KENYA COASTAL DEVELOPMENT PROJECT (KCDP)

INDIGENOUS PEOPLES PLANNING FRAMEWORK (IPPF)

JANUARY, 2010
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## Abbreviations

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<tr>
<td>CCAF</td>
<td>Coastal Community Action Fund</td>
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<td>EEZ</td>
<td>Exclusive Economic Zone</td>
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<tr>
<td>FIMACEDP</td>
<td>Fishery Management and Sustainable Coastal Environment Development Project in Kenya</td>
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<tr>
<td>GIS</td>
<td>Geographic Information System</td>
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<td>GoK</td>
<td>Government of Kenya</td>
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<td>ICM</td>
<td>Integrated Coastal Management</td>
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<td>IP</td>
<td>Indigenous Peoples</td>
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<td>IPP</td>
<td>Indigenous Peoples Plan</td>
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<td>IPPF</td>
<td>Indigenous Peoples Planning Framework</td>
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<tr>
<td>IUU</td>
<td>Illegal, Unlicensed and Unregulated</td>
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<td>KCDP</td>
<td>Kenya Coastal Development Project</td>
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<td>KEFRI</td>
<td>Kenya Forest Research Institute</td>
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<td>KMFRI</td>
<td>Kenya Marine and Fisheries Research Institute</td>
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<tr>
<td>KWS</td>
<td>Kenya Wildlife Service</td>
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<tr>
<td>Kshs</td>
<td>Kenya Shillings</td>
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<tr>
<td>MCS</td>
<td>Monitoring, Control and Surveillance</td>
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<tr>
<td>MDGs</td>
<td>Millennium Development Goals</td>
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<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
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<tr>
<td>MET</td>
<td>Mobile Extension Teams</td>
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<tr>
<td>MSME</td>
<td>Medium and Small Scale microenterprises</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organizations</td>
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<td>PMT</td>
<td>Project Management Team</td>
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<td>PSC</td>
<td>Project Steering Committee</td>
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<td>PICD</td>
<td>Participatory Integrated Community Development</td>
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<td>PIM</td>
<td>Participatory Impact Monitoring</td>
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<tr>
<td>PRA</td>
<td>Participatory Rural Appraisal</td>
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<tr>
<td>SWIOFP</td>
<td>South West Indian Ocean Fisheries Project</td>
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<tr>
<td>USD</td>
<td>United States Dollar</td>
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<td>VMS</td>
<td>Vessel Monitoring System</td>
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1.0 BACKGROUND

1.1 Project description

The Government of Kenya (GoK) has requested financial assistance from the World Bank to implement the Fishery Management and Sustainable Coastal Environment Development Project in Kenya (FIMACEDP) also known as Kenya Coastal Development Project. In general, the project will promote environmentally and socially sustainable redevelopment of the coastal area. The approach in the project preparation and implementation also builds on the new internal links between ESSD and Infrastructure in the World Bank. The project will focus on identifying marine resources, sustainable levels of resource extraction, and undertaking pilot investment in promoting ecosystem-based utilization of these resources; identifying land-based impacts of rural development on the near and offshore marine environment and undertaking direct investment in promoting ecosystem-friendly pilot investments that are more lucrative to the local stakeholders, promote maintenance and improvement of soil fertility, and that minimize offsite, land-based resource utilization impacts on the coastal and marine environment; address pollution from urban areas as part of a program for urban development and investment prioritization in the coastal zone.

1.2 Project Development Objectives and Key Indicators

The development objective of this project is to achieve greater value and improved livelihood from sustainable management of marine and coastal resources through: (i) increasing fisheries revenue earning potential of the government of Kenya (GoK) through licensing of foreign vessels; (ii) to improve sustainable management/regeneration of the fisheries resources and near-shore ecosystem with the participation of communities; and (iii) support for alternative livelihoods that make more sustainable and profitable use of coastal natural resources.

The Global Environment Objective is to strengthen conservation and sustainable use of marine and coastal biodiversity.

The Project would target the following three geographic areas of the coastal and marine environment:

- Offshore resources of the 200 nautical Miles EEZ
- Inshore resources including coral reefs, fish, mangroves, mariculture
- Land-based resources of the coastal districts, particularly use of terrestrial resources that impact on near and offshore marine resources.

1.3 Project Components and activities

The project has four components namely:

(1) Sustainable management of offshore fisheries resources

(2) Sound Management of Natural Resources in the Coastal and Nearshore Marine Environment
(3) Support for alternative livelihoods in the Coastal Zone
(4) Capacity Building, monitoring & Evaluation System, Project Management and Communication

1.3.1 Component 1: Sustainable management of offshore fisheries resources

The objective of this component is to increase fisheries revenue earning potential of the Government of Kenya through licensing of foreign vessels. Emphasis would also be placed on building capacity of the government to monitor and carry out surveillance of these resources. The component will link with the regional Southwest Indian Ocean Fisheries Project (SWIOFP) which will provide basic research information on demersal, crustacean and small pelagic fisheries in the 200 mile EEZ. This Component will also establish a stakeholder participation and resource co-management plan centered on fisheries management. This component will have 4 subcomponents. Subcomponent 1 involves capacity building for the Fisheries Department to effectively manage the fishery of the 200 mile EEZ. The Project will support on the job, short-course and university training in Vessel Monitoring System (VMS) equipment setup, operation and maintenance and Monitoring, Control and Surveillance (MCS). It will also support development and training of an observer program that will be “ship-based” on foreign fishing vessels licensed to operate in the Kenyan 200 mile EEZ. Subcomponent 2 will involve purchase, setup and operation of a VMS and MCS program, including regional linkages with Tanzania, Seychelles and other neighboring VMS/MCS programs. Subcomponent 3 will involve establishment of a legal basis for fisheries management over the 200 mile EEZ, and harmonizing this with similar legislations in neighboring countries. This will include any needed modifications to the Fisheries Act, implementing regulations, search, seizure and confiscation of vessels, catch and gear related to IUU fishing, protection and operation of the fisheries inspection and observer corp. during performance of their duties, etc.

Subcomponent 4 will involve identification and support for development of mariculture and more sustainable fishing techniques that directly benefit fishing communities. The project will support assessment of more sustainable and profitable fishing practices, mariculture opportunities and opportunities to link coastal fishermen to non-consumptive activities in support of the tourist sector (taking advantage of the Government’s investment in its Vision 2030). Activities under this component would support development of pilot public-private partnerships in mariculture ventures. This would include technical extension services, business service advice to micro and small enterprises, marketing and sales support to these micro and small enterprises and to pilot public-private partnerships, village grants that support sustainable development of critical infrastructure needed to support the new uses of the near shore resources.
1.3.2 COMPONENT 2: SOUND MANAGEMENT OF NATURAL RESOURCES IN THE COASTAL AND NEARSHORE MARINE ENVIRONMENT

This component aims at improving sustainable management and regeneration of natural resources and biodiversity in the nearshore coastal and marine environment. It has particular focus on conservation of the unique coastal biodiversity and its natural resources as the basis for sustainable development and thereby improves the livelihoods of coastal communities through wise management and support for development opportunities. This is in line with Kenya’s development agenda as articulated in the Vision 2030. The values of natural resources and biodiversity underpin socio-economic development of the coastal populations. Moreover, the component will improve Kenya’s ability to meet some of its obligations in terms of the Millennium Development Goals (MDGs). This component will embrace an integrated approach that pulls together the sub-sectors in assessment, planning and management since biodiversity, agriculture, land resources, catchments, creeks, coral reefs, forests, aquatic resources and tourism are all interdependent. There are four sub-components under this component. Sub-component 1 involves the establishment of a natural resources information management system for assessment and reporting. It aims at collecting and collating the relevant data in a GIS information management system for decision support and wise use of the coastal and marine resources. Sub-component 2 involves enhancing management interventions to improve the status and delivery of ecosystem services from coastal natural resources. It aims at enhancing resource management interventions in order to improve resource conditions for ecosystems. Based on the information collected in sub-component 1, there will be an active engagement of stakeholders to improve management and ensure there is continuous stream of benefits, the goal being to provide benefits to the local level while maintaining ecological integrity. The sub-component will result in: i) Strengthening of the relevant departments within KWS, KMFRI and KEFRI towards improved management of nearshore areas, (ii) promoting community managed or co-managed marine conservation areas; (iii) improved protection of threatened habitats and species through proactive management and co-management; (iv) strengthening of local and national laws and regulations; (iv) improved financial sustainability through reform of the fees, levies, penalties system and exploration of payment for ecosystem services and biodiversity offsets; and (v) regeneration and rehabilitation of habitats and reduced pressure and threat on critical species.

Subcomponent 3 involves promotion of a Marine Cooperative Area with Mainland Tanzania and Zanzibar. The cooperation will cover habitat and species conservation, tourism, trade, regional security and the promotion of adaptive management strategies to reduce the vulnerability and improve resilience of coastal people and habitats upon which they depend. It will result in improved protection of migratory species; improved conservation of habitats including mangroves and sea grasses; improved monitoring, control and surveillance through the sharing of costs and joint patrols; improved tourism where tour packages can incorporate the islands of south coast in Kenya, Pemba and Unguja in Zanzibar and Tanga and Pangani in mainland Tanzania. Sub-component 4 covers enhancement of Coastal Tourism and Cultural Heritage. This sub-component will support the establishment of a forum for improved coastal tourism where the large number of actors will be able to coordinate activities towards improved, cost
efficient and sustainable tourism. Attention will also be given to ensuring an ecosystem approach to tourism development. Sub-component 5 covers capacity building and institutional support. It aims at strengthening the capacities and institutions in the management and utilization of the natural resource base. The sub-component will support training and skills development at different levels to improve efficiency in service delivery. Staff and community training in business development, marketing, forestry and marine biodiversity management and knowledge sharing through study tours will be supported.

1.3.3 COMPONENT 3: SUPPORT FOR ALTERNATIVE LIVELIHOODS IN THE COASTAL ZONE

This component will support improved and more sustainable resource use to alleviate poverty and address land-based impacts on the near and offshore marine environment. It has 4 subcomponents that support development of alternative livelihoods that reduce impact on the aquatic environment and have a compounding benefit. Subcomponent 1 involves development of a locally based, participatory, spatial planning process. Spatial planning will be based on land capability assessment at region and district levels. The Project will also support input into the operational guidelines for the district spatial plans and will help develop capacity in district and city governments to implement the plans. This subcomponent will also support village-level use/conservation planning. The development of these ICM plans would be undertaken by local users of the near-shore resources, and supported by the Project. Subcomponent 2 involves Research and Technological Support for Extension services for the development of MSME’s and to help MSME’s to take advantage of alternative livelihood opportunities. Most coastal communities comprise artisanal fishermen and subsistence farmers. Due to inefficient, rudimentary production techniques and equipment, and inadequate alternative livelihood opportunities, there is considerable inefficiency and wastage in production systems.

This component will emphasize the development and adoption of appropriate technologies to boost production, reduce post harvest wastage and promote value-addition of products. This will be done through the design of pilot enterprises revolving around agricultural, forestry, tourism and biodiversity based products, improved marketing and product development. Dedicated research will provide new knowledge and information to improve existing MSMEs and inform the communities of new livelihood alternatives. This component will focus on the development of concepts, the piloting of appropriate projects and the preparation of proposals to the CDF for implementation support. Training at group and enterprise levels in how to develop a simple business plan and manage money will also be available to MSME’s. Subcomponent 3 involves establishment of a Coastal Community Action Fund (CCAF) to leverage construction of village infrastructure and changes from damaging to more sustainable and profitable alternative livelihoods supported by the project. Up to 300 of these small grants at an average value of $20,000 each are likely to be required. Groups receiving grants will be expected to contribute cash or “in-kind” to the objective of the grant. Identification of an efficient and transparent delivery mechanism for such a large part of the KCDP is critical. Subcomponent 4 involves
making available to MSMEs Finance at Affordable rates. The Project will work with existing, or help start new, financial self help groups to find opportunities to increase membership to the point where a group can afford to hire permanent staff. Once a group reaches this size, the project will provide assistance to establish simple financial management processes, a simple credit assessment, a governance process and a grant for an office and basic equipment. The project will also assist interested individuals to form production cooperatives that may or may not be linked to the financial self-help groups described above. This support would target small holders, small mariculturists or fishermen that would not be able to afford the inputs or produce the volume of products needed to take full advantage of alternative livelihoods in the coastal zone.

1.3.4 COMPONENT 4: CAPACITY BUILDING, MONITORING & EVALUATION SYSTEM, PROJECT MANAGEMENT AND COMMUNICATION

This component involves Strengthening of project coordination unit to manage and coordinate KCDP supported activities; increasing institutional capacity; developing and implementing an Information & Communication Strategy to increase public awareness of project goals and activities at local and regional levels; developing an effective Monitoring and Evaluation System (M&E); and enhancing skills of project leaders to handle project implementation.

2.0 RATIONALE OF INDIGENOUS PEOPLE’S POLICY FRAMEWORK (IPPF)

Indigenous identity remains an important factor in national and local organization in Kenya’s development. As the country undergoes social and demographic transformation, investing in coastal development programs is particularly important since a large proportion of potential beneficiaries of KCDP sub-projects may belong to indigenous households and communities. KCDP involves promotion of economic growth in the coastal areas through improved governance of coastal and marine resources; better revenue generation through sound monitoring, control and surveillance; enhance equity and reduce poverty through the promotion of alternative income generating activities and MSMEs, and through provision of access to credit, technology and services. During project preparation, it became clear that KCDP will generate potential benefits to vulnerable/marginalized groups and indigenous peoples’ groups and may also lead to some impact on these groups. In this context, the Indigenous People’s Operational Policy (OP 4.10) will be triggered and in response the Borrower is preparing an indigenous people’s policy framework (IPPF) to guide intervention in this area. The purpose of the IPPF is to ensure that the development process fully respects the dignity, rights, economies, and cultures of these communities and that the project is able to gain broad community support of affected indigenous peoples and other vulnerable marginalized groups.

Subprojects to be financed under KCDP will be screened and if Indigenous Peoples is a factor in the subproject, a subproject specific Indigenous Peoples Plans (IPP) will be prepared. These
subprojects will not be implemented until the associated IPP has been developed in agreement with the affected Indigenous People’s communities, cleared and disclosed.

**Social Management Requirements:** World Bank Indigenous Peoples Operational Policy OP 4.10 contributes to the World Bank’s mission to reduce poverty and promote sustainable development by ensuring that Indigenous Peoples’ human rights, dignity, cultures and economies are fully respected. Through this policy, the Bank recognizes that Hunter-Gatherers’ identities and cultures are inextricably linked to the lands on which they live, and the natural resources they are dependent on. These distinct characteristics and circumstances make indigenous peoples vulnerable to different types of risks and levels of impacts from development projects. Such risks include loss of identity, culture and customary livelihoods as well as exposure to negative health impacts. The World Bank recognizes the vital role that hunter-gatherers play in sustainable development and the fact that their rights receive increasing attention and action under domestic and international law. In the context of this policy and acknowledging that the vulnerable/marginalized groups are likely to be more than just hunter-gatherer groups, the IPPF for the KCDP has been developed, highlighting the positive effects of promoting economic growth in the coastal areas through improved governance of coastal and marine resources; better revenue generation through sound monitoring, control and surveillance; enhance equity and reduce poverty through the promotion of alternative income generating activities, and to guarantee social cohesion, non-discrimination, and sustainable development.

**2.1 REGIONAL ASPECTS OF HUNTER-GATHERERS**

In 2003, the African Commission on Human and Peoples’ Rights (ACHPR), a sub-body of the African Union adopted the document “Report of the African Commission’s Working Group of Experts on Indigenous Populations/Communities”. The report emphasizes that the overall characteristics of groups identifying themselves as indigenous peoples as follows:

- Their cultures and ways of life differ considerably from the dominant society.
- Their cultures are under threat, in some cases to the point of extinction.
- The survival of their particular way of life depends on access and rights to their lands and the natural resources thereon.
- They suffer from discrimination as they are regarded as less developed and less advanced than other more dominant sectors of society.
- They often live in inaccessible regions, often geographically isolated.
- They suffer from various forms of marginalization, both politically and socially.

The African Commission report concludes that this discrimination and marginalization threatens the continuation of indigenous peoples’ cultures and ways of life and prevents them from being
able to genuinely participate in decisions regarding their own future and forms of development. Following the publication of its report on indigenous populations, the African Commission has produced an Advisory Opinion on the UN Declaration on the Rights of Indigenous Peoples which concludes that the UN Declaration is in line with the African Charter on Human and Peoples’ Rights and with the conceptualization and work of the African Commission on indigenous peoples. The African Commission further engaged in a series of country visits and seminars aimed at examining the situation of indigenous peoples and establishing dialogue with African governments and other stakeholders. The African Commission has published a series of reports from its visits, and it is regularly raising indigenous rights issues in its examinations of government reports submitted to the African Commission. It is, therefore, clear that the African Commission on Human and Peoples’ Rights (the major regional African human rights institution) recognizes the discourse of indigenous peoples based on the fundamental UN principles and spearheads the discussion in an African context and the World Bank should, therefore, work with African governments to address issues relating to indigenous peoples in the African continent.

2.2 THE INDIGENOUS PEOPLES IN THE KCDP AREA

During the preparation of the KCDP, it became known that the project could impact on indigenous peoples who are found in the coast of Kenya. Taking into consideration the existence of the Watha (Wasanya), the Boni and others, who are present in some parts of Malindi, Tana River, Lamu and possibly other districts, the project team opted to prepare an Indigenous People Planning Framework (IPPF) that will guide the implementation of the projects specifically in respect to the IPs localities. The project will confine its definition of indigenous peoples as the known “Hunters and Gatherers” but will also broadly include vulnerable and marginalized groups as it is the sole objective of this project.

Watha Community

The Watha people are mostly found in the rural arid and semi arid lands of the country. A minority of them live in thick forests scattered all over the country. The people are traditionally hunters and gatherers. In Malindi district a Watha community is found in four divisions (i.e. Malindi, Langobaya, Marafa and Magarini). In Tana River district the Watha are found in Sombo and Laza divisions while in Mandera the Watha are found in Central division.

The population of Watha community in the districts is estimated at approximately 30,000 persons. This is only 2.7% of the entire Malindi, Mandera and Tana River district population. The Watha people are traditionally hunters and gatherers. However since the government abolished unlicensed hunting of game and wild animals, the Watha people now live in permanent settlements, some of them along the river and where there are forests, mainly in the mixed farming and livestock farming zones. The forests afford them an opportunity to practice bee keeping while those along the river practice crop production.
The land tenure system in the district is communal ownership. Most of the land in the three districts of Malindi, Mandera and Tana River are currently under trust land by the county councils. Few influential people in the district have however managed to acquire title deeds from the land offices in Nairobi. However, most of this trust lands are controlled by the majority tribes and becomes a point of conflict if the smaller tribes and outsiders get involved. This is what has pushed the small and marginalized tribes like Watha deep into the forests.

**Boni Community**

The Boni people are known for their unique tradition of whistling to birds that guide them to honey. They are found in Northeastern Kenya’s district of Ijara and Lamu district. Their population is about 4,000, compared to 25,000 half a century ago (Source: Organization for the Development of Lamu Communities (ODLC). They are nomadic hunter-gatherer tribe of mainly Cushitic origin with a unique characteristic. The community sources their subsistence from forest products such as honey, wild plants/fruits for consumption and medicinal purposes. The Boni are found in the North-Eastern part of Lamu district and Ijara District. They’re concentrated mainly in Witu, Hindi and Kiunga divisions. The community is located in villages of Bargoni (Hindi Division), Milimani, Bodhei, Basuba, Mangai, Mararani, Kiangwe and Kiunga (Kiunga division), Pandanguo and Jima (Witu Division).

The Boni live in forested areas of the district i.e. within the Witu and Boni forests. They live deep into the forest and only come out to the periphery when there is hardship or hunger. They perceive the forest in the Boni inhabited areas as communally theirs. However, with the gazettement of all the forest by the government this has become a source of conflict.

### 2.3 The Legal and Policy Framework Regarding Indigenous Peoples in Kenya

There is no specific legislation regarding indigenous peoples of Kenya but, there are legislations and policies that address land, forest, education and fisheries issues among others. For example, the Government of Kenya has made clear its intention that “land issues requiring special intervention, such as historical injustices, land rights of minority communities (such as hunter-gatherers, forest-dwellers and pastoralists) and vulnerable groups will be addressed. The rights of these groups will be recognized and protected” (Draft Land Policy: p.6). In addition, the revised Forest Act promotes community participation in forest management by empowering the Community Forest Associations to manage their forests in a sustainable manner. Regarding education, the sector’s policy framework, the Sessional Paper No. 1 of 2005, provides for consideration of the groups that suffered marginalization. Such groups that have suffered past marginalization will receive targeted financial support in form of grants for education. Also, the MoST Sessional Paper No. 1 of 2005 entitled A Policy Framework for Education, Training and Research: Meeting the Challenges of Education, Training and Research in Kenya in the 21st Century” governs education policy in the country. In particular, the language of instruction is in the mother tongue in lower primary school (classes 1-3) in the rural
areas, and there is a culturally sensitive approach used to address the learning needs of different communities. On fisheries, the Fisheries Act Cap 378 has created the Beach Management Units as instruments to promote community participation in Fisheries Management.

2.4 IMPACTS

This IPPF is expected to provide the framework in which negative impacts to the indigenous peoples are mitigated and positive impacts are enhanced based on the free, prior and informed consultations with the affected indigenous peoples. At this preparation phase of the project, no negative impacts are foreseen. Positive impacts for the indigenous people will be there. An action plan will be developed within the scope of the proposed Social Assessment that will provide the project team with practical measures in which the indigenous peoples are enabled to benefit from the project activities. Gender considerations will be factored into the project implementation processes so that men and women among the indigenous peoples are able to benefit in the most appropriate manner. It is also important to incorporate grievance mechanisms so that the voice of these vulnerable people is heard. Therefore, the Social Assessment will provide pointer to the best mechanisms that can be adopted to address these grievances. An analysis of project activities, their possible impacts and mitigation measures is presented in table 1.
<table>
<thead>
<tr>
<th>Component</th>
<th>Project Activity as outlined in the PAD</th>
<th>Possible impacts on the indigenous peoples</th>
<th>Mitigation measures</th>
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<tbody>
<tr>
<td>1. Sustainable management of offshore fisheries resources</td>
<td>Policy and Institution reforms needed for instituting sustainable coastal and EEZ fisheries management &lt;br&gt;Promotion of sustainable and profitable fishing practices and mariculture &lt;br&gt;Promotion of value addition</td>
<td>(+) Empowerment of IPs depending on fisheries for greater economic opportunities from the sector</td>
<td>IPs to be involved in the spatial planning process comprehensively and areas of conflict consultatively identified and options explored and agreed on. &lt;br&gt;Capacity building of IPs to take advantage of new livelihood opportunities that are promoted by this project. &lt;br&gt;Construction of cultural centers to preserve culture of IPs. &lt;br&gt;Consultatively recommending use limits/carrying capacities of fragile eco-tourism/ indigenous sites.</td>
</tr>
<tr>
<td>2. Sound Management of Natural Resources in the Coastal and Nearshore Marine Environment</td>
<td>Assessment of biodiversity &amp; natural resources &amp; development of an integrated information system &lt;br&gt;Conservation of the unique coastal biodiversity and its natural resources &lt;br&gt;Development of management plans, guidelines and strategies for sound management of biodiversity &amp; natural resources &lt;br&gt;Capacity building &amp; institutional Support &lt;br&gt;Conduct Research &amp; Technology for Extension Services &amp; Development of cottage industries</td>
<td>(-) Areas identified as ESAs and proposed for conservation may cover areas currently utilized/inhabited by IPs. This may affect their livelihood &lt;br&gt;(-) Conservation goals may conflict with current livelihood activities practiced by the IPs &lt;br&gt;(-) Likely loss of cultural values if and when IPs adopt new livelihood opportunities &lt;br&gt;(+) Livelihood enhancement and diversification by giving support to increased adoption of livelihood diversification opportunities &lt;br&gt;(+) Better appreciation of the value of indigenous ecosystems, thus providing a stronger case for their conservation</td>
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<tr>
<td>3. Support for alternative livelihoods in the Coastal Zone</td>
<td>Development of a locally based, participatory, spatial planning process &lt;br&gt;Research and Technological Support for Extension services for the development of MSME &lt;br&gt;Development and adoption of appropriate technologies to boost production, reduce post harvest wastage and promote value-addition of products &lt;br&gt;Developing better and more financially sound local micro, small and medium enterprises (MSEME) through provision of business service advice and support</td>
<td>(-) As the IP are marginalized, there is a risk that they are not invited to participate in the spatial planning process which may further aggravate their economic marginalization &lt;br&gt;(-) IPs may be influenced to change from their customary livelihood sources and this may dilute cohesion among them and may result in loss of cultural values &lt;br&gt;(-) New livelihood opportunities may conflict with current options for IPs &lt;br&gt;(-) As the IP are marginalized in the decision making process and their specific needs unknown to decision makers, there is a risk, that CVF-projects proposed by them do not receive funding</td>
<td>Involvement of IPs in all stages of the spatial planning process should be enhanced in free, prior and informed consultations with the affected indigenous peoples. &lt;br&gt;Deliberate efforts should be placed to ensure that IP’s customary livelihood sources are strengthened. &lt;br&gt;The affected indigenous peoples should be consulted in free, prior and informed consultations when developing appropriate technologies so that these technologies take the interests of IPs into consideration.</td>
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<tr>
<td>4. Capacity Building, monitoring &amp; Evaluation System, Project Management and Communication</td>
<td>Construction of offices to house the project management team and staff training</td>
<td>(+) Efficiency in delivery of services</td>
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3.0 PARTICIPATORY SOCIAL ASSESSMENT

The project plans to undertake a detailed social assessment which will use a consultative approach and give voice to the vulnerable groups and indigenous people in the Kenyan coast. This social assessment will be undertaken in two stages – (1) initial screening; (2) detailed assessment. The objective of the initial screening is to identify all existing Hunters and Gatherers in the proposed KCDP project operational area. This identification process will be informed by the following criteria: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

The objective of the detailed social assessment is to help the project support the aspirations and the needs of the vulnerable groups and indigenous people in the project area. As such, in addition to providing the social, economic and other relevant information, the project will come up with an action plan that will be developed in consultation with the beneficiaries on how the KCDP project will extend the benefits of the project to these groups and also mitigate any negative impacts. This action plan will be adopted by all the stakeholders and will pave the way for a standardized approach in all project areas where vulnerable and indigenous people live.

This action plan will include arrangements for the free, prior, and informed consultations with the affected indigenous peoples’ communities, as well as arrangements for a participatory impact monitoring (PIM) at district level. This will be an important element to assist the various structures to fine-tune their interventions and aim at maximizing culturally appropriate benefits and provide space for the indigenous peoples’ communities to voice their concerns.

The IPP will be prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific sub-projects, and the nature of effects to be addressed. The IPP will include the following elements:

(a) A summary of the social assessment.

(b) A summary of results of the free, prior, and informed consultation with the affected vulnerable/marginalized communities that was carried out during subprogram preparation and that led to broad community support for the subprogram.

(c) A framework for free, prior, and informed consultation with the affected vulnerable/marginalized communities during subprogram implementation.

(d) An action plan of measures to ensure that the vulnerable/marginalized groups receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the subprogram implementing agencies.
(e) When potential adverse effects on vulnerable/marginalized groups including hunter-gatherers are identified, an appropriate action plan which includes measures to avoid, minimize, mitigate, or compensate for these adverse affects.

(f) The cost estimates and financing plan for the IPP.

(g) Accessible procedures appropriate to the subprogram to address sector grievances by the affected vulnerable/marginalized communities arising from subprogram implementation. When designing the grievance procedures, the borrower takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the affected groups.

(h) Mechanisms and benchmarks appropriate to the subprogram for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected communities.

(i) IPPs prepared through the Participatory Social Assessment process, will include consideration of gender-related concerns,

(j) The IPP will identify grievance mechanisms that will be appropriate and acceptable to the indigenous communities.

3.1 Institutional Arrangements

The planned Social Assessment will outline the existing and relevant institutions and how these can be strengthened. The indigenous peoples in the project will have their own representatives (both men and women) in the development committees whose capacities will be enhanced through the appropriate empowerment tools that will be recommended by the Social Assessment Report.

4.0 PARTICIPATORY MONITORING AND EVALUATION

Following the Social Assessment and the collection of information on vulnerable/marginalized groups and indigenous people, information will be included in the overall Monitoring and Evaluation (M&E) of the project. The implementation of the participatory impact monitoring (PIM) at district and provincial level will be an important element to assist the various structures to fine-tune their intervention with a view to maximize culturally appropriate benefits and provide space for the indigenous peoples’ communities to voice their concerns.

1. The PIM will be based on the data gathered by the screening process/social assessments. The PIM reports at the provincial and district level will be produced before June 30th of every year and then be returned to all vulnerable and indigenous people for feedback. The district PIM reports, the IPP evaluation and the recommendation should be
communicated to all stakeholders i.e. World Bank task team and the interested public before October 30th every year.

2. Benefits and impact on the vulnerable/marginalized groups and indigenous people will be outlined in the final project impact evaluation.

5.0 DISCLOSURE

The PMT will submit the final draft of this IPPF to the World Bank for review and clearance. Once cleared, the PMT will disclose in Kenya in language and form that will be appropriate to the IPs. It will also be disclosed at the World Bank. The identified indigenous people will be consulted.

**Budget:** Implementation and supervision budget for this IPP will be built in the project budget. Approximately US$ 50,000 (*Screening, Social Assessment and Action Plan*) will be required for the initial preparation activities. Project interventions will be built in the sub-component budgets and work-plans.