Respondents reported that most households (84%) indicated there are no sacred, cultural, or burial sites near the road corridor. It was reported that the dominant features near the road corridor are burial sites and graves (73%) though they are within the homestead. Impact on ancestral burial sites in case of land acquisition was

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raised, others raised issues related to compensation and cultural rituals, noting that exhumation or relocation would require community rituals and compensation to affected families. Religious institutions such as churches (16%) were also identified along the corridor, while sacred or shrine sites (11%) were mentioned in a few locations though mostly situated deep in the valleys or escarpments. Rimoi National Reserve which is a cultural site it is 5 Km from the proposed corridor and it will not be impacted by the construction activities the County Warden reported that the county government of Elgeyo Marakwet was planning to install electric fence to keep the animals within the reserve.

1.3.2.19 Needs Analysis of the Households

Most respondents identified poor road conditions, transportation difficulties, inadequate health care, and limited access to agricultural inputs as major challenges faced by the community. These issues were frequently reported, indicating a strong relationship between infrastructure, service accessibility, and household livelihoods. Respondents also noted that water scarcity, limited market access, unreliable electricity, and unemployment significantly affect their well-being. Conversely, issues such as illegal land use and the availability of farmland were not widely regarded as major concerns. The findings indicate that while many challenges are prevalent and severe, their impacts vary across households.



1.3.2.20 Project Acceptance

Respondents confirmed unanimous support for the project at (100%), indicating strong community acceptance of the proposed road construction. Regarding positive impacts associated with the improvement of the road, the respondents emphasized economic development (34%), particularly job creation, business growth, and improved livelihoods. They also highlighted the need for infrastructure improvements (26%), including better access roads, bridges, culverts, and drainage systems. In addition, transport improvements (15%) were noted, focusing on easier movement and reduced transport costs. Social services (14%), such as water supply, healthcare, education, and electricity, were also prioritized. Other respondents stressed community engagement and inclusion (7%), ensuring local participation in project activities, while a smaller

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proportion (4%) mentioned environmental and safety measures to safeguard communities against anticipated impacts.

1.4 Summary of Key Findings From the PAH Survey

The RAP socio- economic survey of the Project Affected Persons along the Biretwo–Aror–Chesongoch (B126) and associated spur roads reveals a corridor dominated by informal businesses activities. Key findings include:

- PAP Profile: The most common category is Structure Owner + Business (18%), confirming a predominantly commercial displacement scenario.
- Demographics: 76% of households are male-headed; the majority of respondents (54%) are aged 35–65 years.
- Education: Most household heads have secondary (42%) or tertiary (31%) education, with no illiterate respondents recorded.
- Livelihoods: Business (53%) and crop farming (33%) are the dominant occupations, with informal business categories prevalent.
- Religion: The community is entirely Christian (100%), simplifying community engagement design.
- Vulnerability: Physical disability and chronic illness each affect 1% of households; 29% of respondents confirmed elderly-headed households.
- Land: 39% of PAPs will have land affected; 67% of those with documents hold title deeds.
- Structures: 97% of affected structures are commercial; iron sheets dominate walls (28%) and roofing (94%).
- Compensation: 92% prefer monetary compensation, which should form the primary mechanism of the RAP entitlement matrix.

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6 ELIGIBILITY AND RESETTLEMENT STRATEGY

This chapter of the RAP report lays the basis on which the PAPs who own land, assets and businesses where the proposed project activities will be constructed should qualify for compensation or assistance from the project to be able to continue with their lives un-interrupted or improved as is the objective of the project. The chapter therefore establishes a criterion for one to qualify for benefits under the resettlement programme.

6.2 Principles of eligibility for Compensation

The principles of eligibility for compensation ensure that all PAPs who own land, assets and businesses where the proposed project activities will be constructed should qualify for compensation or assistance from the project to be able to continue with their lives un-interrupted or improved as is the objective of the project.

Eligibility for compensation refers to the criteria used to determine who qualifies to receive compensation, resettlement assistance, and livelihood restoration support as a result of the proposed road project-related land acquisition, displacement, or restrictions on land use. This RAP has considered compensation at Full Replacement Cost and eligible PAPs should receive compensation sufficient to replace lost assets without deductions for depreciation, taxes, transaction costs, or salvage value.

6.3 Principles of Compensation

The RAP categorizes those eligible for compensation and resettlement are as follows:

- a) Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Kenyan Law;
- b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Kenya or become recognized through a process identified in the resettlement action plan; and
- c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from, but are recognized under the different GOK laws and AfDB OS5.
- d) Livelihood Restoration and Improvement: Eligibility extends beyond compensation for physical assets and may include livelihood restoration measures where project impacts affect income sources, employment, or access to productive resources as outlined in the LRP.

6.4 Criteria and Eligibility for Compensation

The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location.

The RAP categorizes those eligible for compensation and resettlement in three groups as follows:

- a) Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Kenyan Law;
- b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Kenya or become recognized through a process identified in the resettlement action plan; and

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- c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from, but are recognized under the different GOK laws and AfDB ESS(OS5).

The concept of eligibility is used with respect to the definition of PAPs and the criteria for determining their qualification for compensation and other entitlements.

6.5 Cut-off Date

Persons who encroach on the area after the census cut-off date of 15th May 2026 are not entitled to compensation or any other form of resettlement assistance. For the development restrictions for land acquisition the statutory cut of date will be declared by the National Land Commission through national gazette notice for intention to acquire land for the project.

6.6 Eligibility

Both in principle and in the context of the project, eligibility for compensation for displacement defines: Which losses of assets and income are compensated under the project, and which are not;

- Who is entitled to receive the compensation, and who is not; and
- What evidence is expected in order to support claim for compensation.

The eligible losses and entitlements are elaborated in the entitlement matrix **Table 37**.

6.6.1 Exclusion from Eligibility

As described in the earlier section of this RAP, all involuntary displacement (resettlement) is eligible for compensation except for five main categories of loss, which are explicitly classified as ineligible for compensation:

- a) Losses arising from structures/trees/crops or activities in the road corridor or in any of the project areas affected by the project, that post-date the cut-off date;
- b) Losses claimed based on intention to use land for a particular purpose (actual prior investment in plans and permissions may be compensated, but expected future value arising from proposed future investment is excluded;
- c) Losses arising from structures/ trees/crops or activities outside the corridor (fully justified exceptions could be considered by the Client);
- d) Losses claimed by a fraudulent basis or by material misrepresentation of facts e.g. of identity, ownership, employment or nature of assets or use of land.

6.6.2 Category of Ownership and Losses

The category of eligible losses and PAPs eligible for compensation are those experiencing permanent or temporary losses of the following assets;

- Loss of land
- Loss of structures
- Loss of livelihood/Business
- Loss of crops and Trees

Thus, all eligible affected people are entitled to appropriate compensation regardless of whether they have legal rights to the land. Eligibility for compensation does not create or confer a right where none previously existed.

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6.7 Forms of Compensation

6.7.1 Cash Compensation

Monetary compensation will be adequate and will apply to the majority of the PAPs. This strategy will include cash compensation for the land, structures, crops and trees and assistance to enable PAPs to restore their livelihoods.

Therefore, compensation for temporary loss of crops and trees has been considered as part of the 15 per cent disturbance allowance, calculated in addition to the cost and/or replacement of the affected property.

6.7.2 In Kind Compensation

In this RAP, in-kind compensation has not been provided, though it is acknowledged that in certain situations, it may be helpful. While not required, in-kind compensation may be appropriate for assets that are difficult to value, to reduce risks for vulnerable PAPs, or to lower the overall cost of the RAP.

This RAP recommends provisions of the following in-kind compensations such as improvement of access roads to households and public institutions such as schools where the contractor can offer in special assistance such as replacing services such as water connection, provision of drinking water for the cattle and domestic use.

These provisions will be applicable if community/PAPs choose the in-kind compensation option, based on the specific circumstances and some of the in-kind assistance to be handled during RAP implementation.

6.7.3 Special Considerations and Entitlement

Special consideration will be given to especially disadvantaged and/ vulnerable people such as women, children, the very old and the unemployed. Provisions shall be made to enhance their rights to resettlement and compensation payments. For example, the consent of spouses and children where it applies shall be a sought prerequisite for compensation payment, as provided by the Land Act (2012). The compensation principles to be followed are to be derived from the national legislation.

6.8 Entitlement Matrix

The Entitlement Matrix describes compensation and related assistance for each category of affected PAP. It is presented in **Table 37** below.

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Table 37: Entitlement Matrix

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
Land				
Permanent Loss of any type of Land regardless of severity	Private Landowner (individual or group) with legal document e.g. title. (inclusive of all interested parties)	As per the impacts defined above.	Provide PAP with cash compensation at full replacement value.	All compensation before notice to relocate.
	Private Owner with no legal documents e.g. title but land gazetted for adjudication prior cut-off date i.e. legalizable owner or some form of recognized land. In case of individual,	Compensation of the land at replacement value on good faith, NLC will have to determine the compensation (if the alignment does not fit within the available space of about 20 metres and requires additional space).	For cash compensation, compensation of the land at full replacement value, free of taxes, registration and transfer costs. If residual is unusable, or Injurious land, subject to case-by-case determination and recommendation for full acquisition of land.	Maintained access to unaffected remaining land thus, need for access provision in detailed road design. Access to Grievance Redress Mechanism. Right to request for orphan or residual land to be acquired if not economically viable. Owner eligible to participate in livelihood restoration programs. 15% disturbance allowance.
	Un registered community land but with user rights.	All proposed areas for additional road interventions	Cash compensation at replacement value for standing assets	All compensation before notice to relocate. Maintained access to unaffected remaining land thus, need for access provision in detailed road design. Access to Grievance Redress Mechanism. Right to request for orphan or residual land to be acquired if not economically viable. Owner eligible to participate in livelihood restoration programmes.

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
				15% disturbance allowance.
	Public/Government	Any other arising will be dealt with during implementation	Cash compensation at replacement value for standing assets.	Compensation at replacement cost for the assets.
	Squatters on public, private and communal land	All proposed areas for additional road interventions.	No compensation for land	Compensation of the structures at full replacement cost. Compensation for loss of business. 15% disturbance allowance. Right to salvage. 3 months' notice. Access to Grievance Redress Mechanism.
Temporal loss or damage to land/property during construction and other uses by the contractor	Private, public or community land/property owner	Whole Corridor	Payment in full, of just compensation for any damage resulting from the entry. The amount to be negotiated directly with the owner of the land/property	Compensation dealt with on case-by-case basis during implementation. Access to Grievance Redress Mechanism
<i>Disclaimer: Temporal loss of land due to occupation by contractor for establishment of camps and auxiliary facilities during construction not covered in this RAP thus compensation often at commercial rates to be negotiated outside this RAP.</i>				
Individual and Institutional Structures (Permanent/Temporary/Makeshift)				
Loss of all structure types irrespective of use.	Owner of Structure regardless of legal ownership/registration status (inclusive of interested parties)	All areas proposed for the project improvements.	Cash compensation at full replacement cost free of depreciation and transaction costs	15% disturbance allowance. Right to Salvage. Right to request for the remaining land to be acquired if not economically viable. Owner eligible to participate in livelihood
Prepared for KeNHA	84		NIL/VCL	

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
				restoration programmes if they wish. Access to Grievance Redress Mechanism.
Business and Income (Loss of Livelihood)				
Loss of Business	Business building owner (if premises rented out)	Across the corridor	3 months' rental income per tenant lost - Subject to provision of documents and verification by KeNHA.	Eligible to participate in livelihood restoration programmes proposed by KeNHA/County Governments during construction.
	Owner of Business/Tenant		3 months' transitional assistance based on anticipated income or possible future benefits for period of relocation or business stoppage. Subject to provision of documents and verification by KeNHA.	Access to Grievance Redress mechanism.
	Business Squatters		Allocation of stalls within the existing County Government Markets	
Social infrastructure (Public/ Communal Assets/structures)				
Socio infrastructure e.g. boreholes, access roads, water supply, electricity	Community/Users of the services and assets	Whole Corridor	Provision of replacement facilities within the affected areas with a higher capacity to serve more community members. No cash compensation	Community eligible to participate in livelihood restoration programmes. Access to Grievance Redress mechanism.

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Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
	Loss of Public Utilities like electricity, water supply, telecommunication cables.	Whole Corridor	Physical relocation and reinstatement of access by relevant authorities.	To be handled on case-by-case basis during construction. Access to Grievance Redress Mechanism.
Cultural/Religious heritage sites/assets	Community/Public	Whole Corridor	First option is re-alignment of road route to avoid the facilities where feasible. If no re-alignment: Purchase of land or assistance in identification of alternative sites. Cash compensation only where recognized committees exist to facilitate and oversee the relocation and replacement of facilities. Where no committees exist, KeNHA in collaboration with community forms one and facilitates required safeguards to ensure money is used for the right purpose.	15% disturbance to realize religious and cultural rituals and for incidental cost of relocation of permanent structures. Access to Grievance Redress Mechanism.
Vulnerability Cases				
Losses incurred by the vulnerable	Female household heads, elderly, persons living with disabilities.	Whole Corridor	Cash compensation at full replacement cost and in-kind assistance as per the provisions	Priority in processing and disbursement of compensation. Additional support to be may include providing a team to salvage their

Type of Affected Asset	PAP Eligibility	Affected Areas	Compensation Strategy	Other Forms of Assistance/Entitlements
			made on the last column.	belongings including house materials and transport where necessary. Priority eligibility to livelihood restoration programmes. Employment priority in project related jobs. Recommendation for additional assistance by county and national government programmes such as the Inua Jamii programme and Disability Cards. Psychosocial Support on how to handle resettlement impacts. Access to Grievance Redress Mechanism
Crops and Trees				
Loss of all types of trees	Individually and legally owned	All proposed road improvement sections.	Cash compensation at full replacement cost using rates approved by government agency.	Eligible to participate in livelihood restoration programmes such as markets proposed by KeNHA in some of the settlements. Right to salvage Access to Grievance Redress Mechanism.
	Community as owners and users of the tree coverage	Whole Corridor		

7 LAND TENURE SYSTEMS

7.1 Land Ownership

Land ownership within the project affected areas falls under public land, private land and community land.

- (i) Public Land is owned by the government and is used for public purposes such as schools, dispensaries, parks, forests etc. This type of land cannot be sold to individuals, but it can sometimes be leased for specific uses.
- (ii) Private Land consists of registered land held by any person under any freehold tenure, land held by any person under leasehold tenure or any other land declared private land under an Act of Parliament.
- (iii) Community Land in Kenya can be categorized into two; Registered and unregistered community Land.
- (iv) Registered Community Land is that which a particular community has certificate of title which is private to the community and the process of land acquisition is similar to acquisition of private land.
- (v) Unregistered community land is land that is not officially registered or assigned to any community but on the ground and ordinarily the claimant community is known. These are regulated by the communities using their own rules such as customary or community law. The constitution of Kenya recognizes customary law only if it is consistent with the constitution.
- (vi) Customary tenure refers to a system of land ownership, access, and use that is governed by traditional customs, practices, and community rules rather than formal statutory laws or registered land titles. Under customary tenure, land is often held collectively by families, clans, lineages, or communities, and rights to use or occupy the land are acquired through inheritance, kinship, community membership, or traditional allocation by local leaders.

Table 38: Summary of PAPs Land Tenure Status

Road	Titled	Under Adjudication	Ongoing Adjudication	Adjudication not started	Community Land	On Road Reserve
Biretwo-Arror Chesongoch	19	11	-	48	7	86
Kimwarer-Emsea	9	4	-	-	-	8
Nyaru - Kapkayo	2	-	-	-	-	27

7.2 Land Use

Land use along the project corridors is predominantly characterized by extensive tree cover, particularly along the escarpment and mid-altitude zones, reflecting forested and wooded landscapes. Crop cultivation is the next dominant land use, mainly concentrated in the highland areas where favorable climatic and soil conditions support intensive agriculture. Grasslands and shrub/scrub areas are common within the Kerio Valley and transitional zones, supporting livestock grazing and mixed agro-pastoral systems.

Built-up areas occupy a relatively small proportion of the corridors and are largely confined to trading centres and linear settlements along existing roads, while bare land and surface water occur only in localized pockets. The observed land use patterns indicate ongoing pressure from agricultural expansion, infrastructure development, and population growth, with implications for forest resources, grazing areas, and ecologically sensitive landscapes.

Table 39: Summary of Land Tenure Status Biretwo-Arror-Chesongoch and Associated Spur Roads Phase 1

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Project Road	Chainage Kms	Registration Section	Land Tenure
Biretwo-Arror Chesongoch(B126)	0-9.5	-Chepsigot A Reg. Section -Lower/upper Kabito Reg. Section -Kapterik Chhet 14 &17 Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
	12.2-22.3		Not titled Under Adjudication
	22.4-38.9	-Kamoing Reg. section -Chegilet Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
	38.9-46.6	Kilos Adj. Section	Adjudication not started
	44.6-51.3 51.3-54.7	-Arror Adj. Section - Chepkum Adj. Section	Private and public Land Adjudication ongoing
	54-57.8	Resim Adj. Section	Adjudication not started
	58.2-70.2	Mogil	Community Land (Under clan Ownership)
Kimwarer- Emsea(B122)	0-6.6	Fluorspar	Flourspar/Mine Area
	7-8.1	Lower Muskut Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
	9.2-11.69	Emsea Changach Reg. Sec	Private and public Land Adjudication ongoing
	10.5-11.8	Lower Sego Reg. Sec	Private and public land adjudicated and titled Tenure: Freehold
	13.4-16.5	Emsea/Changach Reg. Section	Private and public land adjudicated and titled Tenure: Freehold
Nyarur – Kapkayo (124)	3.2-4.8	Forest /escarpment	Forest/Escapement
	7.2-14.8	Turesia Reg Section	Private and public land adjudicated and titled Tenure: Freehold
	20.6-25.7	Fluorspar	Flourspar/Mine Area
	26.3-31.8	Koimur Reg. Section	Private and public land adjudicated and titled Tenure: Freehold

7.2.1 Project List of PAPs

RECAPP of PAPs and Asset Register attached and submitted as a separate Report.

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8 VALUATION METHODOLOGY

8.1 Compensation Eligibility and Data Collection

8.1.1 International Best practices (AfDB)

Under the applicable standards, the Project proponent is required to compensate and/or assist people affected by physical or economic displacement. Anticipated Project Affected persons include:

- (i) Those who have formal legal land or asset rights
- (ii) Those who do not have formal legal land or asset rights, but have a claim to land or assets that is recognized or recognizable under national law
- (iii) Those who have no recognizable legal right or claim to the land or assets they occupy or use

8.2 Valuation for Affected Assets

The valuation exercise was undertaken to determine fair and equitable compensation for Project Affected Persons (PAPs) in accordance with applicable laws, valuation standards, and the principles of compulsory land acquisition.

8.3 Compulsory Acquisition

The Land Act, 2012 section 107 provides that whenever the national or county government is satisfied that it may be necessary to acquire some particular land under section 110, the respective Cabinet Secretary or the County Executive Committee Member shall submit a request for acquisition of public land to the Commission to acquire the land on its behalf.

The State shall not deprive a person of property of any description, or of any interest in, or right over, property of any description, unless the deprivation;

- a) Results from an acquisition of land or an interest in land or a conversion of an interest in land, or title to land, in accordance with Chapter Five; or
- b) Is for a public purpose or in the public interest and is carried out in accordance with this Constitution and any Act of Parliament that—
 - (i) Requires prompt payment in full, of just compensation to the person; and
 - (ii) Allows any person who has an interest in, or right over, that property a right of access to a court of law.
- c) The final valuation and compensation determination rests with the National Land Commission (NLC) in accordance with the Land Act, 2012.

8.4 Market Value Basis of Compensation

8.4.1 Market Value of Affected Land/Assets:

The value of the land /assets shall be taken to be the amount, which the land, if sold in the open market by a willing seller might be expected to realize.

Market value is defined as the most probable amount for which an asset would reasonably be expected to sell at the date of valuation between a willing buyer and seller in an arm's length transaction after proper and reasonable marketing period wherein the parties under negotiation have each acted knowledgeably, prudently and without compulsion. The basis of valuation for the affected assets is Market Value.

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8.4.2 Methodology:

The methodologies adopted for various asset categories are described below.

Land Valuation: The Comparable (Market) Approach was adopted to value land. Under this approach, the value of the subject land was determined through analysis of recent sales and other market evidence of comparable properties within the locality or areas with similar characteristics. Appropriate adjustments were made to reflect differences in location, land use, accessibility, tenure, proximity to infrastructure and services, topography, and other value-influencing factors. The approach is founded on the principle that a prudent purchaser will not pay more for a property than the cost of acquiring a comparable substitute in the open market.

Where direct market evidence was limited, land values were inferred from transactions in nearby trading centres and localities with similar physical characteristics, tenure systems and economic activities, including agriculture and pastoralism. This ensured that compensation reflected prevailing market conditions while meeting the principle of full replacement value.

Valuation of Structures and Improvements: The **Cost (Replacement Cost) Approach** was adopted in valuing buildings and other improvements. This approach is based on the principle that a prudent purchaser will not pay more for an asset than the cost of acquiring or constructing an equivalent asset with the same utility. Replacement costs were estimated using prevailing construction rates, labour costs, material prices, and professional fees in accordance with the **International Valuation Standards (IVS 2022)**. All affected structures and improvements within the project corridor were inspected, measured, and valued at full replacement cost, without depreciation where required under applicable resettlement and compensation principles.

Valuation of Crops and Trees: The valuation of trees, perennial crops, and fruit trees was based on their type, age, productivity, and expected yield, using compensation rates adopted from the Ministry of Agriculture and the Kenya Forest Service applicable within the project area. The assessment was undertaken in accordance with prevailing statutory requirements and established compensation frameworks to ensure fair and equitable compensation for affected assets. Seasonal crops were excluded from this valuation exercise, as their assessment and compensation will be undertaken during project implementation to reflect the actual crops existing at the time of land possession or acquisition.

Valuation of Businesses and Livelihoods: Affected businesses and livelihood activities were assessed using the **Income Approach** and applicable livelihood restoration principles. Compensation considered loss of income, business interruption, relocation impacts, and the measures required to restore affected persons' livelihoods and enable them to re-establish their economic activities. Where reliable income data was available, compensation estimates were based on net earnings and prevailing market conditions.

Community and Communal Land Considerations: In addition to market value (value in exchange), the Resettlement Action Plan (RAP) recognised the value in use of communal and clan-owned resources. These resources provide important social, cultural and economic benefits to communities, and their assessment considered the continued utility, livelihood support and community value derived from their use.

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The Community Land Act (Cap. 287) provides for the protection of rights over unregistered community land by vesting such land in the custody of the respective County Government until registration. Specifically, the Act provides that:

- 1) The respective County Government shall hold in trust all unregistered community land on behalf of the communities for which it is held.
- 2) The respective County Government shall hold in trust any monies payable as compensation arising from the compulsory acquisition of unregistered community land.
- 3) Upon registration of the community land, the County Government shall promptly release to the registered community all compensation monies held in trust for compulsory acquisition.
- 4) All compensation monies held in trust shall be deposited by the County Government in a special interest-earning account until they are released to the registered community.

It was noted that some sections of the affected land comprise community land occupied by individual community members since independence. However, the County Government is yet to undertake adjudication and issuance of title deeds for these parcels. Inspection and valuation of the affected assets were nevertheless conducted and recorded accordingly, with confirmation provided by the area chief and clan representatives.

Statutory Disturbance Allowance: In accordance with the provisions governing compulsory acquisition A statutory disturbance allowance of **15%** has been added to the assessed value of land and improvements to compensate for inconvenience and losses arising from compulsory acquisition. This allowance is included in the compensation values.

Compensation for Severance: Where only part of a property is acquired, compensation covers both the acquired portion and any reduction in the value or utility of the remaining land caused by the acquisition (severance). In accordance with the Land Act, Section 123, compensation is payable for damage, costs and reasonable expenses arising from the acquisition process, including where the acquisition is revoked before possession is taken.

Effect of Acquisition upon Values of other Lands: Where compulsory acquisition permanently reduces the value or utility of the remaining land beyond severance, compensation may be payable for injurious affection. This may arise where road works cause noise, dust, vibration, loss of privacy, restricted access, or other disturbances that diminish the value or enjoyment of adjacent properties. In this valuation, such impacts may apply to residual parcels located next to the project corridor.

Compensation for Disturbance and other Losses: Property owners may receive compensation for losses arising directly from compulsory land acquisition that are assessable at the date of the acquisition notice. Speculative or remote losses are excluded. A **15% statutory disturbance allowance** is added to the value of affected land and improvements for acquired land, but not for impacts within the Right of Way (ROW).

8.5 Approach to Valuation Assignment

The asset inventory and valuation exercise was undertaken between **11th and 15th May 2026** following stakeholder consultation meetings held in **April 2026**. The RAP team worked closely with the local administration, including Chiefs and Assistant Chiefs, who facilitated community mobilization and accompanied the valuation teams throughout the exercise. A land acquisition map provided by the Project was used to establish the proposed acquisition corridor and identify the affected properties. During the field surveys, the valuation team was accompanied by local administrators and village elders, who assisted in identifying Project Affected Persons (PAPs), confirming property ownership, verifying property boundaries

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as indicated by the owners, and witnessing the asset inventory process. This collaborative approach enhanced transparency, accuracy and community acceptance of the valuation exercise. Following the identification of affected assets and PAPs, the following activities were undertaken;

- Verification of land ownership through official land registry searches for all registered and titled parcels.
- Assignment of a unique identification number to each Project Affected Person (PAP).
- Collection and recording of PAP details, including names, location, type of affected asset, dimensions, and other relevant property information.
- Capture of the geographical coordinates of affected assets using Global Positioning System (GPS) devices.
- Photography of affected properties, including buildings, crops, trees and, where applicable, the PAP standing beside the affected asset for verification purposes.
- Measurement and documentation of all affected structures, improvements and other assets.
- Completion of field inspection sheets and individual PAP inventory forms, which were verified, counter-checked and signed by the respective PAPs and witnessed by local administration and village elders.

All field records and valuation forms were subsequently digitized to facilitate data verification, analysis and preparation of the compensation schedules. For PAPs who were absent during the initial field exercise, follow-up telephone calls and return visits were undertaken to ensure that the inventory and valuation process was completed and that the mandatory PAP verification forms were duly signed.

Findings and data analysis a total of 219 PAPs were identified. Some of these PAPs have different categories of affected assets such as land, commercial and residential structures, crops and trees.

8.5.1 Damage Caused During construction:

Any temporary or permanent loss or deterioration of land, property, crops, livelihoods, infrastructure, or environmental resources resulting from project activities. Where such damage occurs, the Contractor, supervising consultant and KeNHA shall verify and document the damage, restore or replace affected assets where feasible, provide compensation at full replacement cost when restoration is not possible, address complaints through the Grievance Redress Mechanism (GRM), and implement measures to prevent recurrence. Any verified damage not identified during the RA process shall be addressed in accordance with applicable GOK laws and project requirements.

8.5.2 Speculative Developments

Assets established after the published cut-off date, including structures, crops, fruit trees, and other trees, shall not be eligible for compensation. The cut-off date was communicated to Project Affected Persons (PAPs) during community sensitisation meetings conducted immediately prior to the asset and cadastral surveys and informed that any developments after such date are not legible for compensation.

To safeguard the integrity of the valuation process and address potential claims of omitted assets, all affected assets identified were recorded, photographed, and documented signed and dated through the AfDB approved PAP acknowledgment /consent forms. A cadastral map showing all affected buildings and structures within the project corridor was prepared as part of the asset inventory. The survey and valuation team undertook field data collection promptly following community mobilisation to minimise opportunities for speculative planting, construction, or other developments intended solely to attract compensation.

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8.5.3 Cadastral and Asset Survey

The land survey will identify, demarcate, and quantify all land parcels and associated assets affected by the proposed project. The survey will provide the spatial basis for determining land acquisition requirements and support the identification of Project Affected Persons (PAPs), valuation of assets, and preparation of compensation and livelihood restoration measures.

8.6 Actual Valuation Analysis for Affected Assets

Valuation of Land

Due to limited open market land transactions within the project area, land was valued by considering both market value and value in use. Comparable land sales from nearby towns and areas with similar land characteristics, tenure, land use, and economic activities were analysed and adjusted to estimate values, while recognising the communal nature of land ownership in the project area.

Table 40: Schedule for Summary of Valuation for Land Phase I

Road	Estimated Acreage No.	Land Values (Kshs)
Biretwo – Arrior - Chesongoch	13.728	8,475,155.00
Nyaru – Kapkayo	0.085	48,875.00
Kimwarer - Emsea	1.274	1,459,350.00
TOTAL		9,983,380.00

Valuation of Improvements

Improvements were valued using the **replacement cost approach**, based on current construction costs, the type of development, and other relevant factors. All affected developments were considered in the valuation.

Table 41: Schedule for cost of construction per unit measure

Improvement Type	Rate Per Sq.m
Commercial developments (Permanent structures)	Kshs. 22,000/= to Kshs. 50,000/=
Residential Houses of permanent natural stone construction	Kshs. 25,000/= to Kshs. 27,000/=
Other structures of permanent natural stone construction	Kshs. 20,000/= to Kshs. 25,000/=
Structures of semi-permanent and temporary construction	Kshs. 3,000/= to Kshs. 5,000/=
Boundaries (Natural stone perimeter walls)	Kshs. 5,000/= to Kshs 6,000/= per metre run
Fences in barbed wire and or chain-link on wooden poles	Kshs. 500/= to Kshs. 1000/= per Linear meter
Gates in Metal Plates on concrete or metal poles	Kshs. 50,000/= to 100,000/= per Gate

8.8 General Remarks and Assumptions of the Valuation Outcomes

- The valuation covers affected land and improvements (buildings, crops and trees) on public, private and community land, considering both formal and customary ownership.
- Both vacant and developed properties were assessed. Communal land was valued collectively, while individually owned parcels were surveyed and assessed separately.
- Due to limited market transactions, land values were determined using the market approach alongside factors such as land use and economic activities.

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- iv. Market evidence was supplemented with information obtained from local administrators and community elders where transaction data was scarce.
- v. All affected properties were physically inspected, measured and verified using field surveys, Google Earth imagery, KMZ maps and acquisition plans. The valuation is provisional and subject to final road design, cadastral surveys and NLC approval.
- vi. The corridor comprises mainly permanent, semi-permanent and temporary residential developments, with mixed residential and commercial developments in shopping centres.
- vii. Development descriptions were based on direct field inspections, including assessment of construction, condition, dimensions and use.
- viii. Replacement costs were based on standard construction rates for similar developments and prevailing construction standards.
- ix. We observed continued development is evident in shopping centres, with further growth expected in the future.

A Separate Detailed Valuation Report has been submitted separately for this RAP.

8.9 Project Implementation Stage (RAP)

8.9.1 Salvage Rights

After compensation through NLC process and issuance of notice to vacate by KeNHA the Project Affected Persons (PAPs) have a right to salvage affected structures, crops, trees, and other assets for which compensation has been paid, unless otherwise agreed. PAPs will be provided with adequate notice to remove salvaged materials before possession of the land is taken or construction activities commence. The project will not deduct the value of salvaged materials from compensation payments. Salvage activities shall be undertaken in a manner that does not compromise public safety or delay project implementation.

8.9.2 Identification, verification and Disclosure

Prior to compensation and land acquisition, all affected persons and assets shall undergo a final identification and verification process to confirm eligibility and entitlement. This process will involve:

- (i) Verification of PAP identities using national identification documents and other relevant records.
- (ii) Confirmation of affected assets against the asset inventory, valuation records, and approved compensation schedules gazetted by NLC as shared by KeNHA.
- (iii) Validation of ownership, occupancy, and user rights through consultations with PAPs, local administration, and relevant authorities.
- (iv) Disclosure of compensation awards, entitlement details, payment procedures, and implementation schedules to PAPs in a transparent and accessible manner through gazette notice.
- (v) Provision of opportunities for PAPs to seek clarification, raise concerns, and correct any discrepancies before compensation is finalized.

8.9.3 Grievance Management

As detailed in Chapter 10 below the Grievance Redress Mechanism (GRM) will be established and maintained throughout the RAP implementation process to provide PAPs and other stakeholders with accessible, transparent, and timely channels for raising concerns related to land acquisition, asset valuation, compensation, livelihood restoration, resettlement assistance, and project impacts. The grievance management process will be undertaken in accordance with applicable national legal and AfDB requirements. The GRM will seek to;

- (i) Receive and register grievances through multiple accessible channels.
- (ii) Acknowledge complaints within specified timelines.

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- (iii) Investigate and resolve grievances through consultation and mediation where possible.
- (iv) Escalate unresolved grievances to GRM committees or relevant legal mechanisms as necessary.
- (v) Maintain records of all grievances and resolutions for monitoring and reporting purposes.
- (vi) Ensure that grievance resolution is provided free of charge to complainants and without fear of retaliation.

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9 SURVEY METHODOLOGY

9.1 Overview And Purpose

The land survey was undertaken to identify, demarcate, and quantify all land parcels and associated assets affected by the proposed project. The survey provided the spatial basis for determining land acquisition requirements and supported the identification of Project Affected Persons (PAPs), valuation of assets, and preparation of compensation and livelihood restoration measures under this Resettlement Action Plan (RAP).

The methodology ensured that all affected land and assets were systematically identified, verified in the field, and linked to socio-economic and asset data.

9.1.1 Data Retrieval and Desk Review

Prior to field surveys, a desk review of relevant spatial and administrative data was undertaken. This included engineering design drawings defining the project alignment and construction corridor required, available cadastral and land registry information, administrative boundary data, and recent aerial drone data. These datasets were used to preliminarily identify potentially affected land parcels and to guide field verification and mapping activities.

9.1.2 Survey Control and Positioning Framework

A reconnaissance survey was undertaken to retrieve old control points identified in the 1:50,000 Topographical maps covering the area.

The survey was conducted using Global Navigation Satellite System (GNSS)-based equipment to ensure spatial accuracy of the project footprint and affected parcels. The control points were grouped in two categories that is primary and secondary controls.

Static GPS observations using several dual frequency receiver units, tied to the national triangulation points recovered by the survey team was carried out to coordinate all the newly established primary and secondary control points. The control points were constructed as per the director of survey letter Reference number SK/GTNIB/CTRL/VOL.1/68 dated 15th August 2025. The names of all established points was prescribed on top of all the established points. The observation records and computation of all the primary points were lodged to the Director of survey for checking approval and authentication. A survey plan was approved and assigned the number TC&ST 1831 .

9.1.3 Field Survey, Setting Out and Parcel Identification

Field surveys were conducted along the project corridor to physically identify the alignment and determine affected land parcels and assets. Survey plans covering the alignments were identified from the survey of Kenya offices in Iten. Preliminary index diagrams for the registered sections were obtained from the survey offices at survey of Kenya offices Ruaraka and Eldoret. Other maps covering the area but have not been registered were obtained from the land adjudication office in Iten.

The survey team demarcated the project footprint on the ground and identified all intersecting parcels. Parcel boundaries were confirmed through field observation and participatory verification with landowners, occupants, and neighboring land users.

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Each affected parcel was assigned a unique Parcel Identification Number (PIN) to ensure traceability across the RAP database, including linkage to the census of Project Affected Persons (PAPs) and the asset inventory.

9.1.4 Cadastral Identification and Boundary Verification

Where cadastral or land registry information was available, it was used to support identification and confirmation of parcel boundaries. Cadastral prints obtained from the relevant offices were geofenced and digitized. The georeferenced information was geo-referenced and superimposed to the plan and profile map to get a strip map of the project area containing the affected land holdings, structure, utility facilities, etc. Using the strip map, polygons for the region between the intersection of the right of way (ROW) and the geo-referenced cadastral plan parcels were mapped. The acreage of the affected plots falling in the Right of way was calculated using the AutoCAD Civil 3D software. In areas without formal cadastral data, boundaries were established through participatory verification with land users/owners and local leaders.

Boundary confirmation included identification of visible markers, land use limits, and agreement between adjoining land users to ensure consistency and reduce disputes. A schedule of all the affected parcels was made and presented to the lands office for searches to establish on the ownership.

9.1.5 Mapping Methodology and GIS Processing

Photo control points were pre-marked with white paint /whitewash to enable visibility and identification on the aerial photos. The photo control points were established in strategic locations on the wings of the mapping corridor. The points were coordinated from the nearest primary control point using TTK GPS measurements.

A drone equipped with RTK GPS Navigation system for georeferencing the image centres of the aerial photographs was used to produce full colour aerial photographs. The outputs for the aerial mapping were; Aerial Images, mosaic, Digital Terrain Model (DTM) and vector line mapping.

Survey data were processed and integrated into a Geographic Information System (GIS) to produce spatial outputs, including the project alignment, affected parcels, and impacted assets.

GIS analysis was used to determine the extent of land acquisition per parcel, classify impacts (partial or full acquisition), and generate maps for valuation, consultation, and RAP disclosure purposes.

9.1.6 GPS Survey Controls and Data Accuracy

GNSS-based positioning was used throughout the survey to ensure spatial consistency and accuracy. All spatial data were aligned to the project coordinate reference framework.

Quality assurance checks were undertaken during data collection and processing to ensure consistency between field observations, GIS outputs, and engineering design information.

9.1.7 Land Parcel Verification and Stakeholder Engagement

Land parcel boundaries, ownership details, and affected assets were verified through consultations with affected persons, local leaders, and relevant authorities.

This participatory process ensured transparency in parcel identification and helped resolve discrepancies or disputes during the survey process.

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Analysis of the structure of land ownership among the project affected households showed mixture of Land ownership rights as governed by Chapter 5 of the Constitution of Kenya and the Land Act of 2012, which categorize land into three types: Public, Community, and Private. Along the alignments it was noted some sections are under adjudication which is a foundational step to transition unregistered or communal land into formal titled property. In these sections the locals have already demarcated their boundaries and are awaiting ascertainment, recording and formal registration of their land rights.

In sections affected by the road corridor the following Land Acquisition process will be followed pursuant to the relevant legislations including article 40 of the 2010 Constitution, Land Act, 2012 and NLC Act, 2012.

A. Land with Title Deeds

1. Identification of the Land to be acquired

A list has been prepared containing all the land parcels affected by the road and the following documents compiled

- a) **Acquisition drawings**- Maps showing the portion of each land parcel affected by acquisition
- b) **Acquisition schedules**-showing parcel Nos., areas to be acquired and registered proprietor
- c) **Land searches**- Showing registered proprietor and any encumbrances registered upon the land

2. Request by acquiring authority

The CS Roads and Transport will make a formal request for approval to acquire land for public use. The request will be made to National Land Commission Chair, confirming that the development of the road and the associated structures will affect privately owned land and therefore compulsory land acquisition is necessary. The above referred documents will also be forwarded with the request letter to enable NLC gazette the intention to acquire once approval is granted.

3. Approval and Gazette Notice

If constitutional and statutory thresholds are met, a Notice of Intention to acquire is published in the Kenya Gazette and served to affected parties.

4. Public participation and inspection

The Commission conducts sensitization meetings, ground inspections, and valuations to record land status and improvements.

5. Notice of Inquiry

Within about 30 days, a Gazette Notice of Inquiry is issued, inviting landowners and interested parties to present claims.

6. Inquiry hearings

NLC or Land Acquisition Committee hears claims, verifies ownership, and assesses compensation based on market value, disturbance, severance, and relocation costs.

7. Award and compensation

An award is issued to each claimant; compensation must be paid promptly before possession is taken.

8. Possession and vesting

After payment, a Notice of Taking Possession is issued, followed by final survey and vesting of land in the acquiring authority.

Sources.

9. Challenges experienced in the process of Survey

- Delays in compensation; due to budget constraints.
- Disputes over valuation; despite standardized methods.
- Lack of ownership documents due to delayed succession
- Boundary disputes among the proprietors.

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- Historical land injustices; now claimable without time limits, complicating tenure security.

B. Land Without Title Deeds

Compensation for Land under Adjudication

Along the sections which are still under adjudication, it was noted that the locals have already demarcated their boundaries and every proprietor knows the extent of his or her land.

In these cases, the Authority has:

- a) Clearly mapped the parcels affected by the road in consultation with the PAPs and local administration,
- b) Identified the portion to be acquired and the land owner,
- c) Carried out the valuation of the land and the developments.

In these cases, the Authority will:

- d) Will carry the valuation of the land and the developments with assistance from NLC
- e) Request NLC to avail the prepared compensation schedule
- f) Liaise with the Director of survey to fastrack the adjudication process to legally ascertain the rightful land owners,
- g) Once adjudication is complete, RIMs shall be prepared and the parcels earlier identified to be affected are gazetted and the normal acquisition process will be followed.
- h) PAPs compensated and final survey carried out to excise the acquired portion and amend the RIM to reflect the actual road width.

9.1.8 Survey Equipment, Software, and Tools (Summary Level)

The survey was conducted using standard GNSS/GPS equipment, drone and GIS software for spatial data capture and processing. Mapping and analysis were undertaken using industry-standard GIS and CAD software. Among the software used during the survey included; Google Earth pro, Trimble Business Centre, AutoCAD Civil 3D, Global Mapper Microsoft word and Microsoft Excel.

9.1.9 Datum Parameters and Coordinate System

All spatial data were referenced to the national coordinate reference system used for the project. The datum and projection parameters ensured consistency of spatial data across all survey components.

- | | |
|------------------------------|-------------------------------|
| • Grid | U.T.M Zone 36 North |
| • Projection | Traverse Mercator |
| • Spheroid | Clarke 1880 modified |
| • Meridian of origin | 39 degrees East of Greenwich |
| • Latitude of origin | Equator |
| • Scale factor of origin | 0.9996 |
| • False coordinate of origin | 500,000mEasting, Nil Northing |
| • Datum | ARC 1960 |
| • Kenya National Datum | Mean Sea Level |

9.1.10 Integration with PAP Census and Asset Inventory

The land survey was closely integrated with the socio-economic census and asset inventory. Each affected parcel was linked to identified Project Affected Persons (PAPs) and their assets, ensuring consistency between spatial, social, and valuation datasets. This integration enabled accurate determination of eligibility, compensation, and livelihood restoration measures.

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9.1.11 Survey Outputs

The land survey generated the following outputs:

- Georeferenced project alignment and affected area maps
- Parcel-level inventory of affected land
- Classification of impacts (partial/full acquisition)
- Spatial database linking parcels to PAPs
- Inputs for valuation and compensation assessment
- Summary statistics for RAP reporting

9.1.12 Spatial database linking parcels to PAPs

- Inputs for valuation and compensation assessment
- Summary statistics for RAP reporting

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10 GRIEVANCE REDRESS MECHANISM

10.1 Introduction and Rationale of GRM

Grievances Redress Mechanism (GRM) is a tool developed as a response for complaints arising from the communities and stakeholders regarding one or more aspects of the project implementation. The GRM will describe the mechanisms available to the immediate community/workers and stakeholders in reporting complaints related to the project and illustrate how they will be addressed and what recourse/appeal may be available. It will ensure that the grievance redress mechanism include access to an unbiased third party.

The main objective of GRM is to encourage the affected communities to own project within their localities through participation at all levels of formulation and implementation and therefore it is imperative to involve them in dispute resolution where possible. GRM, therefore, will be constituted during project implementation process to address emerging issues associated with construction, operation and ESMP implementation. The mechanism will lead to creation of Grievance Redress Committees (GRCs), categorize grievance issues, develop grievance registration and other tools as well as conceptual levels of grievance resolutions.

Grievance mechanisms should receive and facilitate resolution of the affected institutional or communities' concerns and complaints. AfDB Environmental and Social Safeguard policies states that concerns should be addressed promptly using an understandable and transparent process that is culturally appropriate and readily acceptable to all segments of affected communities, at no cost and without retribution. Proposed mechanisms should be appropriate to the scale of impacts and risks presented by a project.

Grievances can be an indication of growing stakeholder concerns and can escalate if not identified and resolved. The management of grievances is therefore a vital component of stakeholder management and an important aspect of risk management for proposed road improvement project. The proposed project may have a range of potential adverse impacts to people and the environment in general, and identifying grievances and ensuring timely resolution is therefore very necessary.

The following sections describe the proposed procedures that will be followed to address complaints or concerns submitted by people who may benefit from or impacted by the proposed project. It intends to provide clarity and predictability on how complaints will be received, assessed, sorted, resolved and monitored.

10.2 Possible Types and Causes of Grievances

Some of the issues that may elicit complaints during project implementation process include;

- (i) Inadequate stakeholders' consultation and participation at any stage of project implementation, (including public services providers and other government agencies or departments);
- (ii) Negative social and environmental impacts emanating from the implementation of the project (including project sites, materials sites, health and safety, security, traffic management related issues, dust and vibrations management, etc.)
- (iii) Lack of sufficient information in regard to the project impact by the local communities – lack of detailed impacts resultant from the project implementation and options available. (This could lead to wrong perceptions and creation of discontent and suspicion)

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- (iv) Concerns on socioeconomic, cultural and environmental safeguards matters and impacts (including employment opportunities, working hours, wages and benefits, local inputs) emanating from or related to project interventions;
- (v) Gender abuse, harassment, discrimination, mainstreaming and/or inclusivity related concerns,
- (vi) Political interests and pressure, (personal benefits, favors, chauvinism, and negative publicity, among others).
- (vii) Grievance Redress Mechanism ineffectiveness and inclusivity issues
- (viii) Institutional impacts and mitigation procedures including replacement of public facilities and utilities.
- (ix) General complaints emerging from conflicts of the project implementation and the public/communities.

Concerns that might be raised outside the above will be redirected to other relevant authorities or actors, e.g., issues related to violence, gender abuse, assault, theft, moneylending, harassment, impropriety, destruction of property. They will not be within the mandate of the project GRM and therefore they will be expected to be referred to the Police or other relevant regulatory Authorities for necessary action.

10.3 Grievance Redress Mechanism Structure

The Project Implementation Team from KeNHA will form a Grievance Redress Committee (GRC) within the proposed project area. This committee will oversee the process of grievance handling. This RAP has developed an indicative framework of GRM through the following three-tier Grievance Redress Mechanism stages;

1. Locational Grievance Redress Committees (LGRCs)

It is desirable to resolve all the grievances at the community level to the greatest extent possible. The community or locational level grievance mechanism must be credible and generally acceptable. The grievance redress mechanism will aim to solve disputes at the earliest possible time in the interest of all parties concerned.

During key stakeholder engagement meetings held in April 2026 on the need for grievances redress, the RAP team explained the criteria of selection, representation and nomination of various Locational Grievance Redress Committees (LGRC) members. Members present were sensitized on the importance of this committees which were formed at 18 locations along the project corridors in April 2026.

The LGRC will be managed at the administrative location and chaired by the Assistant County Commissioner (ACC), assisted by the locational chief or assistant chief. Membership will include 7 to 15 members i.e. a representative from the local administration, KeNHA, community representatives of equal representation in terms of gender. The committee will comprise of the following;

- (i) Complainant /Complainant Representative
- (ii) 2 No. Community Elders,
- (iii) 1 No. Women's Representative,
- (iv) 1 No. Youth Representative,
- (v) 1 No. Representative of Vulnerable Groups or PLWD

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- (vi) Locational Administrative Representation
 - (vii) Project representatives (both contractor, Resident engineer representative, KeNHA)
- The Committee in addressing construction related grievances will give opportunity to the local communities and the public to express any grievances related to Project.

It is worth to note that the Locational Grievance Redress Mechanism (LGRM) were formed during the community engagement meetings for each location (No.18 GRMCs) operationalisation and training of these will be undertaken during the implementation phase to ensure alignment with actual project impacts, affected communities, and operational structures.

2. Sub County Grievance Redress Committees

The Sub County Grievance Redress committee (SCGRC) will be constituting seven members and must have a quorum of at least three persons during the mediation. Decisions will be reached by simple majority. The Grievance Committee should be constituted for as long as grievances are being lodged. This committee is made up of the below listed persons.

- (i) One representative of the Administration; - National Government (Assistant County Commissioner or Deputy County Commissioner).
- (ii) One representative of area local Chief.
- (iii) One representative of KeNHA
- (iv) Representative from the project (both Contractor and Resident Engineer)
- (v) Three representatives of the affected people, amongst them at least one woman. These representatives were chosen from locational grievance redress committees or other key community leaders where necessary.
- (vi) Relevant County Government or National Government representative such County Labour officer, County Surveyor, NEMA among others depending on the grievance under resolution.

In case the grievance is not resolved at first tier, the SCGRC handling resettlement-related grievances will be enjoined by the Resettlement Implementation Committee (RIC) from KeNHA. The SCGRC will hold the necessary meeting with the affected party and attempt to find a solution acceptable at all levels. The GRC would record the minutes of the meeting and filed by the Resident Engineer. If the complainant does not accept the solution offered by the GRC, then the complainant is passed to the next level/ or the complainant can reach out to the next level for redress. This process should be handled within 21 days before referral to the next level.

3. Third Tier (Legal & Judicial Redress Mechanisms in Kenya)

In the event that the complainants are dissatisfied with the outcome of the second level of grievance resolution, they shall be advised to seek recourse through the following dispute resolution bodies at their own cost and as a last resort. For land related matters, this is mainly directed to the Land and Environment Court particularly, the Land Value (Amendment) Act 2019 and constitution establish the Land Acquisition Tribunal (The Tribunal) and Environment and Land Court (high court) and empowers this court to determine disputes relating to the amount of compensation to be paid for land acquired compulsorily in the public interest. For other matters, and depending on the nature of the issue, this can also include:

- i. The Commission on Administrative Justice for matters on Administrative Justice
- ii. The Alternative Dispute Resolution (ADR) Mechanisms.

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10.4 Grievance Handling Procedure

(i) Grievance Reception/ Acceptance.

A grievance can be submitted either in writing or verbally through various mechanisms such as the grievance redress committees, suggestion box or area chief. The project social safeguard team and the contractor sociologist will be the focal point in the collection of grievances in the community and from workers. The project will also adopt the use of emails, suggestion box and phone conversations (Dedicated phone number to record grievances) in collecting grievances that are considered confidential.

There is no formal minimum requirement for submitting a grievance to enable review and management. However, the following need to be met:

- a) The name (s) of the complainant (s).
- b) Information on whether the identity of the complainant should be kept confidential (cases reported by interested and third-party stakeholders).
- c) Contact details (Administrative locations, telephone number, email)

Details of grievance should answer the question of how and when with detailed information of the location, time, date and the circumstances under which it happened. While the GRM is operated in English, the person picking or handling grievances will make all efforts to translate or write down grievances presented in local languages.

(ii) Acknowledgement, Assessment and Record.

The grievance officer who will receive all grievances and feedback for the project will acknowledge grievances about the project from all stakeholders and the different channels mentioned. The complainant should receive an acknowledgement of receipt of the grievance within 3 days from the receipt of the complaints, in writing. The participant will be engaged in the resolution process. This process is participatory as the aggrieved can spell out his/her wishes and be part of the problem-solving process.

The grievance will be logged in the grievance register before the assessment of the grievance is done. Assessment is done to ascertain the type of grievance before relevant GRC is notified. Assessment of the grievance helps in the determination of the magnitude and intervention paths to be adopted and assigning responsibilities. This is expected to be done in five days within which the grievance has been received.

(iii) Investigation

Complaints may be straightforward and can often be resolved on receipt of the grievance. If not, the case requires investigation. The investigation includes gathering relevant documents, data and maybe statements and facts as well as clarifying the background information to verify the circumstances surrounding the grievance. It also may include risk assessment, follow-up meetings between stakeholders where an impartial party is present, and minutes of the meeting recorded. The aggrieved will be continuously updated on the progress of the investigation. The investigation will be carried out within 14 days. The outcome of the investigation will include an investigation report highlighting steps and procedures, and recommendations towards grievance resolution.

(iv) Resolution

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Depending on the findings and severity of a complaint, resolution and response timelines will be set with a condition and where the set timelines cannot be met due to complexity of the grievance, notification will be sent to the aggrieved. The GRM will employ the following resolution options when handling Grievances:

- Unilateral- Where a solution to a presented complaint is sorted internally
- Bilateral- Where the complainant is involved in decision making and find solution to the Grievance.
- Third party- Where an Impartial party is involved to assist in solving grievances.
- Traditional and Customary Practices (Where the Traditional or customary ways of solving grievances and conflicts is us

(v) Consider Recourse or Appeal

Before a consideration for recourse, the Resident Engineer will review to ascertain whether additional reasonable actions are appropriate. The grievance mechanism will incorporate any appeals provision for complaints that cannot be solved by the Project level grievance committees. The process of appeal is expected to take a period of five days towards closure of the grievance; the aggrieved will be notified if the appeal process may take longer than the outlined timing.

Recourse will be considered where there is need of involving an impartial mediator or legal action to completely resolve a case. This will in turn be communicated to the aggrieved.

(vi) Follow Up and Close Out.

Once a resolution would have been reached or a decision made to close out, the final stage will be to monitor outcomes and close out the grievance. All grievances redress activities will be recorded. See grievance redress process as shown in **Figure 13** below. It is best to have the complaint countersign to show their satisfaction with the response. The grievance is then indicated as closed.

10.5 Grievance Redress Mechanism Key Factors to Consider

10.6 GRM Budget

Grievance redress mechanisms (GRMs) is an effective tool for early identification, assessment, and resolution of complaints on the proposed project road Project. Like any other activity, allocation of adequate resources is needed to enhance the effectiveness of the process. The budget (derived as a percentage cost of the ESMP) should ensure efficiency in setting up suggestion/anonymous boxes, a dedicated hotline for receiving grievances, running of the GRMC's amongst other issues deemed necessary for effective implementation of GRM.

10.6.1 Remuneration of Committee Members

All the members of the various committees established at the different levels will perform their duties on a voluntary basis. There will be no remuneration other than costs associated with transport, communication, meals and sitting allowance. The amount can be reviewed from time depending on logistics involved in bringing the members together for admission of justice to aggrieved parties.

10.6.2 Appointment of Committee Members

The members of the GRC will be appointed through a nomination process within the project area and general community in the project area participating through a public community meeting.

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10.6.3 Sensitization and Capacity Building

To create demand for the GRM mechanism, thus avoiding escalation of issues to court, KeNHA will undertake the following;

(i) Sensitization of the PAPs on the grievance redress mechanism and its procedures.

The effectiveness of the GRMC depend on the awareness of its existence. Therefore, community, workers and stakeholders need to understand and support the purpose of the project GRM. Although the consultant undertook some level of sensitization, comprehensive exercise is required to publicize the existence of the GRM, its procedures, the levels, and other relevant information during implementation of the project. The GRM mandate should also reach out to disadvantaged and marginalized groups, which often cannot access GRMCs. Communication methods and materials should include meetings, project website, bulletin boards in strategic sites (for instance at the chief's office) brochures summarizing the GRM process, and where possible be translated into the local languages as resources permit. Further, KeNHA, consultant, contractor (where applicable) staff working on the project will be sensitized on the Code of Conduct (COC), SEP and GRM.

(ii) Capacity Building for the Grievance Redress Mechanism (GRM)

This involves strengthening the skills, knowledge, systems, and resources necessary to ensure that grievances are addressed effectively, efficiently, and fairly. This notwithstanding, it will be important that steps are taken to orient and build the capacity of the committees and grievance officers as part of the project implementation team in conflict resolution procedures, such as mediation and reconciliation, and other management areas such as record keeping and report writing. The committees will also need to be oriented to the grievance management system suggested in the ESIA/RAP. It will be necessary to strengthen the capacity of the committees in conflict identification, analysis, and resolution, as stipulated in the relevant GOK legislation and AfDB Environmental and Social Standards.

10.6.4 Documentation

At all levels, keeping of documentation should be ensured, including the grievance registers and grievance forms. Every meeting should have written minutes and approved by the relevant parties.

10.6.5 Monitoring, Evaluation, and Providing Feedback

At all levels, regular progress monitoring of grievances filed, their status and actions taken and recommendations/resolution will be constantly undertaken. The GRC is individually responsible for monitoring and tracking grievances, assessing the extent to which progress is being made to resolve them, and generating quarterly reports. These reports and data/lessons generated should be used to make policy and/or process changes to minimize similar grievances in the future or to adapt the GRM to correct or remove inefficiencies. Grievance Redress Mechanism Committees monitoring and evaluation reports will comprise of the following key issues;

- a) Number of grievances received, logged, acknowledged, processed, resolved and closed within set time frame.
- b) Number of stakeholders satisfied with level and timing of information they received during a grievance process
- c) Number of cases requesting external review or alternative third-party arbitration
- d) Number of stakeholders satisfied with solution
- e) Number and percentage of grievances received by categories
- f) Number and percentage of grievances received by severity level

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- g) Number and percentage of grievances resolved versus rejected
- h) Number and percentage of grievances per operation site/location
- i) Type of grievances received according to the categories,

Qualitative indicators shall be reported monthly and include root cause analysis, specific case examples and lessons learned.

10.6.6 Grievances Related to Gender Based Violence, Sexual Exploitation and sexual Harassment

Grievances related to Gender based violence, sexual exploitation, and sexual harassment will be referred to the Consultant's Sociologist. Upon Completion of the investigation, a resolution to the grievance is decided. Written feedback and response are communicated within five days upon completion of the investigation and report done. Once the aggrieved party is satisfied with resolution a Grievance settlement form is signed to log in satisfaction, and the case is considered closed. There may be a likelihood of aggrieved party to be dissatisfied, and they will be given an option to appeal or consider recourse.

Managing any sexual abuse related cases in the project will require a multifaceted approach that prioritizes prevention, education, and immediate, appropriate responses when incidents occur.

In addition, the RAP recommends the project to develop supplementary Environmental and social safeguard tools such as the Code of Conduct, Child Protection Strategy, Labour Management Plan, Grievance Redress Mechanism Plan among others that includes how issues of GBV and Sexual Abuse and Harassment will be addressed.

NOTE: *Further reporting of these grievances will follow the process detailed in Section 1 above. It is worth noting that sexual offences in Kenya are considered criminal hence the victim will be guided to report the incident to the gender desk at the nearest police station for further investigation and resolution. The project team will similarly follow up with the case for closure.*

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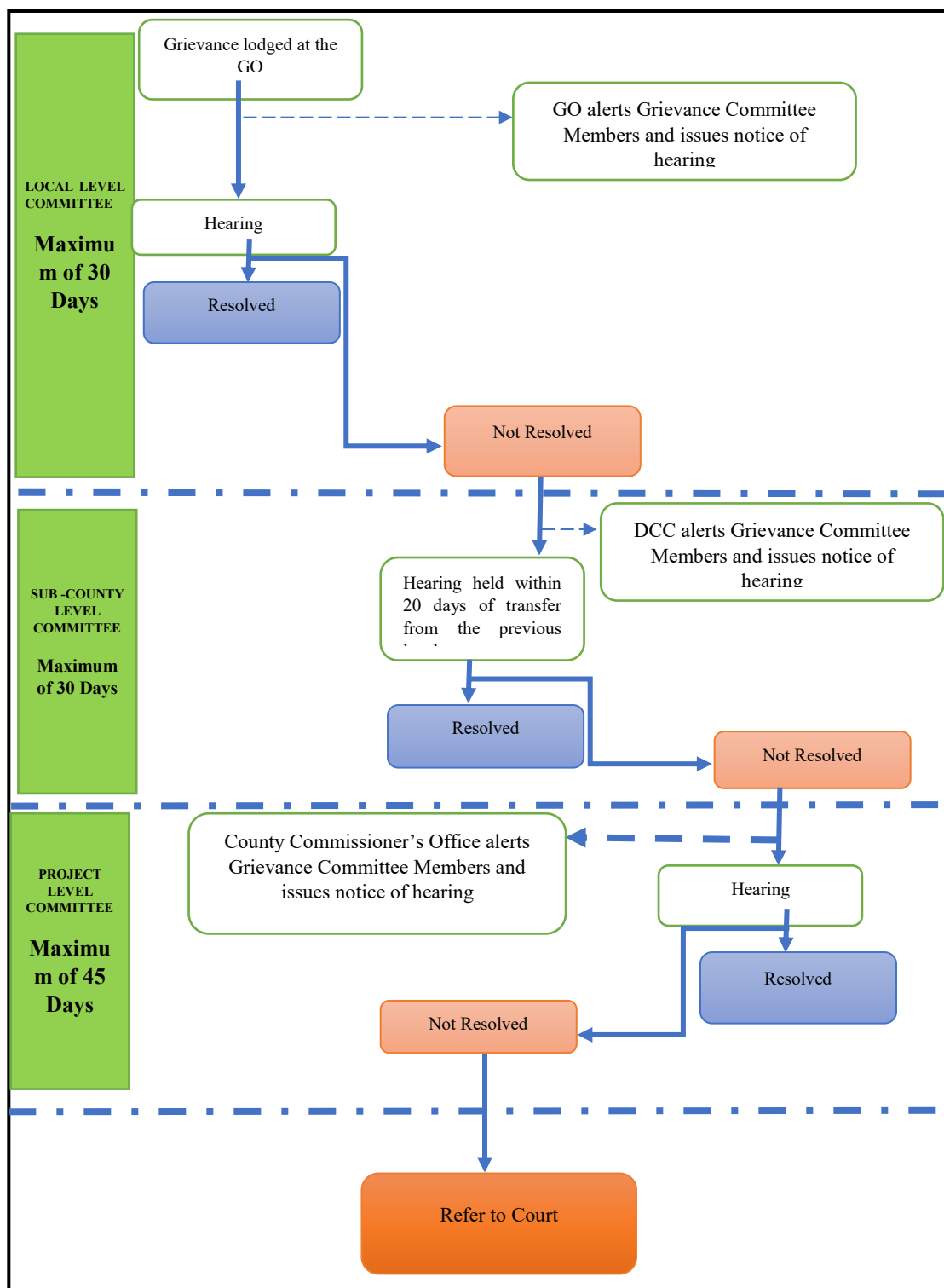


Figure 13: Grievance Redress Mechanism Flow Chart

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11 IMPLEMENTATION ARRANGEMENT

11.1 Resettlement Implementation Principles

The main objective of resettlement and compensation is to ensure that the PAPs get fair and prompt compensation. In this way it is expected that their income, production capacity and standard of living will be improved, or at least restored to their former levels. The guiding principles for the implementation of the RAP will be as follows:

- (i) Resettlement or relocation has been minimised by taking into consideration all possible alternative measures;
- (ii) Compensation will be paid before Project Works commence in a specific Project area and in a manner that does not curtail the livelihoods of the PAPs in terms of access and utilisation of such compensation;
- (iii) The compensation values awarded will be fair enough to restore the livelihoods of PAPs;
- (iv) The compensation awards will be paid out according to the preference of the PAPs;
- (v) All other activities related to the RAP will be communicated in advance to the PAPs using the preferred channels of communication;
- (vi) Where grievances arise, the respective PAPs will be given an opportunity to be heard, fairly and promptly;
- (vii) Measures will be taken to ensure that vulnerable groups get special assistance and support; and where spousal and children consent is needed, the provision will be enforced; and
- (viii) A statutory disturbance allowance of 15 percent of the compensation value will also be included.

11.2 Resettlement Implementation Arrangements

All PAPs will be compensated before their structures are demolished and land uptake implying that compensation will be paid before project works start at a specific site/in a specific area as per the contractor's work schedule.

KeNHA will be the lead agency in the RAP implementation and will work together with the County and National Governments to implement the RAP. KeNHA has an Environmental and Social Safeguards department (ESS), which oversees all RAP processes.

In this project, KeNHA will establish a RAP Implementation Unit (RIU), to implement this RAP. The unit will be responsible for ensuring that PAPs promptly access their compensation entitlements and that their livelihoods are restored after resettlement. The RAP implementation team will be responsible for:

- (i) Delivery of the RAP compensation and rehabilitation measures; and
- (ii) Appropriate coordination between the agencies and jurisdictions involved in the RAP implementation.
- (iii) Receiving compensation related grievances and working closely with the GRMC in their resolution.

11.2.1 RAP Implementation Unit Structure

The RIU will comprise a core unit responsible for day-to-day operations and technical support staff. The composition of the core unit will be as follows: An implementation team that will have the following members of staff:

- (i) Implementation Manager (1); KeNHA Technical Manager

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- (ii) Implementation Officer (1); KeNHA Social Safeguard Specialist
- (iii) Monitoring Officer (1); KeNHA M&E Specialist
- (iv) Resident Engineer Representative (3); one of them can be a Project Sociologist
- (v) Contractor Representative.

Other Technical staff will include:

- (i) Valuer (1);
- (ii) Independent civil society organization/ NGO representative (1)
- (iii) National Government Representatives (chiefs); and
- (iv) Representative of the PAPS in the affected sites among others as per the case-by-case basis.

11.3 Institutional Responsibilities for RAP Implementation

During the RAP preparation process, a number of key institutions were identified as critical to both preparation and implementation of the RAP. This is summarized in the **Table 42** below. Consultations with and involvement of the Project Affected Persons were sought during the process.

Table 42: Institutional Roles in RAP Implementation

Name of Institution	Role of Institution
Ministry of Finance and Treasury	Financial management on behalf of the Borrower (GoK)
Ministry of Roads and Transport (MORT)	- Will be an overall implementing agency. - Central agency responsible for holding all information on the RAP. - Mobilization of financial resources from Government/ County Governments for resettlement and compensation purposes of the approved RAP.
Ministry of Interior & National Coordination	- Assisting in verification of claims and provision of security during payment of compensation. - Participation in RAPIC - Participation in the grievance resolution mechanism.
KeNHA	- Will be responsible for releasing/handover of the road corridor to Contractor - Ensuring that resettlement is done in accordance with the RAP. - Coordination of resettlement issues with other agencies. - Facilitate the grievance redress process as secretariat - Monitoring and Evaluation of the social mitigation activities and implementation progress. - Make funding request from Ministry of Roads and Transport for RAP implementation and compensation through NLC.
National Land Commission	- Provide approval to request made by KeNHA to acquire wayleave. - Notify landholders on the intention to acquire. - Assist in resolving disputes related to compensation - Undertake public consultation on intended acquisition with the assistance of KeNHA - Receive money from KeNHA for actual payment of entitlement awards to PAPS.
National Environment Management Authority (NEMA)	- Provide approval of the ESIA report and issuing required licenses. - Review and provide a NEMA license for the ESMP. - Be part of the RAPIC and participate in the resolution of grievances.
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Name of Institution	Role of Institution
The County Government	- Escalate unsolvable environmental grievances to the tribunal. - It will be responsible for safeguarding the objectives of the road improvement by ensuring adherence to development control measures along the road corridor. - They will harmonize the location of social amenities with the road corridor to mitigate negative impacts.
Project Implementation Team	The Project Engineer will be overall responsible for the project implementation of the RAP and will provide necessary assistance for successful implementation of the social safeguards. The various staff in the PIT will; - Provide training on social safeguard issues - Conduct public awareness and consultations - Training of the various stakeholders - Coordinate matters with other agencies on matters pertaining to social safeguards - Monitoring and Evaluation of social safeguard matters of the project and - Supervise implementation of the grievance redress committee decisions. - Ensure effective flow of information between NLC and PAPs - Coordinate Locational Grievance Committees (LGCs), validate inventories of PAPs and affected assets; monitor the disbursement of compensation funds; guide and monitor the implementation of relocation - Coordinate activities between the various organizations involved in relocation; facilitate grievance and conflict resolution; and provide support and assistance to vulnerable groups. - Resolve disputes that may arise relating to resettlement process. If it is unable to resolve any such problems, will channel them through the appropriate formal grievance procedures laid out in this RAP. Assist with the livelihood restoration where feasible.
Locational level committee (LGRMC) / Local Grievance Committee	- Conduct extensive public awareness and consultations with the affected people. - Help ensure that local concerns raised by PAPs as regards resettlement and compensation among others are promptly addressed by relevant authorities. - Assist the effective working of RAP consultants in preparation and validation of the RAP - Resolve manageable disputes that may arise relating to resettlement and compensation process. If it is unable to resolve, help refer such grievances to the Project level Committee - Ensure that the concerns of vulnerable persons such as the disabled, widowed women, orphaned children affected by the project are addressed and included in the RAP.
Other Relevant Stakeholders such as County Governments, KURA KeRRA, Kenya Power Survey of Kenya among others	Provision of technical support in resettlement, including road reserve issues.

Name of Institution	Role of Institution
Independent NGOs/CBOs	It is anticipated that members of the civil society working in the project areas will assist the communities to internalize the project implications and create a sense of public ownership of the project process. The process will be continuous until the project is completed with the consultations diminishing in frequency as the emerging issues are resolved.

11.4 RAP Implementation Process

KeNHA as the project proponent will set-up the Resettlement Committee to oversee the implementation of the RAP. This will entail verifying the details of the PAPs and facilitating the payment of any compensation or assistance benefits. The Committee will mobilise the PAPs and keep them informed of the various stages of the project implementation. The Committee will also create awareness among the communities living along the road corridor among the responsibilities of the Committee are;

- (i) To ensure that appropriate agencies that are mandated to plan and implement compensation, income restoration, and rehabilitation programs are identified as early as possible in Project preparation;
- (ii) To ensure compliance with the Resettlement Plan and Environmental and Social Management Plan; and
- (iii) To acquire the required land and payment of compensation to the PAPs during the preconstruction period, and monitoring the completed road facility and ensure that the objectives of the resettlement plan have been achieved.

The following steps will form part of Implementation of the RAP process;

STEP No. 1: Scoping Phase: The RAP process begins with scoping, where the project footprint is defined and potential resettlement impacts are identified. Baseline socio-economic data is collected, stakeholders are consulted, and Project Affected Persons (PAPs) and affected assets are identified. The project proponent (KeNHA) submits the list of affected assets to the National Land Commission (NLC), which is the lead agency for compulsory land acquisition. The NLC reviews the request in consultation with the relevant ministry and the National Treasury to confirm approval and funding readiness. Once approved, the NLC issues a formal Notice of Intention to Acquire Land through the Kenya Gazette, officially initiating the land acquisition and RAP process.

STEP No. 2: Notice of Intention to Acquire Land: Upon approval, NLC will publish a formal notice of intention to acquire in the Kenya Gazette in accordance with national legislation. The PAPs are served with a notice of inquiry and a public hearing will hold through the use of local administration offices where the notices are displayed, further compensation process, procedures and appeals are explained. During this stage, continuous stakeholder engagement is undertaken, and the Grievance Redress Mechanism (GRM) is established to receive and manage complaints and concerns arising from the project.

This is a second stage, which should be undertaken by the RAP implementation committee (RAPIC) with assistance from the PAPs representatives and local administration. They should identify all PAPs and check records of addresses, type of property, estimation of type and level of losses. The procedure should also include consultations for explaining the entitlement framework to the PAPs, methods of payment of compensation, assistance entitlements, grievance procedures and participation in implementation.

STEP No. 3: RAP and LRP Development: A detailed Resettlement Action Plan (RAP) and Livelihood Restoration Plan (LRP) are then developed based on a census and asset inventory of all affected persons and

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properties. Socio-economic studies are conducted to determine vulnerability levels and livelihood dependencies. Asset valuation is carried out to determine compensation entitlements, and an entitlement matrix is prepared. The RAP and LRP are developed through inclusive consultations and subsequently disclosed for review and approval by KeNHA.

STEP No. 4: Implementation Preparation: Once the RAP is approved, implementation arrangements are established, including formation of RAP implementation committees and assignment of institutional roles and responsibilities by KeNHA. Compensation schedules are finalized, and compensation agreements are prepared and signed with PAPs. Funds for compensation and livelihood restoration are mobilized, and continuous engagement with PAPs is maintained to ensure readiness for implementation. Grievances are managed and resolved before compensation payments commence.

STEP No. 5: Land Acquisition, Compensation, and Resettlement: Compensation for land, structures, crops, and other assets is disbursed to PAPs in a timely and transparent manner. Upon completion of compensation and assistance, land is formally acquired and handed over for construction activities through NLC. During this stage, compensation is made in accordance with standard Government procedures and the policies set out in this resettlement plan. The structures within the road corridor will be demolished by the owners who are entitled to take with them the salvageable material to their new site.

STEP No. 6: Monitoring, Evaluation, and Completion: Continuous monitoring and evaluation are undertaken throughout RAP implementation to assess compliance with AfDB Operational Safeguards and GOK national requirements. Both internal and external monitoring systems are used to track compensation delivery, livelihood restoration outcomes, and grievance resolution. A RAP completion audit is conducted to verify whether PAPs have been adequately compensated and livelihoods restored or improved. The RAP process is formally closed once all objectives have been achieved and compliance is confirmed.

11.5 Preparation For Clearance of the Road Corridor

In this stage the PAPs are prepared for surrender of their property. This may be achieved through ways that include giving information in written form and individual consultations. The role of the partnering RAPIC especially the social safeguards in this respect will be very significant. They will undertake counselling of the PAPs and empowering them on prudent application of the compensation money. This will include offer of basic training for money management and sustainable livelihood mechanisms. Consultation with the community will be done throughout the Project cycle, and efforts will be made to continue with all the development activities. No physical relocation from the proposed areas should begin before alternate arrangements have been made a sufficient notice will be provided to PAPs before relocation.

11.6 RAP Disclosure Status

The individual PAP compensation shall be disclosed before project commencement with NLC issuing notice of Intention to Acquire through the Kenya Gazette before project construction begins. However, during valuation and PAPs signing consent forms they were sensitized on the basis of valuation and process of compensation.

11.7 Number of PAPs and Acknowledgement PAP Form Status

Following awareness creation and explanation of the RAP process, PAPs signed the consent and acknowledgement forms to confirm their participation and understanding. The signing process was witnessed by local administration representatives, village elders, and, where possible, PAP witnesses to enhance credibility, transparency, and community trust. The forms also serve as an important record for

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resolving disputes and demonstrating compliance with legal and resettlement requirements as per AfDB OS5. A total of No.213 PAP consent forms were dully filled and signed by the local administration and the PAPs while No.6 forms these are forms signed by the Area Chief only, in instances where a reported No.4 PAPs land was disputed and No.2 land is under Kenya Forest Service (KFS); As per the legal legislation KeNHA should officially engage KFS on this matter. The PAPs also willingly provided their personal details, including phone and ID numbers, through phone communication for purposes of identification and confirmation.

Table 43: Summary of PAP Acknowledgement forms Signed

Road	Fully Signed Form	Absent PAPs	Incomplete Forms
Biretwo-Arror Chesongoch	167	-	4No. Disputed land
Kimwarer-Emsea	21	-	-
Nyaru - Kapkayo	25	-	2 (KFS to approve)
Total	213	-	6

Further, in cases where PAPs were absent during the inspection exercise, the Area Chiefs and village elders assisted in identifying the affected properties and property owners and provided the relevant information relied upon during valuation and preparation of the asset inventory.

11.8 RAP Implementation Schedule

It is envisaged that the project eligible PAPs will be fully compensated in accordance with the RAP principles before the commencement of project construction works. An implementation schedule for each activity will, therefore, be prepared and integrated into the main project works plan. The livelihood restoration process will be implemented gradually or in stages in line with the project implementation plans of works. Planning and coordination of the tasks of the various actors involved in the RAP implementation will also be key to the success of the RAP implementation. To achieve this, meetings will be organized accordingly with the stakeholders and other relevant government agencies.

It is proposed that the RAP be implemented over 24 months, including three months for relocation partly overlapping with the Contractor identification and mobilisation. Other related activities such as monitoring and grievances management will run throughout the RAP implementation cycle. However, the RAP Implementation schedule is subject to change depending on when RAP approval is obtained, compensation finances secured and relevant implementation structures established.

An outline of the proposed implementation schedule is presented in **Table 44**.

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Table 44:RAP Implementation Schedule for Phase 1 Roads

S/No	Task (Activity)	Period (Month)																			
	Resettlement Action Plan Activities	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1	Public consultation and awareness campaigns with the PAPs.	■	■	■	■	■	■	■	■	■	■	■	■								
	RAP Disclosure		■	■	■																
2	A Verification RAP Study of the road corridor, Socio-economic activities of the PAPs and identification of structures and other physical features requiring evaluation, valuation, verification, Compensation and issuance of notice to relocate.		■	■	■	■															
3	Putting together the required machinery, legal and educational processes, training of resettlement staff				■	■															
4	Compensation and resettlement of PAPs (Sourcing of resettlement sites in consultation with PAPs &stakeholders). Use of media like radio to disseminate information on meetings with PAPs					■	■	■	■	■	■										
5	Detailed road route survey and reclaiming of encroached land for the road upgrade			■	■	■	■	■	■	■	■										
6	Clearing of proposed road corridor earmarked for upgrade and construction activities and other construction activities.					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
7	Management of grievances, monitoring and evaluation of resettlement of PAPs especially vulnerable groups		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
8	Social needs assessment infrastructure identification process	■	■	■	■																
9	RAP Completion Audit						■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

12 COSTS AND BUDGET

The estimated RAP budget costs are **Kshs.97,333,597.50** including a 20% percent contingency item as shown in **Table 45** .In addition, a 10% for administration cost for the RAP implementation, GRM (5%), PAPs awareness and sensitization (5%), monitoring and evaluation (20%) was considered.

Table 45: Estimated RAP Implementation Cost.

Table 43: Estimated RAP Implementation Costs													
Road Corridor	County	Sub County	Location	No. of Paps	Total Land Taken(Acres)	Value of Land Taken (Ksh)	Value of Structures (Ksh)	Value of Crops & Trees (Ksh)	Sub Total (Ksh)	15% Disturbance Allowance	Value of Income Loss (Ksh)	Value of Business (Ksh)	Total Compensation Award (Ksh)
Biretwo-Arror-Chesongoch	Elgeyo Marakwet	Keiyo South	Epke	12		-	1,195,000.00	-	1,195,000.00	-	13,800.00	747,000.00	1,955,800.00
		Keiyo South	Chepsigot	4	0.485	311,600.00	120,000.00	415,600.00	847,200.00	127,080.00	-	-	974,280.00
		Keiyo North	Kiptuilong	12	0.975	487,500.00	663,500.00	387,000.00	1,538,000.00	131,175.00	-	162,000.00	1,831,175.00
		Keiyo North	Keu	10	1.380	690,000.00	208,600.00	500,000.00	1,353,600.00	203,040.00	-	-	1,601,640.00
		Kerio Valley	Arror	77	5.651	2,825,500.00	18,398,500.00	1,470,000.00	22,689,000.00	1,041,015.00	38,490.00	4,593,000.00	28,366,505.00
		Kerio Valley	Chesuman	12	1.577	788,500.00	1,303,600.00	492,600.00	2,574,700.00	208,965.00	-	234,000.00	3,027,665.00
		Kerio Valley	Mon	9	0.153	76,500.00	2,639,500.00	-	2,716,000.00	11,475.00	-	288,000.00	3,015,475.00
		Kerio Valley	Kibaimwa	2	0.506	303,600.00	993,500.00	106,500.00	1,403,600.00	210,540.00	-	60,000.00	1,674,140.00
		Kerio Valley	Chemwonyo	16	0.538	1,456,200.00	1,283,600.00	693,900.00	3,433,700.00	473,745.00	-	-	3,907,445.00
		Kerio Valley	Chechan	9	0.678	406,800.00	5,000.00	136,000.00	542,800.00	81,420.00	-	-	629,220.00
Kerio Valley	Murkutwo/Kiptumbur	13	0.047	23,500.00	2,734,100.00	91,000.00	2,848,600.00	9,675.00	44,550.00	771,000.00	3,673,825.00		
Sub Total 1													50,657,170.00
Emsea-Kimwarer	Elgeyo Marakwet	Keiyo South	Soy	11	0.086	716,000.00	2,490,800.00	5,000.00	3,211,800.00	481,770.00	32,400.00	228,000.00	3,921,570.00
	Elgeyo Marakwet	Keiyo South	Chepsigot	9	0.550	553,000.00	2,465,600.00	148,000.00	3,166,600.00	474,990.00	5,400.00	-	3,641,590.00
Sub Total 2													7,563,160.00
Kapkayo - Nyaru	Elgeyo Marakwet	Keiyo South	Nyaru	15	0.085	42,500.00	1,332,000.00	-	1,374,500.00	206,175.00	54,000.00	849,000.00	2,429,675.00
	Elgeyo Marakwet	Keiyo South	Soy	10	0.000	-	3,284,400.00	-	3,284,400.00	492,660.00	-	462,000.00	4,239,060.00
Sub Total 3													6,668,735.00
Total Cost of PAP Compensation													64,889,065.00
RAP Implementation Costs													
Operation and Administrative Costs of RAP Implementation (10%)													6,488,906.50
PAPs Sensitization and Awareness Creation(5%)													3,244,453.25
Grievance Redress Mechanism(5%)													3,244,453.25
Monitoring and Evaluation(20%)													12,977,813.00
RAP Contingency(10%)													6,488,906.50
Sub Total 4													32,444,532.50
Total Cost of PAP Compensation and RAP Implementation(KSHS)													97,333,597.50

Note: The 15% Statutory Increment amount is for the land and improvements within the same land excluding structures on ROW. It should be noted that the socio-economic conditions of the project area might change and this will slightly impact the future RAP implementation costs.

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13 MONITORING AND EVALUATION

13.1 Background

The PIC will be required to monitor and report on the effectiveness of RAP implementation, including the physical progress of its resettlement and rehabilitation activities, the disbursement of compensation, the effectiveness of public consultation and participation activities and the sustainability of the Project's livelihood restoration and development efforts. Inspections and audits will be used, where relevant, to verify compliance and progress toward the desired outcomes.

Qualified and experienced external experts will be retained to verify the Project's monitoring information. Finally, the Project will document monitoring results, implement corrective and preventive actions where necessary and follow up on these actions to ensure their effectiveness.

Monitoring and Evaluation (M&E) involves the development of a system through which information regarding resettlement activities of PAPs is analysed by the implementing agency or other tasked independent monitors to ensure objectivity and success of the whole RAP process. RAP monitoring helps to evaluate the success of resettlement through the study of specific performance indicators for a reasonable period of time after the resettlement activities have been completed.

A monitoring plan will include both internal and external monitoring. There will be a three-tier process which will include internal field monitoring by the Resettlement Steering Committee and/or the Social Safeguard Specialist as well as the overall monitoring by the PAP Committee and KeNHA.

The monitoring framework will also offer a schedule on which monitoring will be conducted and this will run for a minimum of six months after completion of the RAP process. The monitoring and evaluation process will check to ensure that compensation is done in the right manner and that all eligible PAPs are adequately compensated according to the compensation procedures and market rates in this RAP.

A list of performance indicators which will be tabled include:

- (i) Input indicators e.g., sources and amounts of funding for various RAP activities
- (ii) Output indicators that concern activities and services which are produced with the
- (iii) Inputs e.g., payment of compensation for loss of property
- (iv) Public participation indicators e.g., creation of Resettlement Implementation Committee.

13.2 Monitoring Plan

Monitoring will be initiated at an early stage in the resettlement process and will continue for approximately two years but, during this period, the intensity of the process will vary. For example, before and immediately after the physical move, monitoring will be fairly intense, while one year later the frequency of the monitoring will have reduced. The Project's monitoring plan will have three key components; namely:

- (i) Performance monitoring;
- (ii) Internal monitoring; and;
- (iii) External Monitoring

These three components will constitute two parallel aspects:

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13.3 Performance Monitoring

Once the PAPs have received their compensation or have been rebuild, the focus of the social safeguards team will be to promote income generation for those PAPs whose businesses were affected and monitor the if new livelihood patterns are sustainable and assessing how the income generating interventions are impacting on the living standards. To achieve compliance with the targets, it will be necessary to establish benchmarks upon which the success rate is measured.

The key criteria for performance resettlement monitoring include:

- Physical Progress of land compensation process conducted by the Land Acquisition Team of KENHA;
- Disbursement of Compensation against the schedule and the budget
- Effectiveness of Consultation through the number of consultation activities conducted and awareness and understanding of land acquisition process amongst PAPs;
- Progress of implementation resettlement program for project affected people (PAPs),
- The effectiveness of implementation of the community grievance mechanism, such as number of grievances received every month, total resolved grievances; and
- Measurement of impact of resettlement and livelihood activities on the PAPs.

13.4 Internal Monitoring

The internal monitoring consists of performance monitoring and impact monitoring, operated by the Project. It is the responsibility of the PAP Committee and Resettlement Committee to conduct regular internal monitoring of the resettlement performance indicators and to correct where necessary. The monitoring should be a systematic evaluation of the activities of the operation in relation to the specified criteria of the condition of approval.

In undertaking the same, Project Implementation Unit will be responsible for implementing resettlement and compensation activities and it will therefore be their responsibility to undertake regular internal monitoring of the process. The objective of internal monitoring and supervision will be:

- a) To verify that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements, has been carried out in accordance with the resettlement policies provided by the GOK, and AfDB.
- b) To oversee that the RAP is implemented as designed and approved;
- c) To verify that funds for implementation of the RAP are provided by the Project authorities in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the RAP.

The main internal indicators which will be monitored regularly will include:

- (a) Entitlements Monitoring-This evaluates the status of entitlement and ensures that they are in accordance with the approved policy and that the assessment of compensation is carried out in accordance with agreed procedures,
- (b) Payment of compensation to the PAPs in the various categories is made in accordance with the level of compensation described in the RAP,
- (c) Public information and public consultation and grievance procedures are followed as described in the RAP,
- (d) Restoration of affected public facilities and infrastructure are completed prior to construction.

13.5 External Monitoring

It will be imperative to involve an external M&E specialist for the project to meet the accountability and transparency criteria. The external monitoring will purposely validate the work done by the RAPIC monitoring to ascertain that the targets are met and the objectives of the RAP are adhered to. The specialist will particularly review the implementation of the payment of loss of structures, business and disruption of livelihoods. It will be important for the exercise to be carried out during and after the life of the project. However, it may require more frequency (maybe quarterly) to ensure there is no lapse in the follow-up on implementation of the resettlement goals and that no grievances are overlooked. The RAP has provided a budget to facilitate the external specialist and his team to carry out their assignment effectively. The PAPs will be effectively involved and informed through participatory meetings in the evaluation exercise.

The external monitoring team will measure effectiveness of the program on a regular basis throughout the land acquisition process ending in a Completion Report once all PAPs have been compensated and livelihoods are considered restored. The key criteria for impact resettlement monitoring include the:

- Efficacy of LRP
- Efficacy of Consultation Program
- Efficacy of GRM

13.6 Monitoring and Evaluation Indicators

These will include primarily the activities and the entitlements due for the project affected people.

These include among others:

- (i) Frequency and number of consultations held with various stakeholders; parties engaged in grievance redress and participating in the project such as interested groups (NGO, CBO's) and other key stakeholders,
- (ii) Grievances filed by the PAPs and nature of the grievances including the time it has taken to resolve them,
- (iii) Procedures in the operations such as asset verification and valuation procedures including effectiveness of compensation delivery system,
- (iv) Number of land parcels, structures, businesses, live hoods and the affected persons and amount of compensation proceeds released to the target group,
- (v) Number of assets compensated and the amounts paid out to the individuals and public facilities restored,
- (vi) Number and category of people paid their compensation and rehabilitated including vulnerable groups receiving assistance,
- (vii) The growth in the number of settlements, market areas and the change in standard of living of the displaced persons.

The following monitoring and evaluation indicators are proposed for this RAP

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Table 46: Monitoring and Evaluation Indicators

1. Process Indicators	
Project input, stakeholder participation and monitoring	Adequacy of compensation budget
	Causes of administrative cost overruns and / or shortfalls
	Existence of an adequately staffed RAP implementation committees
	Availability of resources for RAP implementation committees
	Existence of a grievance resolution mechanism
	Availability of resources for Grievance Mechanism
	Existence of Monitoring and Evaluation Systems
	Existence of monthly monitoring and quarterly audit reports
	Adequacy of resources for implementation staff
	PAPs/E involvement in RAP implementation processes such as disclosure, grievance resolution, monitoring and evaluation activities
	Level of inter-departmental and inter-agency support in resettlement processes
	Existence of records on corrective actions and lessons learnt thereof
2. Output indicators	
Delivery of entitlements, relocation and rehabilitation	Amount of compensation disbursed
	Number of houses and business structures relocated and assisted
	Progress of compensation payment and relocation of PAPs vis a vis construction program
	Impacts of deviation from resettlement program to the construction program
	Adequacy of capacity building initiatives for resettlement implementation actors
	Efficacy of inter-agency coordination mechanisms
	Efficacy of the Grievance Resolution Mechanism
	Perceptions of stakeholders toward the Grievance Resolution Mechanism
3. Impact Indicators	
Long term impacts	Restoration of pre-displacement income levels
	Efficacy of livelihood restoration measures
	Level of security of tenure at resettlement sites (temporary occupation licenses, leases etc.)

Table 47: RAP Monitoring Plan

Activity	Type of Information	Source of Information	Responsibility	Frequency
Performance monitoring	Measurement of inputs indicators against proposed timetable and budget	Monthly or quarterly narrative reports	Project Sponsor	Semi-annually or annually
Internal Monitoring	Measurement of RAP monitoring indicators against the implementation schedule	Monthly or quarterly narrative status and Financial Reports	Project Implementation Team	Semi-annual/annual as required by the Proponent (KeNHA)

Impact Monitoring	Assessment of PAP satisfaction compensation of the affected assets and livelihood sources	Quarterly or semi-annual quantitative and qualitative surveys Regular public meetings and other consultation with people affected by the Project; review of grievance mechanism outputs	Project resettlement unit or contracted external Monitoring Agency	Annual or more frequently as required by the Proponent (KeNHA)
Completion Audit	Measure output indicators such as livelihood restoration and development Adaptation strategies	External assessment/ sign off report on performance and impact monitoring reports, consultation with PAP,	Contract external agency	On completion of RAP schedule as agreed by parties involved.

Table 48: RAP Monitoring Activities

Type of Monitoring	Topic	Indicator	Responsible	Frequency
Performance Monitoring Internal	Compensation	- Progress of Payments against budget and schedule - No. of PAHs compensated - Resolution timelines	KeNHA	Monthly
Performance Monitoring Internal	Physical Displacement	No. of PAHs physically relocated	KeNHA	Monthly
Performance Monitoring Internal	Vulnerable Groups	- No. of Vulnerable HHs compensated - Vulnerable support measures implemented	KeNHA	Monthly
Performance Monitoring Internal	Livelihood Restoration	- Progress on implementation against budget and schedule - No. of Beneficiaries reached by livelihood restoration	KeNHA	Monthly
Performance Monitoring Internal	Consultation	- No. of consultation against the SEP - Type of consultation against SEP - Percentage of participation men, women, youth, vulnerable people - Main topic of discussion and conclusion reached	KeNHA	Monthly
Performance Monitoring Internal	Grievances	- No. of Open Grievances step 1 - No. of Open Grievances step 2 - No. of Open Grievances step 3 - No. of Grievances to AfBD system - No. of Closed Grievances - Breakdown of Grievances - No. of Survey Grievances - No. of Social Grievances - No. of Resettlement and Compensation Grievances - Breakdown of complainants - No. of Women	KeNHA Consultant	Monthly

Type of Monitoring	Topic	Indicator	Responsible	Frequency
		- No. of Elderly - No. of IP - No. of Grievances GBV and/or SEAH		
Impact Monitoring External	Livelihood Restoration	- Compliance with entitlement matrix - Compliance with budget disbursement - Compliance with schedule	Consultant	Quarterly
Impact Monitoring External	PAHs living conditions	- No. of PAHs who are better off - No. of PAHs who are worse off - No. of PAHs with same living conditions	Consultant	Quarterly
Impact Monitoring External	Community Programs	Impacts Analysis of Restoration programs on community living conditions	Consultant	Quarterly
Impact Monitoring External	Consultations/stakeholder engagement	- Impacts analysis of consultation programs on the affected community and project development - Impacts analysis of Stakeholder engagement	Consultant	Quarterly
Impact Monitoring External	Grievances	Efficacy of grievances mechanism	Consultant	Quarterly

13.7 Resettlement Completion Audit

The purpose of the Resettlement Completion Audit is to verify that the resettlement process has complied with resettlement commitments defined by the RAP. Reference document for the Completion Audit will be this RAP Report.

The Resettlement Completion Audit will have the following specific objectives:

- Assessment of compliance of implementation with laws, regulations and safeguard policies,
- Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented,
- Evaluation of the impact of the compensation and resettlement program on livelihood restoration, measured through incomes and standards of living, with an emphasis on the “no worse-off if not better-off” requirement and
- Identification of potential corrective actions necessary to mitigate the negative impacts of the program, if any, and to enhance its positive impacts.

13.7.1 Completion Audit Methodology

The completion audit will employ both quantitative and qualitative assessment methods, including:

- Grievance Redress Register: to identify grievance issues reviewing the process of appeals at all levels and interview aggrieved affected person;
- Survey and Interviews: to capture standard of living of the PAPs against an unaffected control group before and after the implementation of resettlement to assess whether the standard of living of the affected people have been improved or maintained and;
- Monthly Progress Reports: to advise project management against necessary improvements in the implementation of the RAP. R

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- Random Interviews, open-ended discussions with PAPs and observations: to assess their knowledge and concerns of their resettlement process, entitlements, and rehabilitation measures;

13.7.2 Indicators for Determining RAP Completion Audit

Table 49: The following indicators will be used to assess RAP Completion

Indicator Area	Completion Indicator
Compensation	100% of eligible PAPs compensated according to approved entitlements
Land Acquisition	All acquired land legally transferred and documented
Resettlement Assistance	All agreed relocation and transitional assistance provided
Livelihood Restoration	Livelihood restoration measures implemented and benefits delivered to eligible PAPs
Vulnerable Persons Support	Additional support measures delivered to vulnerable households
Grievance Management	All grievances resolved or appropriately addressed with documented outcomes
Consultation and Disclosure	Required consultations and information disclosure activities completed
Restoration of Community Assets	Community infrastructure and public utilities restored or replaced where affected
Monitoring Requirements	Internal and external monitoring activities completed and documented
PAP Satisfaction	Majority of PAPs indicate satisfaction with compensation and resettlement outcomes

13.7.3 Criteria for Closure of RAP Obligations

The RAP shall be considered complete and eligible for closure when:

- All compensation and resettlement entitlements have been fully delivered to the PAPs.
- Livelihood restoration activities have been implemented and demonstrate reasonable progress toward restoration or improvement of livelihoods.
- Assistance to vulnerable persons has been completed.
- All RAP-related grievances have been resolved or are under mutually agreed resolution mechanisms.
- Any corrective actions identified through monitoring have been implemented.
- The completion audit confirms substantial compliance with RAP commitments and applicable standards.
- KeNHA has formally accepted the audit findings and recommendations.

Where outstanding issues remain, a Corrective Action Plan (CAP) shall be prepared and implemented before RAP closure is approved.

13.7.4 Independent Verification Process

An independent qualified consultant not directly involved in RAP implementation process, shall undertake the completion audit to ensure objectivity and transparency. The independent consultant/auditor will;

- Review RAP implementation records and monitoring reports.
- Conduct independent field assessments and stakeholder consultations.
- Verify compensation payments, livelihood restoration outcomes, and grievance resolution processes.
- Assess compliance with GoK national legislation and applicable AfDB requirements.
- Identify any gaps, risks, or unresolved issues requiring corrective action.
- Prepare a RAP Completion Audit Report documenting findings, conclusions, and recommendations.

The audit report shall be submitted to the KeNHA and relevant stakeholders for review. RAP closure shall only occur after the independent auditor confirms that RAP obligations have been substantially fulfilled and any remaining issues have been adequately addressed through agreed corrective actions.

Output: The final deliverable will be a RAP Completion Audit Report providing an independent assessment of RAP implementation performance, achievement of resettlement objectives, outstanding obligations, corrective actions (if any), and a recommendation on whether the RAP can be formally closed. Finally the report will be shared with the Bank.

13.8 Reporting Requirements

RAP monitoring reports will be prepared on a regular basis to document progress, challenges, and corrective actions to improve RAP outcomes through dedicated structured surveys of socio-economic profile of PAHs before and after the project. Internal monitoring reports will be compiled monthly and quarterly by the Consultant/Independent RAP consultant submitted to KeNHA and shared with AfDB. These reports will include updates on compensation payments, grievance resolution, relocation progress, and livelihood restoration activities. All reporting will be evidence-based and supported by field verification data, and key findings will be shared with stakeholders through structured consultation meeting. The reports shall have a section on key recommendations and corrective measures.

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14 CONCLUSION AND RECOMMENDATIONS

14.1 Conclusions

This Resettlement and Action Plan will be implemented by compensating the individuals affected by the proposed road activities. The compensation and assistance allowances will enable the PAPs to relocate and pave way for the road construction.

The total number of Project Affected Persons (PAPs) along the proposed road corridor during census and valuation were estimated to be approximately 219 PAPs. All the PAPs assets that will be affected by the implementation of the project have been included in the asset register.

14.1 Recommendations

It is recommended that any planned displacement of the project affected persons be undertaken after compensation payments have been made before any construction activities are done and in accordance with the prevailing law. The project affected persons to be given adequate notice, at least 3 months to surrender and remove their property from the road corridor.

15 REFERENCES

1. Elgeyo Marakwet County Integrated Development Plans, 2023 – 2027
2. County Review Reports, 2025
3. Kenya National Bureau of Statistics, 2019
4. Kenya Demographic Household Survey, 2023
5. Republic of Kenya; The Constitution of Kenya (2010),
6. Republic of Kenya; The Kenya Vision 2030
7. National Policies
 - Integrated National Transport Policy, 2009
 - The Land Policy
 - National Land Use Policy 2018
8. Republic of Kenya: Legislative Provisions
 - The County Government Act (2012)
 - Environmental Management Coordination Act (EMCA), 1999
 - The Urban Areas and Cities Act (2011)
 - Lands Act No. 6, 2012
 - Land Registration Act No. 17 of 2012
 - Land Registration (General) Regulations, 2017 (S.I. No. 278 of 2017)
 - The Land Laws (Amendment) Act, 2016 (No. 28 of 2016)
 - The Kenya Roads Act, 2007 (Revised 2012)
 - Public Roads and Roads of Access Act (Cap. 399)
 - National Land Commission Act, 2012
 - Valuers Act, Cap 532
 - Institution of Surveyors of Kenya (ISK) Valuation Standards
 - Disputes Environment and Land Court Act, 2012
 - Physical and Land Use Planning Act, 2019
 - IDP (Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities) Act, 2012
 - Persons with Disability Act
9. IFC Good Practice Handbook: Land Acquisition and Involuntary Resettlement ,2023
10. African Development Bank Group’s Integrated Safeguards System ,2023

16 APPENDICES

APPENDIX 1: MINUTES OF MEETINGS & ATTENDANCE SHEETS


PAP_Sensitisation_List.pdf


Kimwarer Minutes.pdf


Kapkayo Minutes.pdf


EmseaKibargoi Minutes.pdf


Arror Ward Admins camp meeting minute


Rimoi Minutes RAP_LRP April 2026.p


Keu Minutes RAP_LRP April 2026.pdf


Chesetan Minutes RAP_LRP April 2026.p


Biretwo Minutes RAP_LRP April 2026.p

APPENDIX 2: SAMPLE GRIEVANCE REDRESS FORM

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A sample grievance form is provided in the table below; A copy of this completed form should be submitted by the Project Liaison Officer/Sociologist/ to L/SCRCC.

RAP Reference No.	
Contact Information	Address: Telephone-
	Email:
Please mark how you wish to be contacted;	
Preferred Language for Communication (Please mark how you wish to be communicated to)	English
	Kiswahili
National Identity Number	
Description of Incident or Grievance: What happened? Where did it happen? Who did happen to? What is the result of the problem?	
Date of Incident/ Grievance	
	One-time incident/grievance; (date...) Happened more than once (How many times) Ongoing (Currently experiencing problem...)
What would you like see happen to resolve the problem?	

Signature..... Date.....

Please return from to: RAP COMMITTEE

APPENDIX 3: RAP HOUSEHOLD SURVEY TOOL



RAP Questionnaire.pdf

APPENDIX 4: PAP ASSET REGISTER AND VALUATION REPORT

(Attached as a Separate Report for purposes of PAP data protection)

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APPENDIX 5: LAND ACQUISITION PLAN

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APPENDIX 6: PAP DISTRIBUTION ALONG THE ROAD CORRIDOR



NY_PAPs_Distribution.pdf



KE_PAPs_Distribution.pdf



BAC_PAPs_Distribution.pdf

