

Republic of Kenya



Ministry of Agriculture, Livestock Fisheries and Cooperatives

**Sexual Exploitation, Abuse and Harassment (SEAH) Prevention
and Response Plan**

**National Agricultural Value Chain Development Project
(NAVCDP)**

2nd September 2022

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Acronyms and Abbreviations

| | |
|---------|---|
| ACHPR | African Commission on the Human and Peoples Rights |
| CoC | Code of Conduct |
| CBO | Community Based Organization |
| CDD | Community Driven Development |
| CIGs | Community Interest Groups |
| CoE | Council of Elders |
| CoK | Constitution of Kenya |
| CSO | Civil Society Organizations |
| CRA | Commission on Revenue Allocation |
| EAs | Environmental Assessments |
| EIA | Environmental Impact Assessment |
| EMP | Environmental Management Plan |
| ESIA | Environmental and Social Impact Assessment |
| ESMF | Environmental and Social Management Framework |
| ESMP | Environmental and Social Management Plan |
| ESS | Environmental and Social Standards |
| FPOs | Farmer Producer Organizations |
| FS | Feasibility Study |
| GDP | Gross Domestic Product |
| GoK | Government of Kenya |
| GM | Grievance Mechanism |
| ICT | Information and Communication Technologies |
| IDA | International Development Association |
| IPM | Integrated Pest Management |
| IPOs | Indigenous Peoples Organizations |
| IPV | Intimate Partner Violence |
| KAPAP | Kenya Agricultural and Agribusiness Project |
| KAPSLMP | Kenya Agricultural Productivity and Sustainable Land Management Project |
| KNCHR | Kenya National Commission on Human Rights |
| Kshs | Kenyan Shilling |
| KFS | Kenya Forest Service |
| LRA | Land Registration Act 2012 |
| M&E | Monitoring and Evaluation |
| MDAs | Ministries, Departments and Agencies |
| MDGs | Millennium Development Goals |
| MEWNR | Ministry of Environment, and Forestry |
| MSME | Micro, Small and Medium-scale Enterprises |
| MoALFC | Ministry of Agriculture, Livestock, Fisheries and Cooperatives |
| MoDP | Ministry of Devolution and Planning |
| MoE | Ministry of Education, |

| | |
|--------|--|
| MoH | Ministry of Health |
| MOPE | Market-Oriented Producer Enterprise |
| MoU | Memorandum of Understanding |
| NARIGP | National Agricultural and Rural Inclusive Growth Project |
| NAVCDP | National Agricultural Value Chains Development Project |
| NCBF | National Capacity Building Framework |
| NCCAP | National Climate Change Action Plan |
| NEMA | National Environment Management Authority |
| NGO | Non-Governmental Organization |
| NLC | National Land Commission |
| NLP | National Land Policy |
| OP | Operational Policy |
| PAD | Project Appraisal Document |
| PAP | Project Affected Persons |
| PCU | Project Coordinating Unit |
| PDO | Project Development Objective |
| PIC | Public Information Centre |
| PIM | Project Implementation Manual |
| PRA | Participatory Rural Appraisal |
| RAP | Resettlement Action Plan |
| RPF | Resettlement Policy Framework |
| RRA | Rapid Rural Appraisal |
| SA | Social Assessment |
| SEAH | Sexual Exploitation, Abuse, and Harassment |
| SIA | Social Impact Assessment |
| SLM | Sustainable Land Management |
| SP | Service Provider |
| SSE | Small Scale Enterprises |
| UN | United Nations |
| UNDRP | Declaration on the Rights of Indigenous Peoples |
| VMGs | Vulnerable and Marginalized Groups |
| VMGF | Vulnerable and Marginalized Groups Framework |
| VMGP | Vulnerable and Marginalized Groups Plan |
| WB | World Bank |

Executive Summary

a. Background

1. This Sexual Exploitation, Abuse and Harassment (SEAH) Prevention and Response Plan has been prepared for the National Agricultural Value Chain Development Project (NAVCDP), which is a World Bank financed project implemented by the State Department of Crop Development and Agricultural Research in the Ministry of Agriculture, Livestock Fisheries and Cooperatives (MoALFC).
2. The Project Development Objective is “To increase market participation and value addition for targeted farmers in select value chains in project areas. The focus of NAVCDP will be on smallholder farmers that are either transitioning or have transitioned from subsistence to market-oriented commercial farming.
3. Some of the NAVCDP activities may cause SEAH risks for workers, spouses/partners, community members by project workers, and among project workers. The SEAH risk for this project is adjudged moderate.
4. This SEAH Prevention and Response Plan details the necessary operational measures and protocols that will be put in place to address all forms of SEAH related to the project and how they will be integrated over the life of the project. These include how to address any SEAH allegations that may arise and procedures for preventing and responding to SEAH. The Plan also details how reports on SEAH will be handled (investigation procedures) and disciplinary action for violation of the Code of Conduct (CoC) by project workers.

b. Definition of terms

5. The Inter-Agency Standing Committee (IASC) defines **Gender-based Violence** as “an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females. SEAH broadly encompasses physical, sexual, economic, psychological/emotional abuse/violence including threats and coercion, and harmful practices occurring between individuals, within families and in the community, at large. These include sexual violence, domestic or Intimate Partner Violence (IPV), trafficking, forced and/or early marriage, and other traditional practices that cause harm.
6. The United Nations defines “**sexual exploitation**” as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual abuse on the other hand is “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. “SEA” is therefore a form of GBV and generally refers to acts perpetrated against beneficiaries of a project by staff, contractors, consultants, workers and partners.

7. **Sexual harassment** is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. It occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.

Guidance by the WB on SEAH

8. The WB Guidance Note defines four key areas of SEAH risks:
- i. SEA - exploitation of a vulnerable position, use of differential power for sexual purpose, actual or threatened sexual physical intrusion;
 - ii. Workplace sexual harassment - unwanted sexual advances; requests for sexual favors, sexual physical contact;
 - iii. Human trafficking - sexual slavery, coerced transactional sex, illegal transnational people movement; and
 - iv. Non-SEA - physical assault, psychological or physical abuse, denial of resources, opportunities, or services and IPV.¹

c. Legal, Policy and Institutional Framework

9. Kenya has robust legal, policy and institutional frameworks for addressing GBV². These include the constitutional provisions such the right for persons to be treated with dignity. The National Policy for the Prevention and Response to Gender Based Violence - 2014, County Government Policy on Sexual and Gender Based Violence - 2017, and the Legislative Framework on Sexual and Gender Based Violence for County Governments - 2017. The key relevant legislations are the Sexual Offences Act, 2006, the Employment Act, 2007, and the Penal Code, Cap 63 Laws of Kenya. International instruments against GBV operative in Kenya are the Convention on the Elimination of All Forms of Discriminations Against Women (CEDAW), the African Charter on Human and Peoples' Rights (Banjul Charter), and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

d. The NAVCDP

10. NAVCDP support for the agriculture sector will be organized around three key thematic areas: (i) Building producer capacity for climate resilient stronger value chains towards sustainable productivity enhancement, safe food production, and increased market participation through farmer institutions (CIGs/VMGs and FPOs); (ii) Supporting climate smart ecosystem investments identified as part of County, Regional and National Level value chain development plans that will include Farmer Led Irrigation Development (FLID), market infrastructure, and data and digital investments with focus

¹IWB 2018, p.3

²Kenya (2014) National Policy for the prevention and Response to Gender Based Violence. Nairobi: Ministry of Devolution and Planning, page 11

on women and youth agripreneurs; (iii) Piloting climate smart safer urban food systems by direct linkage of rural producers to urban consumers, linking Farmer Producer Organizations (FPOs) to commercial entities, and promoting commercial urban and peri-urban farming.

e. Screening for SEAH Risks in the NAVCDP

11. A project such as NAVCDP will most likely alter power structures and relations in communities, and place women, girls, and boys in situations where they may be exposed to SEAH. Therefore, it is imperative for NAVCDP to proactively plan to combat SEAH of all kinds that may emerge in subproject sites because of or despite the project because usual mundane forms of SEAH exist in many communities.
12. Some of the factors that contribute to vulnerability of women and girls to SEAH in the project areas include the following:
 - i. **Power asymmetry.** While there is no situation in which there is power symmetry, in rural farming communities in Kenya the power asymmetries that exist in the backdrop of poverty and unemployment can be abused easily so that women and girls end up suffering SEAH. Clerks that process tea, coffee, and pyrethrum at local collection and buying centers have a lot of power to decide on the quality of the produce in ways that are life-threatening when they reject it. The clerks often exploit the power asymmetry for personal gain by engaging in SEAH. Therefore, value chains that are keen on product quality assurance must have SEAH Prevention and Response Plan in order to preclude SEAH that may be perpetuated by staff on innocent smallholder farmers.
 - ii. **Poverty and Inequality.** Widespread poverty and inequality that invariably leads to desperation and a situation where some women and girls may be vulnerable to SEA during their interaction with project staff who share benefits such as farm inputs or extension services. Average poverty levels are not uniform in the 26 project counties, but there are pockets of extreme poverty in each of the counties which exacerbates vulnerability to SEAH.
 - iii. **Societal Norms:** Women and girls are at usually high risk of SEAH because of societal norms hinged on patriarchal tendencies that perpetuate power differentials between males and females, and support or condone male violence against women and girls. An important additional risk factor is labor influx. Labor influx and the extent to which a community has capacity to absorb labor influx, as well as the inflow of income to workers, can exacerbate already existing inequities between workers and community members.
 - iv. **Education and Literacy:** Low levels of education and literacy among girls, that leads to high unemployment rates among women. These factors weaken women's and girls' confidence as they seek menial jobs in project sites. Besides, low confidence means they are most at risk of SEA from project workers who often have higher incomes than usually available to community members.

13. Some of the forms of SEAH committed by project workers against women and girls in the community that could arise from the project include rape and sexual assault, sexual exploitation, and sexual harassment. This is likely to happen during project implementation when the workers start operating in the project areas. Also, this is likely to occur during operation when buyers and other stakeholders converge in the project areas. Sexual harassment may include touching, use of abusive, and demeaning or culturally inappropriate language. Sexual exploitation will likely include transactional sex and other forms of humiliating, degrading or exploitative behavior.
14. The NAVCDP project activities and works where applicable will present a formal work environment with employment opportunities for local people and those come with SH risks to local women and girls. Sexual harassment is a risk for any work environment, particularly environments that are stringently hierarchal, give significant and/or undue power to management, and that do not promote and reflect female leadership. Other risk factors for SH include female laborers working alongside male laborers without adequate supervision, without separate washrooms for males and females at work sites without specific feedback mechanisms for females to share concerns about their working environments, including concerns about sexual harassment. The Labour Management Procedures require the project to establish workers' grievance mechanism that will facilitate channeling of complaints and response.
15. Prevention and response to NAVCDP-related risks of SEAH will require concerted and multifaceted efforts bringing together many sectors including Ministries, Departments and Agencies (MDAs) such as health facilities, SEAH service providers and other care givers such as civil society organizations (CSOs) and national government offices responsible for children (e.g. children offices), and the police. The project will coordinate with these actors in creating awareness in the host communities and project staff to reduce need for response efforts. This Plan identifies some of the concerted efforts including community awareness and education, capacity building for project staff in SEAH and employment of SEAH experts, adequate resourcing the SEAH function in the project and enlisting the supplementary support of other SEAH Prevention and Response actors such as health providers, CSOs, Community based Organizations (CBOs), and Non-Governmental Organizations (NGOs).
16. The project will hire the services of a SEAH expert who will work closely with the social safeguard specialist at the national level to coordinate efforts towards mitigation of SEAH prevention and Response actions in this Plan. It is estimated that the implementation of this Plan will cost Kes 41,300,000.

I Introduction and Context

I.1 Background

1. The Project Development Objective of National Agricultural Value Chain Development Project (NAVCDP) is “To Increase Market Participation and Value Addition for targeted farmers in select value chains in project areas.” The focus of NAVCDP will be on smallholder farmers that are either transitioning or have transitioned from subsistence to market-oriented commercial farming. This project is thus aimed at improving the performance of the agricultural sector leading to strong economic growth that will reduce poverty and inequality for rural farming communities. Consequently, the project will alter the economic and power structures and relations, attract external labor, and shake up the population dynamics in rural communities within the participating counties. The foregoing social change is expected to occur in subproject sites but their significance will vary from county to county depending on the depth of the selected value chains.
2. Some of the social changes that will result from the project may lead to SEAH risks in the subproject sites. There are some aspects of the project that may contribute to risks for affected populations of SEAH by spouses/partners, community members by project workers, and among project workers. The SEAH risk for this project is adjudged **moderate**.

I.1.1 The Concept of SEAH

3. SEAH can be a confusing concept because its discussion is often done in the context of culture rather than facts of aggression and intrusion. The cultural lenses on SEAH imply that aggressions and intrusions could be considered offensive in one culture and excused in another as part of usual and normal social interaction.
4. The Inter-Agency Standing Committee (IASC) defines **gender- based violence** as “an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females. GBV broadly encompasses physical, sexual, economic, psychological/emotional abuse/violence including threats and coercion, and harmful practices occurring between individuals, within families and in the community, at large. These include sexual violence, domestic or Intimate Partner Violence (IPV), trafficking, forced and/or early marriage, and other traditional practices that cause harm.
5. The United Nations³ defines “**sexual exploitation**” as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual abuse on the other hand is “the actual or threatened

³ UN (2020) *United Nations protocol on allegations of sexual exploitation and abuse involving implementing partners*, page 1-2.

physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. “SEA” is therefore a form of gender-based violence and generally refers to acts perpetrated against beneficiaries of a project by staff, contractors, consultants, workers, and Partners.

6. **Sexual harassment**⁴ is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive work environment. It occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.

1.1.2 Guidance by the WB on SEAH

7. The WB Guidance Note⁵ defines four key areas of SEA risks:
 - (a) SEA - exploitation of a vulnerable position, use of differential power for sexual purpose; actual or threatened sexual physical intrusion;
 - (b) Workplace sexual harassment - unwanted sexual advances; requests for sexual favors, sexual physical contact;
 - (c) Human trafficking - sexual slavery, coerced transactional sex, illegal transnational people movement; and
 - (d) Non-SEA - physical assault, psychological or physical abuse, denial of resources, opportunities, or services and IPV.
8. In response to the potential risks implied in the discussion of the concepts above, NAVCDP will establish and implement a SEAH Prevention and Response Plan. The Plan details the operational measures that will be put in place to mitigate the risks of SEAH that are project-related, including ensuring that project-established GMs are in place to receive reports and refer survivors for further support safely and confidentially.

1.2 Policy, Legal and Institutional Context

1.2.1 Policy Framework

9. The National Policy for the Prevention and Response to Gender Based Violence - 2014, constitutes the guidance for the prevention and response to GBV. The policy, which was formulated by the Ministry of Devolution and Planning seeks to among other objectives, improve enforcement of existing laws to reduce, curb or prevent SEAH.
10. County Government Policy on Sexual and Gender Based Violence - 2017. The policy is tailored for all County Governments and aims at ensuring that every county government

⁴ WB (2020) Good Practice Note on Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works, page 7.

⁵ WB 2018, page 3.

can address SEAH issues that they face. It provides the framework for counties to recognize SEAH as a human rights violation and to provide resources to curb it in the respective counties.

11. Legislative Framework on Sexual and Gender Based Violence for County Governments - 2017. This model law is designed to provide measures for awareness, prevention, and response to sexual and gender-based violence, to provide for the protection, treatment, counselling, support, and care of victims of SEAH, and for connected purposes (Annex 3. The framework was adopted by Meru and Homa Bay Counties in 2019.

1.2.2 Legal and Institutional Framework

12. **The Constitution of Kenya, 2010.** Article 10(2)(b) of the Constitution recognizes human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination, and protection of the marginalized as part of National values and principles of governance. Therefore, any illegal aggression on the person that compromises human dignity is unconstitutional. Hence SEAH is not only illegal, but also a human rights violation and unconstitutional in Kenya.
13. *Article 28* of the Constitution guarantees human dignity while *Article 29* guarantees every person the freedom and security and this includes the right not to be subjected to any form of violence from either the public or private sources and not to be treated or punished in a cruel, inhuman, or degrading manner. The Constitution has an elaborate set of protective remedies for all forms of violence, including SEAH.
14. **The Sexual Offences Act, 2006.** This Act of Parliament is aimed at protecting from the harm of unlawful sexual acts. Section 5 of the Act incriminates sexual assault with a possibility of imprisonment for life upon conviction.
15. *Section 6*, as read together with section 43, addresses intentional and unlawful acts and includes instances where people in authority may use their authority so as the other party is unable to show resistance or unwillingness to such illegal sexual advances. This makes sexual abuse and exploitation a crime in Kenya.
16. *Section 23(1)* of the Act makes sexual harassment an offence punishable under the law for a term not less than 3 years or a fine of not less than Kenya Shillings One Hundred Thousand (KShs.100,000) or to both.
17. **The Employment Act, 2007.** This Act of Parliament regulates employment in Kenya and sets out the rights and obligations between an employer and an employee.
18. *Section 6* of the Act defines sexual harassment and makes it a requirement for an employer who has twenty or more employees to have a policy statement on sexual harassment and ensure that every employee knows about it. In the project under

preparation the need for a code of conduct for the contractor and for employees cannot be gainsaid.

19. **The Penal Code, Cap 63 Laws of Kenya.** The Penal Code does not specifically address GBV offences. However, section 250 and 251 of the code on assault and assault causing actual bodily harm respectively, may be invoked against any person who assaults another one regardless of gender.

1.2.3 International and Regional Treaties and Conventions

1.2.3.1. The Convention on the Elimination of All Forms of Discriminations Against Women (CEDAW).

20. Kenya ratified this treaty in 1984. The treaty seeks to realize equality between men and women by ensuring that there is no discrimination against women in all spheres of life. This means that women should compete for the same positions with men whenever employment opportunities arise. Any discrimination will therefore constitute SEAH against women.
21. Article 1 of the Convention defines “discrimination against women” to mean “any distinction, exclusion or restriction made based on sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

1.2.3.2. The African Charter on Human and Peoples’ Rights (Banjul Charter).

22. Article 5 of the charter guarantees every individual the right to dignity which includes the protection from all forms of exploitation and human degradation. SEAH manifests different forms of inhuman treatment to victims and in many cases, it is a form of exploitation.

1.2.3.3. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

23. Article 3 of the protocol seeks to eliminate all forms of discrimination against women and require States Parties to pass necessary legislation to ensure equality between women and men.
24. Article 4 of the protocol guarantees every woman dignity and requires States Parties to adopt appropriate measures to prohibit any exploitation or degradation against women.
25. Overall, Kenya has the requisite policy, legal and institutional framework to prevent and curb SEAH. However, the vice of SEAH has not been eradicated. Every effort at preventing and curbing the vice is a work in progress in every sector of society. The project aims to prevent and respond to SEAH complaints and incidences in an effort to ensure that the project does no harm to the beneficiaries and workers.

1.3 Description of the Project

26. The State Department for Crop Development and Agricultural Research within the Ministry of Agriculture, Livestock, Fisheries and Cooperatives has initiated a new operation (NAVCDP) that builds on the foundation for increased productivity and profitability for smallholder farming systems laid by both NARIGP and Kenya Climate Smart Agriculture Project (KCSAP) through farmer groups Common Interest Groups/Vulnerable and Marginalized Groups (CIGs/VMGs) and Farmer Producer Organizations (FPOs) for Prioritized Value Chains (PVC). The focus of NAVCDP will be on smallholder farmers that are either transitioning or have transitioned from subsistence to market-oriented and modern farming systems and will be organized around three key thematic areas: (i) Building producer capacity for climate resilient stronger value chains towards sustainable productivity enhancement, safe food production, and increased market participation through farmer institutions (CIGs/VMGs and FPOs); (ii) Supporting climate smart ecosystem investments identified as part of County, Regional and National Level value chain development plans that will include Farmer Led Irrigation Development (FLID), market infrastructure, and data and digital investments with focus on women and youth agri-preneurs; (iii) Piloting climate smart safer urban food systems by direct linkage of rural producers to urban consumers, linking Farmer Producer Organizations (FPOs) to commercial entities, and promoting commercial urban and peri-urban farming.

2 Screening for SEAH Risks in the NAVCDP

27. Projects such as NAVCDP are likely to change power structures and relations (including gender relations) in communities, and place women, girls, and boys in situations where they may be exposed to sexual harassment, exploitation, and abuse. Therefore, it is imperative for NAVCDP to proactively plan to mitigate against SEAH risks that may emerge in project sites as a result of NAVCDP interventions.
28. Some of the factors that contribute to vulnerability of women and girls to SEAH in the project areas include:
 - i. *Power asymmetry.* While there is no situation in which there is power symmetry, in rural farming communities in Kenya the power asymmetries that exist in the backdrop of poverty and unemployment can be abused easily so that women and girls end up suffering SEAH. Clerks that receive tea, coffee, and pyrethrum have a lot of power to decide on the quality of the produce in ways that are life-threatening when they reject it. The clerks often exploit the power asymmetry for personal gain. They therefore engage in SEAH.
 - ii. *Poverty and Inequality.* Widespread poverty and inequality that invariably leads to desperation and a situation where some women and girls may be vulnerable to SEAH during their interaction with project staff who share benefits such as farm inputs or extension services. Average poverty levels are not uniform in the 26

- project counties, but there are pockets of extreme poverty in each of the counties which exacerbates vulnerability to SEAH.
- iii. *Societal norms.* Women and girls are at usually high risk of SEAH because of *societal norms* that perpetuate power differentials between males and females, and support or condone males' violence against women and girls. An important additional risk factor is labor influx. Labor influx and the extent to which a community has capacity to absorb labor influx, as well as the inflow of income to workers, can exacerbate already existing inequities between workers and community members (
 - iv. Annex I: Code of Conduct Form for Contractor's Employees/Workers).
 - v. *Low levels of education and literacy.* Low levels of education and literacy among girls, that leads to high unemployment rates among women. These factors weaken women's and girls' confidence as they seek menial jobs in construction sites. Besides, low confidence means they most at risk of SEAH from construction workers who often have higher incomes than usually available to community members.
29. Some of the forms of SEAH committed by project workers against women and girls in the community that could arise from the project include rape and sexual assault, physical and emotional abuse. Sexual harassment may include inappropriate touching, use of abusive, and demeaning or culturally inappropriate language. Sexual exploitation will likely include transaction sex and other forms of humiliating, degrading or exploitative behavior.
 30. The subprojects will present a formal work environment that comes with SEAH risks to local women and girls. Sexual harassment is a risk for any work environment, particularly environments that are stringently hierarchal, give significant and/or undue power to management, and that do not promote and reflect female leadership. Other risk factors for SEAH include female laborers working alongside male laborers without adequate supervision, without separate washrooms for males and females; and without specific feedback mechanisms for females to share concerns about their working environments, including concerns about sexual harassment.
 31. Prevention and response to project-related risks of SEAH requires concerted and multifaceted efforts bringing together many sectors including Ministries, Departments and Agencies (MDAs) and civil society. The project will coordinate with these actors in creating awareness in the host communities and project staff to reduce any need for response efforts.
 32. The project has been screened for SEAH risks using the standard World Bank Tool as shown in Table I. The main significant risks identified include abuse of trust, power and the exchange of favors by staff, consultants, or workers of farmer producer organizations (FPOs) or companies associated with or resulting from the project. This risk is likely to occur at the interface between the project with the community,

community with the contractors, community with FPOs/companies and so on. This project presents all the foregoing scenarios of SEAH risk sites hence this prevention and response plan. Therefore, the SEAH risks are rated Substantial as shown in Table I.

I Table I: SEAH Risk Screening Matrix

| Project Context | Response | Risk Rating | Comment |
|---|----------|------------------|---|
| Is project in an area with active emergency or humanitarian situation? | Yes | Substantial Risk | The counties of Tana River, Taita Taveta, Kilifi, Kwale, Machakos, Kitui, Makueni, Narok and parts of Nakuru County are part of the ASALS that are presently experiencing drought and receiving food relief. Continuous low rainfall over the years, COVID-19 restrictions and the resultant economic challenges have contributed to vulnerability in these counties. The economic challenges resulting from COVID-19 and the general drought in the country has also negatively affected livelihoods in the rest of the project area and increased incidences of poverty and inequality. Moreover, Meru, Machakos, and Embu are only recovering from locust infestation that lasted 2018 - 2020. |
| How much infrastructure construction, upgrading or rehabilitation does the project entail? | Small | Moderate Risk | The Project will have modest levels of construction of infrastructure such as market stalls, aggregation facilities/warehouses and other produce collection centres, water pans and small irrigation systems. No major civil construction works are expected. |
| What is the extent of the influx of labour associated with project activities? | Low | Moderate Risk | The project will require the recruitment of non-local staff for the implementation of activities, technical assistance, and awareness-raising activities. Because of the small-scale civil works, expected will lead to some labour influx. Additionally, during operation phase resultant agricultural value addition activities could lead to the arrival of new workers including sex workers who follow labour income. |
| During the preparation of the project, were consultations carried out with residents, women's associations, and children? | No | Moderate Risk | Consultations are on-going during the project preparation, especially as part of preparation of safeguards documents. Residents, women, and women's associations are being consulted but not widely because of COVID-19 restrictions. More consultations will be carried out with women's organizations as part of the wider continuous stakeholder engagement during project implementation with due consideration to COVID 19 protocols. |

| Project Context | Response | Risk Rating | Comment |
|---|-----------------------------|------------------|--|
| During the consultations, were aspects of SEAH raised by the participating women? | No | Moderate Risk | No specific SEAH issues were raised, except it was suggested that any SEAH cases in the project be handled with confidentiality. |
| Does the project area include areas of high poverty? | Yes | High Risk | Some of the project counties are in the ASALs. The ASALs have the lowest development indicators and the highest incidence of poverty in the country. On average, 65% of the ASAL population live below the poverty line compared to the National average of 26%. |
| Is the project located in regions that are difficult to supervise (remote or difficult to access areas)? | Yes | Substantial Risk | Kenya's ASALs, make up 89% of the country's total land surface meaning that project activities are spread over a wide area which makes supervision challenging in those counties in the ASALs. |
| Is the project located in an urban, peri-urban, or rural area? | Rural, peri-urban and Urban | High Risk | The project is predominantly located in rural areas, but a few activities will be done in urban and peri-urban areas to cover the agricultural value chains. |
| Are project activities on a school route or other routes that women and girls use to carry out their daily activities | Likely | Moderate Risk | The proposed project activities will most likely locate near or on school routes. Nonetheless, because there will be minimal labour influx expected the risk is moderate. |
| Are women working near men without supervision? | Likely | Substantial Risk | Project workers will be supervised but there is the possibility that men and women may work in proximity, given the nature of the activities. |
| Is there a National Action Plan on Addressing Violence Against Women and Girls/GBV | Yes | Low Risk | The National Policy for the Prevention and Response to Gender Based Violence - 2014 and Legislative Framework on Sexual and Gender Based Violence for County Governments - 2017 are in place in Kenya. The County Governments of Meru and Homa Bay adopted the latter in 2019. |
| Is there at the National level SEAH Working Group | Yes | Low Risk | The SEAH Sector working group is under the National Gender Sector Working Group (GSWG). There are also, county-based SEAH sector working groups which will be ideal in supporting this Plan. |
| Is there a National referral protocol for SEAH Service Provision | Yes | Low Risk | There are two one-stop-centres (OSC) for SEAH survivors based at Moi Referral and Teaching Hospital in Eldoret and Kenyatta National Hospital in Nairobi, respectively. Both offer psycho-social support and medical care. They are linked to NGOs that readily offer legal services to the survivors. |
| Does the project have the capacity to monitor the risks of harassment and | Yes | Low Risk | Yes, the project will adopt and resource SEAH Prevention and Response Plan and engage a SEAH/GBV expert. |

| Project Context | Response | Risk Rating | Comment |
|--|--------------------|---------------|---|
| gender-based violence throughout the scope and cycle of the project? | | | |
| Do the project beneficiaries know where to get help regarding SEAH? Are there police stations with SEAH Desks? Are there toll free SEAH reporting telephone lines? | Yes | Moderate Risk | There is widespread awareness of SEAH risks in the Kenyan population and there exist SEAH support and care services in every county. These however, may not be fully accessible to people living far from county and sub-county headquarters. |
| Evaluation of SEAH Risk in NAVCDP | Substantial | | |

2.1 Support Services

33. Already available Support services in the project area will be accessed through NAVCDP reference, networking, and in coordination with other actors. It is in the interest of the project team to identify the existing service providers beforehand and provide a referral pathway for the project beneficiaries, workers and nearby communities. The support services, include amongst others:
- i. Provision for accessible information on services available to survivors of SEAH;
 - ii. Provision of accessible, effective, and responsive health, social welfare, police, prosecutorial, and other services to redress cases of SEAH;
 - iii. Provision of specialized facilities, including support mechanisms for survivors of SEAH; and
 - iv. Provision of effective rehabilitation and reintegration programs for perpetrators of SEAH.

3 Grievance Mechanism (GM)

34. The project will be required to put in place a GM with multiple channels to facilitate confidential logging in of SEAH complaints in all the project locations. It will be necessary to identify and integrate SEAH entry points within the GM with clear procedures and tools for safe, confidential, and ethical management of related complaints. Considerations related to SEAH will be integrated into GM explicitly developed for project workers.
35. As part of the overall project, consultations on the GM with affected communities (particularly with women, girls and people living with disabilities) will be done to determine the preferred alternatives to in-person complaints (e.g., phone, online, other). The process will emphasize confidentiality and anonymity. This project GM will adapt lessons from other projects to strengthen accountability to communities and identify a range of issues by holding periodic team meetings to discuss any workplace concerns.
36. In setting a up a GM to facilitate resolution of SEAH complaints, the project will be guided the by the following principles:
 - i. *Confidentiality:* At all stages of the intervention, the privacy and confidentiality of survivors will be assured, prioritizing the well-being of survivors and that the delivery of services and support will not compromise the privacy or identity of individuals involved.
 - ii. *Respect:* Respect of the wishes, dignity and choices of the survivors will be observed at all times and during all stages of any intervention. Survivors will be supported to give their free and informed consent, based on a clear understanding of the facts, implications, risks, and consequences of an action, before information is shared or action is taken.
 - iii. *Safety and security:* Awareness and consideration of any risks or safety concerns that might compromise the physical safety of individuals affected by SEAH will be sufficiently addressed and factored into any SEAH intervention or initiative.
 - iv. *Non-discrimination:* All SEA interventions will be designed to ensure access and the same level of quality of care and assistance for all persons seeking support, or persons affected by SEA, without regard to sex, sexual orientation, gender identity, age, ethnicity, religion, or other status.
37. The project GM will implement a survivor-centered approach to managing SEAH complaints including the use of SEAH victims' referral centres (Annex 4). The focus of GM would be confidentiality to protect the privacy and choices of the victim, and urgency to preserve evidence and access assistance and care for the victim. For these reasons the complaint is not expected to follow a uniform pattern. The complainant will be free to use any avenue to report including text message, email, phone call, written note, or word of mouth in person to trusted colleague, member of the GM, SEAH

service provider, or local CBO or NGO, among others. If the complaint is received by any other person or entity other than the designated SEAH services provider, the case should be referred as soon as possible thereafter to the service provider.

38. The process of assistance will follow the steps below. The person that receives the complaint/report will inform NAVCDP Project Coordinator immediately. The PC arranges for any required emergency support and care in coordination with the designated SEAH service provider and contemporaneously refers the case to the service provider. In the meantime, the service provider causes (in all cases) the PC to report any SEAH incident to the Bank within 48 hours.
39. The only information to be collected from the person reporting will be on:
 - i. demographic data, such as age and gender;
 - ii. the nature of the complaint (what the complainant says in her/his own words);
 - iii. whether the complainant believes the perpetrator was related to the project; and
 - iv. whether they received or were offered referral to services.
40. The project will put in place the necessary mechanisms to address SEAH. The proposed mitigation measures as per the risk level in the current project are as follows:
 - i. Define SEAH requirements and expectations included in the contractual obligations as well as reinforce CoCs that address SEAH in the project locations to cultivate an environment free from SEAH as well as regular dissemination of the CoC to the workers;
 - ii. Ensure a GBV specialist is in place to support SEAH risk management measures;
 - iii. Develop and deliver information, education, and communication materials for stakeholders to indicate that the project and/area is a SEAH free zone, as well as provide information on SEAH response services (such as hotline numbers and where to seek assistance when needed). Other information to be highlighted include:
 - No sexual or other favors can be requested in exchange for services;
 - Project staff are prohibited from engaging in SEAH and this information should be clearly spelt out during training and other forms of communication to the staff;
 - Any case or suspicion of SEAH should be reported to [hotline number, GM or citizen engagement/feedback mechanism];
 - Information on protection of whistleblowers; and
 - The range of services available for survivors including healthcare, protection and psychosocial care.
 - iv. Identify and map SEAH service providers to ensure information is made available to health service providers on where psychosocial support and emergency medical services for survivors of SEAH can be accessed (within the healthcare system);

- v. Develop SEAH prevention policy and response procedures that outline key requirements for reporting cases if they arise, measures to enable safe, ethical, survivor-centered response and disciplinary processes;
- vi. Train all project staff and workers (where feasible) and integrate understanding of the CoC, SEAH as well as accountability and response framework including the referral processes, responsibilities and reporting in other trainings; and
- vii. Utilizing the GM developed under the project with a separate channel to manage SEAH-related complaints to enable reporting in a safe, confidential survivor-centric manner. Cases of SEAH can be reported through the general Project GM – through the suggestion box, or through the GM Hotline Operator, phones calls, emails etc. to be developed). The project GM will ensure all incidents of SEAH reported either through the general GM system that is related to the new project are relayed to the PCU and Bank within 24 hours.

4 The Management of the SEAH Prevention and Response Plan

41. The project GM will implement the overall project oversight and policy guidance will be provided by NPSC, which will be co-chaired by the Cabinet Secretary (CS), MoALFC and the Chair of the CoGs Agriculture Committee; NPSC will comprise PSs from the relevant State Departments of line ministries, and representatives of the private sector and civil society. NPCU, to be headed by the National Project Coordinator (NPC), will be established under the State Department for Crop Development and Agricultural Research and will be responsible for managing day-to-day project implementation. Other key staff of NPCU will include three Component Coordinators, Financial Specialist and Procurement Specialist, an M&E Officer, a Contracts Manager, a Communications Specialist an Environmental safeguards officer and a Social Safeguards Officer/anthropologist (fulltime). The NPCU staff will be seconded to the project on a full-time basis by the national government. There will be a SEAH/GBV expert consultant recruited to work closely with the project social safeguards and communication specialists to oversee the implementation of this Plan at the national level.

There will be formal coordination of activities between the CPCU in each of the participating counties which will comprise the Country Project Coordinator (CPC), County Thematic Technical Leads, and County M&E, Finance, full time Environmental Specialist, a Social Specialist and Procurement Assistants. The National Project Coordinator (NPC) will be overall responsible for the adoption and implementation of the SEAH prevention and Response action Plan. The project Managers will be responsible at the county level. While SEAH consultant will be the technical support, the Social Specialists at NPCU and CPCU will have the primary responsibility to ensure that the implementation of the plan on day to day basis. The responsibility is further clarified in the SEAH Prevention and Response Plan.

42. The SEAH consultant will will work closely with Communication officer and Social Safeguards officers at National and County level in execution of the the following responsibilities:

- (i) Develop the referral pathway for the project;
- (ii) Develop a monitoring and evaluation framework for SEAH;
- (iii) Formulate a training program for Project staff and workers at the various levels – national, county and community;
- (iv) ensure that survivor centered approach to SEAH is implemented;
- (v) sensitize communities on the SEAH Prevention and Response Plan;
- (vi) Document/log all SEAH cases including that status of cases (ongoing, completed, closed, etc.);
- (vii) Monitor and report on the Prevention and Response actions of the Plan;
- (viii) Notify the CPCU and NPCU on any concerns related to SEAH for the project;
- (ix) Report project-related SEAH to the PCU and World Bank within the stipulated timeframe.

5 SEAH Prevention and Response Plan

43. Table 2 provided a summary of the prevention and response plan for SEAH to be customized for use in NAVCDP. The NPCU staff will include a GBV consultant who will Coordinate sensitization of all project structures on SEAH. He/She will also be involved in mainstreaming of the SEAH issues into all project activities at the NPCU. The SEAH issues will be cascaded to the sub projects level by the social safeguards officer at the CPCU.

2 Table 2: Prevention and Response Plan for SEAH

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|---|---|---|---|---------------------------|-------------------------------|---|--|------------------------|
| I | Coordination, Networking and Partnership | | | | | | | |
| | To develop an integrated and comprehensive plan that will focus on the process of addressing SEAH. Hence, the need to form strong alliances with key bodies such as the | <ul style="list-style-type: none"> • Agree on which stakeholders will constitute the SEAH management team. • Develop terms of reference that will guide the SEAH management team. • Hold workshops for the SEAH management team. | First 6 months for Constitution of SEAH management Team and initial training. | PCU GBV Consultant | Project Coordinator | <ul style="list-style-type: none"> • SEAH Management Team Constituted and functioning as per ToR developed • Number of trainings conducted for SEAH management Team | 5 trainings , five days each (25 days) | 3,5000,000 |

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|----------|--|---|--|--------------------|--------------------------------------|--|-----------------------------------|-------------------------------|
| | County Government, the National Governments, the farmers' organizations, the local community. | <ul style="list-style-type: none"> Develop operational guidelines Offer training that will equip the team to engage with the rest of the project team with integrity while inculcating various tools that will deal with SEAH | Follow up training annually which will include sharing of practical experiences. | | | <ul style="list-style-type: none"> | | |
| | The team is responsible in ensuring that SEAH are regular agenda items on PCU meeting as it is a key result area that will determine the success of the project | <ul style="list-style-type: none"> Include the items below in the Organized regular PCU meetings: <ul style="list-style-type: none"> SEAH agenda Reports and updates Follow up actions | Start in quarter one and continuous | PCU | Project Coordinator | <ul style="list-style-type: none"> Number of monitoring of project meetings held with SEAH as an agenda item Percentage of cases/issues/concerns followed up | 10 days | 700,000 |
| 2 | Mapping out SEAH Prevention and Response Service Providers | | | | | | | |
| | <p>Map out communities where the project is implemented for referral services for survivors of SEAH</p> <p>Undertake social cultural environmental mapping to identify stakeholders for response mechanism in relation to SEAH contexts</p> <p>Mapping of existing Service providers will be undertaken and those mapped will include CBOs, NGOs, and other civil society organizations.</p> | <ul style="list-style-type: none"> Conduct field visits and or remote(desk) review to identify and map the existing services, gap analysis, entry points for survivor assistance, and local actors working on the prevention of and/or response to gender-based violence. Towards achieving this the following will be undertaken: <ul style="list-style-type: none"> Conduct a desk review of SEAH service providers in hosting counties and communities. Including the prevention and response mechanism Field visits Stakeholder consultations | Within the first quarter | GBV consultant | Social Specialist, NPCU | The Mapping Report | 2 days per county for 26 counties | 5,000,000 |

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|----------|--|---|---|--|---|---|---------------------------|-------------------------------|
| | | <ul style="list-style-type: none"> Analyze the services for survivors available in all project locations and assess their quality as per standards, including health care, psychosocial support, police, and legal/justice services | | | | | | |
| | <p>Review and update a multi-sectoral SEAH referral pathway(s) in line with the National and County systems</p> <p>The survivors will have a place to go and report. Where confidentiality can be done. It will be multi-pronged where for example, women focal points or champions can report to and have access to service providers ensuring witness protection</p> | <ul style="list-style-type: none"> Considering the mapped out existing SEAH prevention and response service providers, a referral pathway for service providers will be updated Disseminate the referral pathway/list to stakeholders including service providers | <p>Within the first quarter of the kickoff of the work plan</p> <p>To be updated annually and maintained throughout project implementation.</p> | GBV consultant and Social Specialist | National Project Coordinator and County Coordinator | <p>The referral pathway updated</p> <p>The level of dissemination undertaken</p> | 3 Days | 300,000 |
| 3 | Capacity Building | | | | | | | |
| | <p>Capacity building is aimed at strengthening the ability to handle cases of SEAH effectively and efficiently.</p> <p>The goal is to constitute a team and offer them relevant training that will enable them to share knowledge, detect any</p> | <ul style="list-style-type: none"> Provide detailed and comprehensive training on SEAH highlighting its causes, consequences and the management and response to SEAH to county teams and focal points. Offer training for community-based organizations, traditional and faith leaders, media, and other stakeholders on innovative | <p>Within the first month before the implementation process commences.</p> <p>To be reviewed as need be, for example when a</p> | GBV consultant and the Social Specialists at NPCU and CPCU | PCU and county coordinators | Number of training sessions and staff trained to provide SEAH related services in the counties. | Continuous | 4,000,000 |

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|----------|---|---|---|--|--------------------------------------|---|--------------------------------|-------------------------------|
| | behavior that might lead to SEAH, understand laws surrounding SEAH and know the channels of reporting. | <p>approaches for prevention of, and response to SEAH.</p> <ul style="list-style-type: none"> • Consolidate the teams responsible for effective research, monitoring and evaluation of SEAH programs and services to support generation of evidence to inform decisions. • Review the Contractors and consultants' contracts • Assess the Human Resource manuals and staff capacity • Prepare project code of conduct • Appoint an internal focal point in charge of reporting (who might include one in HR dept) | staff exits or when there are notable training needs. | | | | | |
| 4 | Prevention and Awareness | | | | | | | |
| | <p>This is aimed at creating an understanding of the magnitude and effects of SEAH and what can be done to prevent such scenarios during and after the project.</p> <p>The step is aimed at prevention and early detection of any practices that may lead to SEAH. Helps to eliminate, or address any social, political, cultural tradition and religious factor that gives lee ways to SEAH.</p> | <ul style="list-style-type: none"> • Structure a marketing and communication strategy to educate and raise awareness about SEAH. • The development of the communication strategy should involve stakeholders at all and the communities where the project is implemented for referral services for survivors of SEAH • Mobilize institutions and government bodies to be in the lead of transforming culture and behavior which cause discrimination against women and girls in that community. • Involve the men and young boys in developing initiatives that will bring sustainable solution for SEAH. | <p>Within the first quarter</p> <p>To be reviewed throughout the project implementation</p> | GBV consultant, and Communication Specialist | NPCU and County Coordinators | <ul style="list-style-type: none"> • Communication strategy and Stakeholder Mapping Report | Continuous county for counties | 6,000,000 |

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|----------|--|---|-------------------------------|--------------------------------------|-------------------------------|--|--------------------|------------------------|
| | | <ul style="list-style-type: none"> Create a safe environment for girls and women to engage in development activities. | | | | | | |
| 5 | Response and Support | | | | | | | |
| | <p>The main aim is to strengthen the delivery of effective, accessible, and responsive protection, care, and support services to those affected by gender-based violence. This must involve a high level of confidentiality.</p> | <ul style="list-style-type: none"> Refer and regularly update mapping report Contact and mobilise various social facilities such as health, justice, legal and psychosocial support services for an effective, efficient, and human rights-based approach to SEAH mitigation Provide dedicated and responsive needs-driven services to survivors of SEAH there is need for special services such as emergency transport facilities in coordination with the existing service providers and actors experienced in this aspect. In reference to mapping report enact a strong, well-coordinated and integrated multi-agency response to SEAH. This includes a good structure of referral networks that are in collaboration with community, traditional and religious leaders. With the help of legal personnel, update the legal and institutional framework in harmony with the SEAH need that exists to help victims and survivors of SEAH Identify community-based safe shelters with the right personnel and | Across the project life cycle | GBV consultant, SEAH Management Team | National Project Coordinator | <p>A community that is well informed and are ready to protect women</p> <p>A well-structured legal body specifically dealing with SEAH issues in place</p> <p>Operational code of conduct being adhered to.</p> <p>Women and girls who are aware of their rights</p> <p>Women are educated and placed in positions where they can benefit from the value addition programs</p> | continuous | 10,000,000 |

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|----------|--|---|---|-------------------------------------|-------------------------------|--|--------------------|------------------------|
| | | <p>outreach services for the protection of survivors of SEAH.</p> <ul style="list-style-type: none"> Enforce the relevant law on the SEAH perpetrators and re-integration in the community to reduce repeat offenses. | | | | | | |
| 6 | Grievance Management (GM) for SEAH Responsive Reporting | | | | | | | |
| | <p>The purpose for GM is to sensitize the community on the channels available for reporting any cases of sexual harassment or sexual exploitation and abuse. The focus is confidentiality to protect the privacy and choices of the victim, and urgency to preserve evidence and access assistance and care for the victim</p> | <ul style="list-style-type: none"> Review and amend the existing GM to ensure it meets the SEAH needs that currently exist. This should create a conducive environment that is safe for the victims to report and take shelter. Guide the community and employees on the channels of reporting cases of SEAH and what constitutes sexual harassment as per the guidelines. Outline for the employees the penalties and disciplinary actions that will be taken against anyone that breaches the code of conduct. | Ongoing throughout the project implementation | GBV Consultants and GM focal points | NPCU and County Coordinator | When victims of sexual harassment can easily reach out to report an attempt of action of violence against them and receive a supportive response immediately. | Continuous | 8,000,000 |
| 7 | Monitoring and Evaluation | | | | | | | |
| | <p>Monitoring is aimed at developing a set of key quantitative and qualitative indicators to manage measure and monitor the progress and effectiveness of the integrated effort to deal with SEAH.</p> <p>It measures how well the policies are being adhered to, any issues that might</p> | <ul style="list-style-type: none"> Develop instruments meant to measure the magnitude of reported cases of SEAH categorized in their various forms, such as child sexual abuse Mechanism to measure effectiveness of the various support systems to respond Conduct at least three time survey to assess: project workers attitudes | Takes place throughout the project life | GBV Consultant | NPCU and CPCU | <p>How effective is the support and interventions offered to victims of SEAH?</p> <p>How many success stories have been reported in relation to SEAH?</p> <p>Shift in attitude of project workers.</p> | Continuous | 8,000,000 |

| | Objectives | Activities / Steps to be taken to Address SEAH risk | Timelines | Responsible | Monitoring (Who will monitor) | Output Indicators | Time period (days) | Estimated Budget (KES) |
|--|--|--|------------------|--------------------|--------------------------------------|--------------------------|---------------------------|-------------------------------|
| | emerge in regard to SEAH and recommendation to improve any situation that may arise. | <p>towards the acceptability of SEAH by gender.</p> <ul style="list-style-type: none"> • Develop mechanisms to measure the impact of Public Education, Awareness Creation and Campaigns conducted by the SEAH teams. • From time to time set up process indicators to assess how the project is being implemented. • Monitor and account for activities under the National Strategic Action Plan. | | | | | | |
| | | TOTAL | | | | | | 41,300,000 |

6 Conclusions and Recommendations

44. The NAVCDP under preparation will bring about social change such as power relations including gender relations resulting from the small-scale construction works of markets and related infrastructure, value addition and aggregation activities. These actions will also bring about some labor influx. Therefore, the NAVCDP will have gender-based violence risks. Overall, SEAH risks under the project is rated as substantial which will be managed through implementation of this Plan. The project shall have zero tolerance to SEAH cases among project workers and shall take pro active steps towards sensitization and prevention. In case of any SEAH cases are reported, have a well-coordinated and integrated multi-agency response mechanism to respond. Have a GM developed under the project with a separate channel to manage SEAH-related complaints to enable reporting in a safe, confidential survivor-centric manner. The Plan is a living document and will be updated as the project unfolds and especially as the subprojects become clearer. The responsibility to implement the Plan rests with the Project Coordination Unit (PCU) at national and county levels.

45. It is recommended that the project sets aside resources amounting to about KES 45, 000,000 to enable timely implementation of this Plan. The resources cover human, financial and physical.

7 References

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8 ANNEXES

Annex I: Code of Conduct Form for Contractor's Employees/Workers

Company Logo



CODE OF CONDUCT

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1. Introduction

The Code of Conduct consists of two sections: Core Values, and Compliance Program and Guidelines. Our Core Values are part of our heritage and are fundamental to who we are as an organization. These Core Values are the basis for our decision-making. The Compliance Program and Guidelines address some specific areas of concern, either due to the Company emphasis or legal requirements. This code of conduct outline below therefore meets the legal and contract requirements for the proposed project of the *****.

2. Core Values

The following nine Core Values represent the foundation of our Code of Conduct. Although achieving these high standards may be difficult, we nonetheless aspire to uphold them as we live our lives and conduct our business:

Core Values represent who we are and provide, without question, the standard of behavior by which we conduct business, how we treat one another, how we deal with our customers, how we respond to our stakeholders, and how we hold one another and ourselves accountable.

Safety

- The safety of our employees, our stakeholders, and the general public is our responsibility.
- Plan safety into every aspect of our work and relentlessly execute our plan.

- Drive for continuous improvement to create and sustain a zero-incident culture

Honesty

- Be truthful, accurate, and straightforward.
- Be candid and non-deceptive in communication and conduct.

Integrity

- Maintain consistency between our beliefs and our behavior—walk our talk!
- Have the courage to contend boldly for the right and reject firmly that which is wrong.

Fairness

- Endeavor to be reasonable, open-minded, impartial, even-handed, and non-discriminatory in all our dealings.
- Genuinely partner and actively collaborate within and outside the Company.
- Maintain, without deviation, an attitude of sincerity, tolerance, consideration, and assistance toward others, regardless of position.

Accountability

- Accept responsibility for our own actions or inactions and for those whom we supervise.
- Take prompt, constructive steps to correct mistake and defects.
- Promote teamwork by holding one another accountable—of rejecting behaviors inconsistent with this Code of Conduct.

Consideration of Others

- Practice the principles of the Golden Rule.
- Respect the dignity, rights, safety, and personal

Property of others.

- Be open to the ideas and the opinions of others.
- Exercise patience and remain positive under all circumstances.
- Ensure that those whom you supervise are not put in compromising situations.

Pursuit of Excellence

- Consistently apply diligence, perseverance, attention to detail, and good work habits to ensure high-quality projects, and products and excellent customer service.
- Build capabilities through continuous learning, coaching, mentoring, and teaching.
- Never accept complacency or indifference.
- Remain flexible and open to possibilities.

Reliability

- Only make realistic commitments and follow through on the commitments you make.
- Be prompt and responsive in business dealings within and outside the Company.

Citizenship

- Comply with all governmental laws, rules, and regulations.
- Show consideration for the safety and the welfare of everyone, including our natural environment.
- Respond to the impact our work has on the natural by consistently evaluating and improving our efforts so that our projects and processes work in harmony with the environment.

- Cultivate an organization that actively encourages us to be the best of who we are and continuously strive to make a difference in our communities and the world.
3. Equal Employment Opportunity and Other Employment Laws
 - Employees will comply with all, state, and local equal employment opportunity laws.
 - The Company will employ persons and make employment-related decisions without regard to an individual's race, color, religion, sex, age, creed, ancestry, marital status, sexual orientation, gender identity, disability, medical condition, genetic information, or any other characteristic protected by law.
 - The Company is committed to compliance with the Kenya's persons with disabilities PWDs Act and will make reasonable accommodations for qualified individuals with known disabilities. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.
 - It is the Company's responsibility to provide all employees with a workplace free of harassment, intimidation, coercion, and retaliation.
 4. Gender Based Violence, Sexual Harassment, and Child Abuse/Exploitation Code of Conduct

Contractor employees, officers, and directors are responsible for conducting themselves so that their actions are not considered sexually harassing, demeaning, or intimidating in any way. They are obliged to create and maintain an environment which prevents SEAH and child abuse/exploitation (CAE) issues, and where the unacceptability of SEAH and actions against children are clearly communicated to all those engaged on the project, as called for in the Company's Gender based Violence and Sexual Harassment code of conduct. Under the Kenyan law (Sexual Offences Act 2006), sexual harassment is generally defined as either:

1. Unwelcome sex-based conduct that is so severe and pervasive that it creates an intimidating, hostile, or offensive work environment
OR
2. Sex-based conduct by a supervisor or manager that tangibly affects an employee's job—for example, imposition of discipline, or loss of pay or benefits.
Sexual harassment can occur in a variety of forms. It may include:
 - (i) Unwelcome sexual advances;
 - (ii) Requests for sexual favors;
 AND/OR
 1. Verbal remarks or physical contact or conduct of an intimate or sexual nature, such as uninvited touching or sexually suggestive comments, that interfere with another person's work performance or that create an intimidating, hostile, or offensive working environment.
 2. The Company has zero tolerance for discrimination or harassment of any kind, and employees will be subject to disciplinary action, including termination, for violations.
 3. The Company will not tolerate retaliation against anyone who in good faith raises a concern or reports a violation.

5. Procedures

5.1. Getting Help

All directors, officers, and employees have a responsibility to read, understand, and follow our Code of Conduct. Remember, this is only the starting point. Our Code does not attempt to address every situation you might encounter in your job.

So where do you turn for help?

Your first resource is your immediate supervisor to answer your questions or contact a Company resource who can. But, if you feel your situation would make it impossible or uncomfortable to approach your immediate supervisor, you should go to your next level of management, the site Supervisor, or Company's Human Resources manager.

5.2 Discipline

All employees are expected to read, understand, and comply with our Code of Conduct. Violations of law, this Code, and other Company policies and procedures can lead to disciplinary action up to and including termination. Supervisors, managers, and officers can also be subject to discipline if they condone, permit, or have knowledge of illegal, unethical, or other improper conduct and do not take appropriate action.

The Company will not tolerate retaliation against anyone who, in good faith, uses the reports or raises questions regarding potentially illegal, unethical, or improper conduct.

6. Implementation of the Code of Conduct

The implementation of a code of conduct will involve communication of policies and guidelines to all staff and workers, by providing any necessary training to ensure they understand the code. The code will be practiced and promoted by management to lead the way for staff and workers.

The code of conduct will be one of the conditions of employment. A staff or a worker shall be required to sign and commit himself or herself to comply with the code.

7.1. Method of delivering the code

(a) Induction package

Induction training is a chance for existing employees/workers and new employees to review and understand expectations and requirements. The contractor through her representatives and or health and safety team shall perform induction training to all workers. This will happen when the work starts and when any new employee or a worker comes to work on site. Along with a code of conduct, the induction package may include a training and information on applicable work Environment health and safety or any other information that the contractor wish to deliver to new employees or workers.

(b) One-on-one training

A Company representative - such as the Foreman, Headman, site supervisor, HR staff member or trainer - could work through the code of conduct and other requirements and

expectations with existing employees or workers during the site meetings which include morning toolbox talks before start of work

(c) Employee handbook

A printed version of Company's employee handbook that will be left in a communal area such as a site office room will provide staff or workers easy access to the code of conduct when required.

(d) Notice boards

A summary version of the full code of conduct can act as a reminder to staff. Different parts of the code can be highlighted in different parts of the site office - for example, signs can be erected in the store about cleanliness, safe access of materials and respect for others.

8. Monitoring the implementation of the Code

(a) Understanding the code

Feedback will be sought from the employees/workers to ensure that they understand the code of conduct and what is expected of them. If they don't fully understand some areas, appropriate training will be provided. For example:

- Physically showing them designated smoking areas
- Verbally give an example of how of how to handle or talk to one another
- Practically show them how to carry out safety procedures, work procedures and or use of Personal protective equipment etc.

(b) Reviewing staff and workers understanding of the code

Review of staff and workers understanding of Company's Code of Conduct by requiring them to complete a survey or questionnaire will be done. The questions will focus on any new sections and particular areas of the code that workers may not fully understand.

The surveys will identify areas of the code that staff may need further training or may be unclear and need to be reviewed. Follow up on the survey to ensure that all staff understand what is expected of them. When they are happy with the new code, they will then sign a document to say that they accept to comply.

9. Breaches of the Code of Conduct.

To minimize conflict if any employee or laborer violates the code, each of them will be asked to sign a document to say that they agree to abide by the code of conduct. This will form grounds to take a disciplinary action. In case of violations:

Code of conduct or safety violation notice(s) shall be issued to any employee, subcontractor, or anyone on the jobsite violating the provisions of the Code, the safety rules or regulations by Responsible Person.

- (i) Any violation of this Code or safety rules can result in suspension or immediate termination.
- (ii) Any employee receiving three (3) written general violations within a six (6) month period shall be terminated.
- (iii) Issuance of a safety violation notice for failure to use fall protection, appropriate PPE provided, or for failure to report a job injury (at the time of the injury) may

result in immediate termination, in accordance with health and safety company policy.

10.0 Code of Conduct Certification

As the Contractor’s employee and as applicable to my work responsibilities:

(i). I will deal fairly and ethically with my employer and on behalf in all matters and will at all times

Proactively promote ethical behavior.

(ii) I will not (a) take for myself personally any opportunities that are discovered through the use of the Contractor’s property, information, or position; (b) use the Contractor’s property, information, or position for personal gain

(iii) I will protect Contractors’ assets and promote their efficient and legitimate business use.

(iv) Without exception, I will comply with all applicable laws, rules, and regulations provided

(v) I will promptly report any illegal or unethical conduct to Contractors’ management or other appropriate authorities.

I have read the Contractors Code of Conduct and do certify that:

- I understand the Contractors Code of Conduct.
- I understand that I have a responsibility to ask questions, seek guidance, and report suspected violations of the Code.
- To the best of my knowledge, I am in compliance with the Contractors Code of Conduct.
- I understand that the Company reserves the right to change, rescind, and add to the Contractors Code of Conduct at its sole and absolute discretion and may do so at any time in writing or otherwise.

Employee

Signature

.....Date.....

Name.....

Job Location/Specification/Designation.....

Witness signature.....

Witness Name.....

11. Declaration by the Managing Director

I _____ hereby certify that the above code of conduct represents who we are as a Company. I shall ensure that the practical and professional conduct of our employees and staff are in line with the provisions of this Code of Conduct and that each of them shall be required to individually sign it and ensure compliance. I confirm as a Managing Director that I shall remain in good standing and respect of this Code of Conduct.

Signed by: _____

**Title: Managing Director.
Contractors Ltd.**

Date: _____

Annex A. Company SEAH and Child Abuse/Exploitation Code of Conduct

Contractors' employees are obliged to create and maintain an environment which prevents SEAH and child abuse/exploitation (CAE) issues, and where the unacceptability of SEAH and actions against children are clearly communicated to all those engaged on the project. In order to prevent SEAH and CAE, the following core principles and minimum standards of behavior will apply to all employees without exception:

1. SEAH or CAE constitutes acts of gross misconduct and are therefore grounds for sanctions, penalties and/or termination of employment. All forms of SEAH and CAE including grooming are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit SEAH, or CAE will be pursued.
2. Treat women and children (persons under the age of 18) with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
3. Do not use language or behavior towards women or children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
4. Sexual activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child and consent from the child is not a defense.
5. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited.
6. Sexual interactions between contractor's and consultant's employees at any level and member of the communities surrounding the workplaces that are not agreed to with full consent by all parties involved in the sexual act are prohibited. This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex – such sexual activity is considered “non-consensual” within the scope of this Code.
7. Where an employee develops concerns or suspicions regarding acts of SEAH or CAE by a fellow worker, whether in the same contracting firm or not, he or she must report such concerns in accordance with Standard Reporting Procedures.
8. All employees are required to attend an induction training course prior to commencing work on site to ensure they are familiar with the SEAH and CAE Code of Conduct.
9. All employees must attend a mandatory training course once a month for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the institutional SEAH and CAE Code of Conduct.
10. All employees will be required to sign an individual Code of Conduct confirming their agreement to support SEAH and CAE activities.

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to SEAH and CAE. I understand that any action inconsistent with this Code of Conduct or failure to act as mandated by this Code of Conduct may result in disciplinary action.

FOR THE COMPANY

Signed by: _____

Title: Managing Director Date: 13th October 2017

Annex B. Manager's SEAH and Child Protection Code of Conduct

Managers at all levels play an important role in creating and maintaining an environment which prevents SEAH and prevents CAE. They need to support and promote the implementation of the Company and Individual Codes of Conduct. To that end, they must adhere to the Manager's Codes of Conduct. This commits them to support and developing systems which maintain a SEAH-free and child safe work environment. These responsibilities include but are not limited to:

Mobilization

1. Establish a SEAH and CAE Compliance Team (SCCT) from the contractor's and consultant's staff to write a Plan that will implement the SEAH and CAE Codes of Conduct.
2. The Plan shall, as a minimum, include the
 - a. Standard Reporting Procedure to report SEAH and CAE issues through the project Grievance Mechanism (GM);
 - b. Accountability Measures which will be taken against perpetrators; and,
 - c. Response Protocol applicable to SEAH survivors/survivors and perpetrators.
3. Coordinate and monitor the development of the Plan and submit for review before mobilization
4. Update the Plan to reflect feedback and ensure the Plan is carried out in its entirety.
5. Provide appropriate resources and training opportunities for capacity building so members of the SCCT feel confident in performing their duties. Participation in the SCCT will be recognized in employee's scope of work and performance evaluations.
6. Ensure that contractor, consultant, and client staff are familiar with the proposed project GM and that they can use it to anonymously report concerns over SEAH and CAE.
7. Hold quarterly update meetings with the SCCT to discuss ways to strengthen resources and SEAH and CAE support for employees and community members.

Training

1. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the SEAH and CAE Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the Plan for addressing SEAH and SEA issues.
2. Provide time during work hours to ensure that direct reports attend the mandatory project facilitated induction SEAH and CAE training required of all employees prior to commencing work on site.
3. Ensure that direct reports attend the monthly mandatory training course required of all employees to combat increased risk of SEAH and CAE during civil works.
4. Managers are required to attend and assist with the facilitated monthly training courses for all employees. Managers will be required to introduce the trainings and announce the self-evaluations.

5. Collect satisfaction surveys to evaluate training experiences and provide advice on improving the effectiveness of training.

Prevention

1. All managers and employees shall receive a clear written statement of the company's requirements with regards to preventing SEAH and CAE in addition to the training.
2. Managers must verbally and in writing explain the company and individual codes of conduct to all direct reports.
3. All managers and employees are to sign the individual 'Code of Conduct for SEAH and CAE', including acknowledgment that they have read and agree with the code of conduct.
4. To ensure maximum effectiveness of the Codes of Conduct, managers are required to prominently display the Company and Individual Codes of Conduct in clear view in public areas of the workspace. Examples of areas include site office, rest, and lobby areas of sites.
5. All posted and distributed copies of the Company and Individual Codes of Conduct should be translated into the appropriate language of use in the work site areas (e.g., Kiswahili).
6. Managers will encourage employees to notify the GM of any acts of threats or violence to women or children they have witnessed or received or have been told that another person has witnessed or received, or any breaches of this code of conduct.
7. Managers should also promote internal sensitization initiatives (e.g., workshops, campaigns, on-site demonstrations etc.) throughout the entire duration of their appointment
8. Managers must provide support and resources to the SCCT to create and disseminate the internal sensitization initiatives through the Awareness-raising strategy under the Plan.

Response

1. Managers will be required to provide input, final decisions and sign off on the Standard Reporting Procedures and Response Protocol developed by the SCCT as part of the Plan.
2. Once signed off, managers will uphold the Accountability Measures set forth in the Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of SEAH (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
3. If a manager develops concerns or suspicions regarding any form of SEAH or SEA by one of his/her direct reports, or by an employee working for another contractor on the same work site, s/he shall immediately refer the case to the competent authorities (Police) and, at the same time, report the case to the GM and the SCCT for internal processing according to the established reporting and accountability measures. Always respecting the survivor's choices if a survivor has been identified.
4. Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision was made.
5. Managers failing to comply with such provision can be in turn subject to disciplinary measures, to be determined and enacted by the company's CEO, Managing Director, or equivalent highest-ranking manager. Those measures may include:
 - a. Informal warning

- b. Formal warning
- c. Additional Training
- d. Loss of up to one week's salary.
- e. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.

Termination of employment.

6. Ultimately, failure to effectively respond to SEAH and CAE cases on the work site by the contractor's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to SEAH and CAE. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in disciplinary action.

FOR THE EMPLOYER

Signed by: _____

Title: Managing Director

Date: _____

Annex C. Individual SEAH and Child Protection Code of Conduct.

I, _____, acknowledge that preventing SEAH and CAE are important. SEAH or CAE activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or even termination of employment. All forms of SEAH or CAE are unacceptable be it on the work site, the work site surroundings, or at workers camps. Prosecution of those who commit SEAH, or CAE will be pursued as appropriate.

I agree that while working on the proposed project, I will:

- Consent to police background check.
- Treat women and children (persons under the age of 18) with respect regardless of race, color, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status.
- Not use language or behavior towards women or children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual activity with children—including grooming or through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defense.
- Not exchange money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior.
- Not have sexual interactions with members of the communities surrounding the workplace and worker’s camps that are not agreed to with full consent by all parties involved in the sexual act. This includes relationships involving the withholding, promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Attend training courses related to HIV/AIDS, SEAH and CAE as requested by my employer.
- Report to the SEAH and CAE Compliance Team’ any situation where I may have concerns or suspicions regarding acts of SEAH or against children by a fellow worker, whether in my company or not, or any breaches of this code of conduct.

Regarding children under the age of 18:

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children into my home unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium

- Refrain from physical punishment or discipline of children).
- Refrain from hiring children for domestic or other labor, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Comply with all relevant local legislation, including labor laws in relation to child labor.

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

I understand that the onus is on me to use common sense and avoid actions or behaviors that could be construed as SAEH or CAE or breach this code of conduct.

I acknowledge that I have read and understand this Code of Conduct and have been explained the implications regarding sanctions ongoing employment should I not comply.

Signed by _____

Title: _____

Date: _____

Annex D Employer's Child Protection Code of Conduct

To Be Signed by All Employees, Sub-contractors, Sub-consultants, and Any Personnel thereof

I..... agree that during my association with Contractors, I have been sensitized and in accordance with the Employer's Child Rights Protection Policy and/or National law on Child Protection, I must/ shall:

- Treat children with respect regardless of age, race, color, gender, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, relationship, birth, or other status;
- Not inappropriately touch or use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including encouraging or paying for sexual services or acts;
- Wherever possible, ensure that another adult is present when working in the proximity of children;
- Not invite unaccompanied children into my place of residence or any other secluded place, unless they are at immediate risk of injury or in physical danger;
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible;
- Use any computers, mobile phones, video cameras, cameras, or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium;
- Not use physical punishment on children;
- Not hire children for domestic or other labor, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury or moral decadence;
- Comply with all relevant local and applicable international legislation, including national child protection laws and labor laws in relation to child labor;
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures;
- Immediately disclose all charges, convictions, and other outcomes of an offence, which occurred before or occurs during my association with the Employer that relate to child exploitation and abuse.
- When photographing or filming a child or using children's images for work-related purposes, I must:
- Assess and endeavor to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;

Annex 2: SEAH Reporting Process

The SEAH reporting process is characterized by two cardinal elements namely, confidentiality and urgency. Confidentiality to protect the privacy and choices of the victim, and urgency to preserve evidence and access assistance and care for the victim. For these reasons the complaint is not expected to follow a uniform pattern. The complainant will be free to use any avenue to report including text message, email, phone call, written note, or word of mouth in person to trusted colleague, member of the GM, SEAH service provider, or local CBO or NGO, among others.

If the report is received by any other person or entity other than the designated SEAH services provider, the case should be referred as soon as possible thereafter to the service provider.

The process of assistance will follow the steps below. The person that receives the complaint/report will inform NAVCDP Project Coordinator immediately. The PC arranges for any required emergency support and care in coordination with the designated SEAH service provider and contemporaneously refers the case to the service provider. In the meantime, the service provider causes (in all cases) the PC to report any SEAH incident to the Bank within 48 hours.

Meanwhile complaint is referred to the SEAH Complaints Team (GCT) which:

- Reviews the case and collectively agree upon the appropriate actions to be taken and sanctions, if any.
- Refers the case to the police as appropriate and according to the law
- Assigns the appropriate 'Focal Point' to implement the actions—with the assistance of the SEAH Services Provider—in accordance with their employment contract and the appropriate code of conduct if applicable.
- Upon resolution, the Focal Point and SEAH Services Provider advise the SCCT that it has been resolved, who in turn advise the GM operator.
- The GM operator notes the resolution and closes the case.

Annex 3: SEAH Treatment and Counselling Procedures

Note: These SEAH Treatment and Counselling Procedures should not be used by anyone except a trained and certified counsellor or medical service provider. Moreover, these are only a sample and should be interrogated further before use.

It is recommended that the Survivor-Centered Approach (SCA) be used in counseling SEAH survivors. The SCA aims at creating a supportive environment in which a survivor's rights are respected and in which the survivor is treated with dignity and respect. This approach helps promote a survivor's recovery and empowers them to make decisions about possible recovery interventions.

The SCA is considered essential for the following reasons:

- To protect survivors from further harm
- To provide survivors with the opportunity to talk about their concerns without pressure
- To assist survivors in making choices and in seeking help if they want help
- To cope with the fear that they may have about negative reactions (from the community or their family) or being blamed for the violence
- To provide basic psychosocial support (PSS) to the survivor
- To give back to the survivor the control they may have lost during the SEAH incident

The traumatic states are formed of three dimensions⁶: emotions, thoughts, and deeds. Therefore, needs of women come from these three recovery domains: emotional awareness, cognitive autonomy, and acting in/with autonomy. These domains are the focus of counselling in SCA. The domains are as follows⁷:

1. Emotional awareness

Psychotherapeutic hypothesis number one is that emotions are one of the major blocks / barriers of women to move out of the violent situations or to be able to overcome trauma from the past. Therefore, to support women on their way to autonomy, step one is work on women's emotional awareness through identified steps:

- recognizing one's own emotions
- naming emotions (fear, guilt, shame, helplessness, low self-esteem, etc.)
- letting emotions out (crying, rage expressing, etc.)
- expressing emotions verbally (talking about her emotions)
- emotional independence (process of controlling emotions)
- information about trauma phases (learning through experience of others)
- awareness of one's victim role (learning about conditioning of emotional states)

2. Cognitive autonomy and justice

⁶ Lepa Mladjenovic (nd) Counselling service for women with trauma of violence.

⁷ Ibid.

Psychotherapeutic hypothesis number two is that not only emotions block the changes, but also rational concepts women have about themselves. These concepts are constructed by patriarchal society as well as family model a particular woman lived in. Therefore, to support women on her way to autonomy, step two is work on the woman's own concepts of herself through identified steps:

- awareness of the violence problem (enough to be able to talk about it)
- understanding male-female patriarchal conditioning (enough to know she is not guilty)
- understanding wheel of violence (experience of others structured contributes to cognitive clarity of her own situation)
- positive valuing oneself
- safety plan made (in case a woman is still in danger)
- informed about her rights (information of one's own rights encourages self-control)
- take responsibility for her condition of life (leaving the role of victim)

This dimension as well includes need for justice. Sometimes a long period of time in injustice has been exercised upon her. Need for justice includes:

- information about her rights
- information how to achieve justice
- support in actual legal process

3. Acting in/with autonomy

The post traumatic behavior also means living in silence and non-doing. Therefore, third aim of counseling is supporting women to act toward the responsibility for their own change by:

- ending silence (when she asked for support, she already broke the silence)
- ending non-doing (breaking the logic of the role of the victim)
- deciding according to her needs and wishes (starting a process of taking control of her life)
- acting according to her needs/wishes (instead of obeying the wishes/needs of others)
- using her own support system (her own healthy/positive characteristics)
- using friends that can help her (using all the means to resolve her situation)
- using institutions that can support her as means to her autonomy

Acting in autonomy means living in safe spaces. This dimension implies need for safety. Need for safety includes:

- acting according to safety plan (in case a woman is still in danger)
- moving to safe houses (shelters)
- using legal system, if needed, as means to her autonomy
- exercising legal measures, if they exist, to move out the perpetrator

Counseling service works with women dealing with violence in family, sexual violence, war violence and violence through cultural pressure on women. Whatever the types of violence women experience, the aim is to encourage women to take control of their life situations and take responsibility to overcome violence, move toward justice and become responsible

citizens. The counselors do not decide whether women shall leave violence situations. The aim of counseling and advocacy is to stop violence and not relationships. Experience shows that many women (must) continue to live in the same/similar living conditions as before.

Annex: 4: Sample List of GBV Referral Centers in Kenya

| Organization | Address | Contacts |
|---|--|---|
| KNH(Gender Based Violence Recovery Center GBVRC) | Old KNH between Orthopaedical Clinic and Dental Clinic P.O.BOX 20723-00202, Nairobi | Tel:020-2726300-9 Ext.43136, 44101 Cell:0722-829500/1/2, 0733-606400 Email: knhadmin@knh.or.ke www.knh.or.ke |
| Kayole 2 Sub District Hospital | Kayole opposite DOs offices | Tel:020-231805 Cell:0721-991 638 |
| Riruta Health Center | Kawangware Opposite Dagorretti CDF offices | Cell 0712:708 020 0722:984 189 |
| Jericho Health Center | Jericho Estate near shopping Centre | Cell:0721-279402 |
| The Nairobi Women's Gender Based Violence Recovery Center GBVRC | Hurlingham Medicare Plaza, Argwings Kodhek Road | Tel:020-726821/4/6/7 Email: Nairobiwomenshosp@africaonline.co.ke www.gvrc.or.ke |
| Mbagathi District Hospital | Ngumo estate ,off Mbagathi Road P.O. BOX 40205 Nairobi | Tel:020-2724712 |
| Association of Media Women in Kenya(AMWIK) | Wendy Court, Hse No 6 David Osieli, Rd,Westlands P.O. BOX 10327-00100, Nairobi | Tel:020-04441226 Email:info@amwik.org www.amwik.org |
| Center for the rehabilitation and education of abused Women(CREAW) | Convent Drive, Lavington, off Isaac Gathanju Road (100 meters form Lavington Green) Kibera Satellite Office Kibera Drive, DO's Compound Kibera, Nairobi | Tel:0203860640 Cel:0720-357664 Tel:020-2505903 |
| Dolphin Anti-Rape and AIDS Control Outreach | | Cell:0733-963283 Dolphin2002ke@yahoo.com |
| Coalition on Violence Against Women(COVAW) | Valley Arcade, Valley Field Court House no 1 | Tel:020-80400011 Cell:0722 594 794/0733 594 794 Info:@covaw.or.ke www.covaw.or.ke |

| | | |
|---|---|--|
| Girl Child Network | AMREF KCO-Wilson airport off Langata Road | Tel:+254-20-604510 +254-20-607137 |
| The Cradle | House 2, Adj Wood avenue Apartments, Wood Avenue Kilimani | Tel:+254(0)203874575/6 Cell:0722 201875 Email: info@thecradle.or.ke |
| Wangu Kanja Foundation | P.O.BOX 12608-00100 Nairobi Kenya | Tel:0203680000 Cell:0722-790404 Email:info@wangukanjafoundation.org |
| Women Challenged to Challenge(WCC) | APDK offices, Waiyaki way opposite ABC place P.O BOX 10593-00100 Nairobi | Tel:020-4452034 Cell:0725 868450 |
| Women's Empowerment Link(WEL) | Muringa Road/ Elgeyo Marakwet Junction ,off Ngong Road opposite Red Cliff gardens Kilimani P.O BOX 22574-00100, Nairobi | Tel:020-3864482/97 Cell:0711-901132/0737-286 889 Email: info@wel.or.ke http://www.wel.or.ke |
| Women's Rights Awareness Programme (WRAP) | Next to Mathari Hospital | Tel:020-2050148 Cell:0722-252939 Email: info@wrapkenya.or.ke www.wrapkenya.or.ke |
| Moi Teaching and Referral Hospital GBV Recovery Centre | Moi Teaching and Referral Hospital P O Box 3 - 30100, Eldoret | Cell Phone: 0706390391/0722201277 Email: ceo@mtrh.go.ke / directorsofficemtrh@gmail.com |

Annex 5: List of Participants for the Public and Stakeholders Consultation and Information Disclosure.

A : Day I. Indigenous Peoples Organization Reps- 8th November 2021

| S.No | Name | Tel.No. | Email address | Community | Region |
|------|--------------------|------------|---------------------------|--|----------------|
| 1 | Mohamed Kitete | 0715349314 | kitetemohamed@gmail.com | Indigenous Peoples Organization (IPO) Coastal region | Coastal region |
| 2 | Yunus Ahmed | 0708722698 | Yunusahmed90@gmail.com | " | " |
| 3 | Ambia Hirsi Dullow | 0728546932 | ambiadullow@gmail.com | " | " |
| 4 | Moses Kachine | 0784395546 | moseskachike@gmail.com | Minority and marginalized groups affairs- The presidency- Office of the DP | Country wide |
| 5 | John lengoisa | 0710212957 | jsamorai@ogiekpeoples.org | Ogiek peoples organization | Mau region |
| 6 | Jane Machani | 0716984618 | | " | " |
| 7 | John Kisiambai | 0758805321 | | " | " |
| 8 | MilkaChepkorir | 0700404454 | mctalaa@gmail.com | Sengwer | Cherangany |
| 9 | David Yator | 0726806100 | sengwer@sengwer.org | Sengwer | |

County Reps (CESSCO +2 IP Community reps)

| S/No | NAME | COMMUNITY | COUNTY | TELEPHONE |
|------|--------------------------|-----------|-------------|------------|
| 1. | Fatuma Abdallah | Waata | Tana-River | 0710583088 |
| 2. | George Wasonga | CESSCO | Tana-River | 0725760206 |
| 3. | Joseph Mumu | CESSCO | Kiambu | 0721422173 |
| 4. | Rehema M. Ruwa | CESSCO | Kilifi | 0710586664 |
| 5. | Agnes Barisa | Waata | Kilifi | 0791402478 |
| 6. | Jacob Kokani | Waata | Kilifi | 0728044720 |
| 7. | Isaac Lagat | Ogiek | Uasin Gishu | 0723411793 |
| 8. | Richard K.Maina | Ogiek | Narok | 0711828692 |
| 9. | NaboeEneSameri | Ogiek | Narok | 0708958908 |
| 10. | Meriki Joseph | CESSCO | Narok | 0712803569 |
| 11. | Wilson K. Kurgat | Ogiek | Uasin Gishu | 0722942038 |
| 12. | Gilbert Cheruiyot | CESSCO | Trans Nzoia | 0727855330 |
| 13. | Richard Kipkering | CESSCO | Nandi | 0723462103 |
| 14. | Isaac Kosgei | Sengwer | Trans Nzoia | 0728519029 |
| 15. | PhilisMukung | Ogiek | Trans Nzoia | 0740322434 |
| 16. | Paulo Sang | Ogiek | Nandi | 0790900379 |
| 17. | William KibitokChepkwony | Ogiek | Nandi | 0719537754 |

| S/No | NAME | COMMUNITY | COUNTY | TELEPHONE |
|------|--------------------|-----------|--------------|------------|
| 18. | Japheth Musila | CESSCO | Kwale | 0711655420 |
| 19. | BashoraMuhindiGuyo | Wasanye | Kwale | 0705474977 |
| 20. | Salim B. Bonaya | Wasanye | Kwale | 0745934163 |
| 21. | QuentineNgati | CESSCO | Taitaveta | 0722797326 |
| 22. | Khadijah Wakio | Waata | Taita Taveta | 0797179139 |
| 23. | Guyo S. Hamisi | Waata | Taita Taveta | 0792971597 |
| 24. | Tony IgwoElkana | Waata | Tana River | 0724370830 |
| 25. | Stephen J. Ndung'u | Ogiek | Kiambu | 0721477315 |
| 26. | Paul W. Njehu | Ogiek | Kiambu | 0721469403 |
| 27. | Benson K. Gichuki | CESSCO | Nakuru | 0719376601 |
| 28. | David Barngetuny | Ogiek | Nakuru | 0722101146 |
| 29. | Francis Ngonino | Ogiek | Nakuru | 0720645692 |
| 30. | Nixon Kasembeli | CESSCO | Uasin Gishu | 0723846596 |

| CONSULTANTS | | |
|--------------------|----------------------|------------|
| 1 | Stephen Mburu Mwaura | 0729377629 |
| 2 | Edward Ontita | 0715766266 |
| 3 | Ronald Reagan | 0725098332 |
| 4 | Tito Kodiaga | 0722579272 |
| 5 | Harriet Manoti | 0722609448 |

| PoEs | | |
|-------------|------------------|------------|
| 1 | David Olang | 0729750700 |
| 2 | Benjamin Kilaka | 0726883288 |
| NPCU | | |
| 1 | Samuel Guto | 0712715727 |
| 2 | Titus Mutisya | 0713351744 |
| 3 | Judy Amadiva | 0722544862 |
| 4 | Rachael Macharia | 0714400915 |
| 5 | Miriam Chemtai | 0701745654 |

B ;Day 2 (Nov 09, 2021): Technical Officers and farmers representatives.

| S/NO | NAME | County/Designation | Telephone | VC |
|-------------|------------------------|---------------------------|------------------|------------|
| 1 | John M. Wachira | Nyandarua-CPC | 0722654423 | Potato |
| 2 | Peter N. Mbutu | Nyandarua-Farmer | 0728285742 | |
| 3 | Kenduiywa Julius | Bomet-CPC | 0721403231 | Dairy |
| 4 | KipsangSitonik | Bomet-Farmer | 0728063363 | |
| 5 | James King'ori Njuguna | Murang'a-CESSCO | 0721571313 | Banana |
| 6 | Alex Kamau Muchoki | Murang'a-Farmer | 0721311394 | |
| 7 | Josephine KananuKinoti | Embu-CESSCO | 0724083315 | Coffee |
| 8 | Mburuguj.NMwiti | Embu-Farmer | 0710459043 | |
| 9 | Patrick Ng'ang'a | Meru-CPC | 0738376383 | Banana |
| 10 | DancanMurithi | Meru-Farmer | 0725262346 | |
| 11 | Merina A. Adhiaya | Kakamega-CPC | 0723798401 | Chicken |
| 12 | Anne Murunga | Kakamega-Farmer | 0710809858 | |
| 13 | Okal Jacob Ohalo | Kericho-CESSCO | 0720236598 | Dairy |
| 14 | Humprey Langat | Kericho-Farmer | 0721604986 | |
| 15 | Peter S. Lirhu | Kitui | 0701657009 | Apiculture |
| 16 | EutichusKyungu | Kitui-Farmer | 0724618837 | |
| 17 | Gachara John | Kirinyaga-CPC | 0722447079 | Coffee |
| 18 | Geoffrey K. Munyagia | Kirinyaga-Farmer | 0722434101 | |
| 19 | Samuel OduorOkumu | Kisii-CPC | 0722551646 | Banana |
| 20 | Ronald Guto | Kisii-Farmer | 0720253572 | |
| 21 | Allan F. Ogendo | Busia-CPC | 0723312854 | Chicken |
| 22 | Arnold Okiru | Busia-Farmer | 0725873139 | |
| 23 | Alice WanguiGichuki | Nyeri-CPC | 0721633225 | Coffee |
| 24 | Mary Ann Maina | Nyeri-Coffee focal person | 0721417671 | |
| 25 | Samuel Maina | Nyeri-Farmer | 0729872414 | |
| 26 | Nicodemus N. Nzombe | Machakos | | Mango |
| 27 | Raphael M. Muli | Machakos-Farmer | 0721493163 | |
| 28 | James Owuor Omondi | Homabay-CESSCO | 0714238187 | Cotton |
| 29 | Frank Otieno | Homabay-Ffarmer | 0757364011 | |
| 30 | Albertina Mercy Achapa | Migori-CESSCO | 0717283224 | Cotton |
| 31 | Peter MwalyoKinyenze | Makueni- CESSCO | 0727515474 | Mango |
| 32 | Benjamin Musungu | KEPSA | 0714159582 | |

C: Day 3; 10th November 2021 -Policy Makers and Other Stakeholders

| S.No | Name | Tel.No. | Email address | Organization |
|-------------|----------------------|----------------|----------------------------------|--|
| 1 | Dr. Jonathan Munguti | 0722622732 | Jmunguti2000@gmail.com | KEMFI |
| 2 | Andrew Wambua | 0725301465 | wambuanzuki@gmail.com | Ministry of Landa-Machakos County |
| 3 | Elijah Gichuru | 0723152655 | ekgichuru@gmail.com | CRF |
| 4 | Juma Mohamed | 0722676794 | Kibo62@yahoo.com | Crop and marketing Directorate |
| 5 | Mary Kanyi | 0721379470 | marywacera@yahoo.com | Director, livestock production. |
| 6 | Joshua Lodungokiok | 0704420301 | lodungokiokbon@gmail.com | National Treasury |
| 7 | Goreti Osur | 0733908450 | gosur@ngeckkenya.org | National Gender and Equality Commission |
| 8 | Henry Chemjor | 0725626763 | hchemjor@npck.org | Potato Council |
| 9 | Ben Musungu | 0714159582 | bmusungu@kepsa.or.ke | KEPSA |
| 10 | Patrick Maingi | 0727680344 | pmaingi@kepsa.or.ke | KEPSA |
| 11 | Mary Nzisa | 0721844088 | mnzisa@kagrc.go.ke | Kenya Animal Genetic Resource Centre |
| 12 | David Kioko | 0724691174 | david88089070@gmail.com | Ministry of Energy |
| 13 | Zacharia Njuguna | 0721273241 | Njugunazakaria2015@yahoo.com | Nairobi City County |
| 14 | Patrick Macharia | 0721710746 | Patmurumi@gmail.com | National Treasury |
| 15 | Margarete Njuki | 0721262347 | Margarete.wainoi.njuki@gmail.com | NEMA |
| 16 | Maurice Opondo | 0721247009 | nauropond@hotmail.com | Ministry of water, sanitation and irrigation |
| 17 | Christine Kalui | 0722570466 | kaluic@kebs.org | KEBS |
| 18 | Dr. Gilbert M Muthee | 0722340651 | gilbertmuthee@yahoo.com | KCSAP |
| 19 | John Kimani | 0721342918 | jwkimani@2018@gmail.com | NARIGP |
| 20 | Francisca Kanini | 0724214210 | | Youth Affairs |

Annex 6: Stakeholder Engagement and Consultation Record

NAVCDP ESS FRAMEWORKS: PUBLIC PARTICIPATION AND CONSULTATION PRESENTATIONS - Q&A SESSIONS (November 08-11, 2021)

I. NAVCDP ESS Frameworks - Stakeholder Consultation Workshop (November 08, 2021): For Communities Meeting the Requirements of ESS7

| S/No | Name / Community / Institution / County | Contacts | Question/Observation/Comment | Responses Provided |
|------|---|------------|--|--|
| 1 | John SamuraiKisia mbai - Mau Region - Ogiek Community | 0758805321 | <p>a) Funding level of this new project is too high. How much benefit is targeted for the VMGs?</p> <p>b) What project indicators will measure benefits to the VMGs?</p> | <p>a) NAVCDP is targeting VMGs or communities that satisfy the requirements of the World Bank ESS7 because some project counties are a host to these communities. The specific benefits are through priority value chains for ALL not just the VMGs. The benefitting communities are yet to make their choices along the priority value chains. In addition, NAVCDP will make a deliberate effort to reach-out the VMGs for targeting and inclusion.</p> <p>b) The following are some of the indicators: No. of CIGs supported % of which VMG; Total financial support to CIGs % support to VMGs; Total project beneficiaries (F, M); number of which are VMGs, etc.</p> |
| 2 | Isaac Lagat – Ogiek Community, Uasin Gishu County | 0723411793 | <p>a) Are our inputs to be taken and acted upon?</p> <p>b) The previous and current sister projects did ESIA/ESMPs, but we think they are short to recognize emerging risks and impacts along the implementation phase. Will it be the case in NAVCDP?</p> | <p>a) This workshop is a serious process along the preparation of the NAVCDP ESS Frameworks and the concerns raised will be addressed. The frameworks not only serve as a guide in mitigation of risks and impacts, but a covenant in the Financial Agreement between the National Treasury and the World Bank.</p> <p>b) No. NAVCDP will ensure investments are environmentally</p> |

| S/N o | Name / Community / Institution / County | Contacts | Question/Observation/Co mment | Responses Provided |
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| | | | <p>c) Are all subprojects supposed to have an ESIA/EA report and approved by NEMA?</p> <p>d) IPs should be involved in the implementation reviews and M&E in the course of project implementation process. IPs should not only be involved in the initial stages but also during implementation.</p> <p>e) At what level, do you do specific ESIA's however small?</p> <p>f) What strategy is in place to ensure IPs will be continuously involved.</p> <p>g) By all means we shouldn't be lumped together with the dominant communities.</p> | <p>friendly first by screening all proposed investments through a standard checklist; guided by the results in the checklist to ensure the right instrument to mitigate is formulated and implemented accordingly. In addition, the other WB supported projects must have followed same process including recommending Environmental and Social Audits done after one year of implementation; and continuously done annually.</p> <p>c) Not really, but all subprojects must be screened using the standard checklist annexed in the ESMF.</p> <p>d) Yes. Engagement of IPs throughout the project from preparation to evaluation.</p> <p>e) Sub project level, if after administering the ESS screening checklist, County Director of NEMA guides on the same.</p> <p>f) IP support is part of the project deliverable; and therefore, IPs in the project counties will continuously be involved.</p> <p>g) Recommendation is acceptable to some extent but not always i.e., there are value chains where IPs willingly would work with others.</p> |
| 3 | Milka Chepkorir- Sengwer community - Trans Nzoia County | 0700404454; mctalaa@gmail.com | <p>a) Will NAVCDP undertake Social Impact Assessment?</p> <p>b) How do you ensure that the use of pesticides and other farm inputs to deliver on one priority of the project does not eliminate the last one on the priority list? E.g., use of pesticides to control pests on maize, potatoes etc.</p> | <p>a) Yes, at the initial implementation period.</p> <p>b) Any antagonizing VCs shall be analyzed in detail and due diligence followed to ensure sustainability issues are achieved. The Integrated Pest Management (IPM) will be applied to avoid adverse effects to the biodiversity.</p> <p>c) Any project proposed investments to impact on the</p> |

| S/N | Name / Community / Institution / County | Contacts | Question/Observation/Comment | Responses Provided |
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| | | | completely affecting honey production by indigenous peoples in forests. c) Biodiversity conservation and ecologically sensitive areas. What is the deliberate move of the project to ensure that environmentally sensitive areas are not affected? | sensitive ecosystems will be excluded. |
| 4 | Joseph Mumu -CESSCO Kiambu County | 0721422173 | a) Why are ESS issues handled last (if lucky) or better miss out in NARIGP? b) How are CESSCOs role going to be seen and felt as project implementers but not process facilitators? c)The ESS activities need to be clearly brought out in the project components; how do we harmonize the plan across the project component? d) Develop a decommissioning plan /guide for the projects supported for implementation once the lifetime expires. | a) This should not be the case. In the new operation, all staff must be sensitized on the seriousness of environmental and social safeguards. b) In the new operation, care should be taken to ensure that safeguards are given the attention they deserve. c) In the design of the project and during detailing of components, this is when ES issues are picked, and activities planned and budgeted for. NAVCDP will relook into the obvious omissions where possible. d) Yes. This comment is true. Attention should be focused on the ESMPs drawn whether they include and act on such areas. |
| 5 | Phyllis Mukung – Ogiek community, Trans Nzoia County | 0740322434 | a) As the Ogiek community our lives depend so much on milk and honey products. Will there be special value chains for IPs like sheep or goat rearing and bee keeping? b) Will the IPs be allowed to form their own POS? c)Will IPs and other VMGs be separated from the framework? | a) Yes, since time immemorial, there has been value chains for IP communities that are easy to promote (value chains that do not make IP community vulnerable; and that enhance IP livelihoods). Therefore, beekeeping will always win support for implementation by the IP community. b) Yes. IP community can form own PO, so long as the volumes can sustain the PO operations. |

| S/N | Name / Community / Institution / County | Contacts | Question/Observation/Comment | Responses Provided |
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| | | | | c) Yes. In the design of NAVCDP other vulnerable groups: aged, Differently Abled Persons, youth, female headed households, etc. are explained under ESS1 while the IPs (IP/SSAHUTLC) are addressed guided by ESS7. |
| 6 | Mohamed Kitete - Awer Community, Lamu County | 0715349314; kitetemohamed@gmail.com | -How will security be implemented in areas like Lamu and Tana River County? | -NAVCDP has a security management procedure which will be always applied, but the project is not taking over Mandate of the Ministry of Internal Security. -The project will work in collaboration with all stakeholders to ensure that security issues do not affect productivity and profitability. It should also be noted that the previous exclusion of Lamu County was not because of security issues. |
| 7 | Jacob Kokani -Waata community, Kilifi County | 0728044720 | a) Will the frameworks be disclosed? b) It's my prayer that implementers stop using derogatory names. | a) Yes. This stakeholder consultation process requires NAVCDP documents including these E&S frameworks disclosed both Nationally and in the World Bank External website. b) Yes, noted with humbleness. The team also requests that the IP representatives assist in providing the acceptable names for their communities. |
| 8 | Francis Ngoninio– Ogiek community, Nakuru County, Chairperson CDDC | 0720645692 | a) How will IPs be included in NAVCPD in terms of representation in market linkages? Such gaps were noticed in NARIGP. b) In NARIGP the facilitation of volunteering committee (CDDC) there were some gaps, kindly look into that for smooth running of NAVCDP. c) How will corruption be eliminated in NAVCDP? | a) Market linkage will be based on the priority value chains by these communities. b) Yes. The observation is noted. Lessons from NARIGP have been adopted. c) Through training of communities, transparency, and accountability of project implementation structures. d) Yes, well noted. |

| S/N o | Name / Community / Institution / County | Contacts | Question/Observation/Co mment | Responses Provided |
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| | | | <p>d) Recommendation As a current CDDC chair from MAU, IPs under the MOALF NARIGP success was 70%. Therefore, IPs under the MOALF be given a chance to represent IPs so that they feel they are part of the NAVCDP project.</p> | |
| 9 | David Barugeny–Ogiek community, Nakuru County | 0722101146 | a) Will NAVCDP support construction of the impassable roads across the marginalized community operational areas? Farmers are facing challenges when delivering their produce to the collection centers or to the market. | a) The project will support spot infrastructure improvement to enable farmers to deliver their produce to the market. However, it will not take over the road construction since the mandate is in a different Government entity. |
| 11 | David YatorKiptum - Sengwer Community, Trans Nzoia County | 0726806100; sengwer@sengwer.org | <p>a)How will forest indigenous peoples benefit from financing institution? (Loans, etc.) b)Thoroughly build understanding of the project implementation agencies from ward, sub county, county and National to avoid misinformation, confusion, and discrimination. c)How do you ensure that the IPs are not discriminated in the new project, because during NARIGP we were initially left out in window one and window two, we did not benefit from the multi community investments.</p> | <p>a) NAVCDP is not to offer loans but financial support to target beneficiaries through formulation of community proposals for prioritized investments. b) Yes. This is a valid point. NAVCDP will aim at ensuring information and communication is done at all levels and disclosure of information to all stakeholders through regularized stakeholder engagement meetings. c) NAVCDP borrowed from NARIGP and some of the gaps in NARIGP will be addressed in this new operation. d)Two MCIs in the county are in Makuno ward which is inhabited by the Sengwer (Chesucheki irrigation scheme and the Dairy Farmers of Cherangany milk processing plant).</p> |

| S/N o | Name / Community / Institution / County | Contacts | Question/Observation/Co mment | Responses Provided |
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| | | | <p>d)So far SENGWER did not benefit from multi community investments. A proposal was approved by CPSC but has not been funded to date.</p> <p>e)How will farmer technical expert be enhanced for access of project implementation</p> <p>f)The project is silent on building capacity of IPs, IPOs, CIG, there is need to build their capacity.</p> <p>g)M& E - indigenous people be represented in M& E at all levels.</p> <p>h)Project implementation – include IPs in project implementation from County to National Level.</p> | <p>The Kapolet MCI—the decision rests on the NTAC. There are two counties facing a similar fate: Trans Nzoia and Narok- these two exceeded their allocations/project ceiling for MCIs (KES m 270-350 per county).</p> <p>e) Through capacity building of those smallholder farmers who will have been affiliated to: CIGs, and POs.</p> <p>f) Capacity building both implementers and beneficiaries is a priority in NAVCDP. A Training schedule will be produced after a training needs assessment.</p> <p>g) OK. This recommendation will be explored. However, NAVCDP has adopted a participatory M&E.</p> <p>h) This will be considered.</p> |
| 12 | Milka Chepkorir- Sengwer Community, Trans-Nzoia County | 0700404454; mctalaa@gmail.com | <p>a) All Details should be captured in the project document nothing should be left out and included in the implementation manuals.</p> <p>b) Does the National management unit include an indigenous representative? if not should be considered.</p> <p>c) Who is putting together the SEAH Prevention and Response Plan?</p> <p>d) CONCERN Being an IP is not equal to poverty and marginal listing, IPs specific</p> | <p>a) Good suggestion. We will go by it.</p> <p>b) As the project design continues being polished; this is also something to be thought of; now that under the DP Office there exists an office dealing with the indigenous communities; the representation structure at national level may be coopted at the NTAC</p> <p>c)The GBCAP for NAVCDP has been drafted by the consultants. During the subsequent revisions, there will be further stakeholders' consultation.</p> <p>d)The matter is noted</p> |

| S/N o | Name / Community / Institution / County | Contacts | Question/Observation/Co mment | Responses Provided |
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| | | | indicators will never end indigenoussness of a people. The project should end the notion of negativity from non-indigenous personnel leading the implementation of this project. | |
| 13 | Wilson K. Kurgat - Uasin Gishu County Chairman, Ogiek Consortium | 0722942038 | <p>a) What can be done concerning the high number of chemicals being used on the farms that negatively affects humans through compromised food safety issues?</p> <p>b) Market issues should be considered to maximize profitability.</p> <p>c) Why have these counties been exempted Kericho, Baringo, Laikipia, Bungoma, Elgeyo Marakwet.</p> | <p>a) NAVCDP is having IPMP as one of the framework approaches that will guide pesticide use at beneficiary level. Communities will be trained on safe use of chemicals and the management of pesticides, handling, storage, and transportation. Besides the chemical pollution from pesticides is a global issue that will involve a lot of consultations.</p> <p>b) Of course, the NAVCDP PDO is about 'increased market accessibility' and 'enhanced value addition'. In the issue of infrastructure markets will be constructed within counties to reduce cost of travel to far away markets.</p> <p>c) Kericho, Baringo, Laikipia, Bungoma, ElgeyoMarakwet have been excluded from NAVCDP because they are covered by other projects within the sector funded by World Bank, IFAD and AfDB</p> |
| 14 | John Kisiambei– Ogiek Organization, Nakuru County | 0758805321; | <p>a) How will the project help IPs to continue conserving the environment?</p> <p>b) Some pesticides that are used affect bee farming/honey production, how will that be</p> | <p>a) The project will continue implementing SLM activities in collaboration with the IP communities and KFS</p> <p>b) The pesticides to be used in NAVCDP will be those that are friendly to pollinators with minimum effect on non- targeted organisms. approved normally a</p> |

| S/N | Name / Community / Institution / County | Contacts | Question/Observation/Comment | Responses Provided |
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| | | | considered in the new project? | buffer zone is established contamination. |
| 15 | Japheth Musila – CESSCO, Kwale County, | 0711655420 | Comment: a) Land department/NLC should be involved in NAVDP to offer counsel. b) Minority community interests to be brought on board | a) True. Land issues and especially ownership have been a challenge. b) Yes, they will be targeted for inclusion with their priority value chains. |
| 16 | Jane Machani Ogiek Peoples Organization- Mau Region | 0716984618 | IPs are surrounded by other communities and the project might not benefit them making them not respond which may in turn affect the IPs and cause delays on coming up with responses. | IPs will be targeted during project operation and their CIGs/VMGs/POs will be considered along those of majority communities. |
| 17 | Isaac Kosgei Segwer Representative. Cherengany, Trans Nzoia County | 0728519029 | a) Suggested a differentiation between VMGF and indigenous people framework because indigenous people do not like being associated with other VMGs. b) ESS8: Well, captured on cultural sites | a) Yes. This is true. It was not easy under NARIGP but now the distinction is evident. VMGs are addressed under ESS1 while IP/SSAHUTLC are addressed under ESS7 b) Yes, it is necessary here because, in case of any technical hitch's civil works, the project applies these guidelines. |
| 18 | Moses Kachine - Minority and marginalized groups affairs- The presidency- Office of the DP | 0784395546; 0722655302; moseskachike@gmail.com | a) Nationally, 28 counties with 79 IP communities. The counties that are not factored here, are in other projects i.e., 'Resilience Project' b) Invite this new project to come for more information on IP/SSAHUTLC in this country; the department holds the database. | Well received. |

| S/N | Name / Community / Institution / County | Contacts | Question/Observation/Comment | Responses Provided |
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| 19 | Ambia Hirsi Dullow– Munywoyaya community - IPO/IP Media Coastal Region–Tana River County | 0728546932; ambiadullow@gmail.com | a) The deliberations in this forum are useful for this country. NAVCDP should aim at working with media for visibility and media privy to issues touching on the IP/SSAHUTLC in Kenya. | a) The team can't agree more. NAVCDP will strategize to involve responsible media coverage in its operations. |

2. NAVCDPESS Frameworks - Stakeholder Consultation Workshop (November 09, 2021): For County Line Departments and Other Stakeholders including Farmers

| S/No. | Name / Position / Institution / County | Contacts | Question/Observation/Comment | Answer Provided |
|-------|--|----------|---|--|
| 1. | Peter Kinyenze (CESSCO-Makueni) | | <p>a) What is the difference between ESMF and ESIA? Does ESMP apply to all?</p> <p>b) Some projects will require SPRs instead of ESIA, therefore can the ESMF recognize this and have SPR appear in the document?</p> <p>c) Are there written documents on bee safety to agrochemicals which can be used during NAVCDP?</p> | <p>a)ESMF is a framework approach adopted by the borrower to mitigate against potential environmental and social risks where site specific investments are not known at project appraisal. It is at project preparation level, and it carries an ESMP at framework level. On the other hand, ESIA is a site specific mitigation instrument normally at implementation phase of the project. It also has a site specific ESMP.</p> <p>b) Yes. According to NEMA Legal Notice 30 and 31 of April 31, 2019, ESIA's are now categorized 'low-risk projects' to do a SPR while the more complex investments with 'high-risk levels' will undertake Comprehensive Project Report (CPR).</p> <p>c)This documentation on bee safety is not available now but it can be sought. We will endeavor to look for such literature and share accordingly. The ESMF contain some mitigation measures to be taken into consideration such as consideration of the time to spray the pesticides. Besides bees have a way of surviving or countering the harmful chemicals.</p> |
| 2. | Peter Liru (Kitui) | | The document suggests issues of SEAH prevention and response plan especially on sexual | This is correct. SEAH is sensitive in its handling, requires special training, and |

| S/No. | Name / Position / Institution / County | Contacts | Question/Observation/Comment | Answer Provided |
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| | | | harassment be handled by GM, which I feel it couldn't handle it exhaustively. Suggested introduction of SEAH handling subcommittee of the main. | confidentiality. Capacity building for the staff will be undertaken at different levels so as they can be able to sensitize the community. |
| 3 | John Wachira (CPC -KCSAP Kirinyaga) | | a)Suggested that there should be consistency on value chains/commodities. Pointed out the following documents with conflicting information b)We should not undermine the impact of Pesticides Containers as an impact of waste disposal that requires mitigation measures c)Pointed out that the monitoring aspect for the implementation of the ESS plans was missing | a) The 12 value chains were categorized into 6 categories so that the counties are guided to choose one VC per category. The point is noted and will be ironed out. b) Point noted and to be emphasized during ESS training/sensitization. c)The M&E aspect may not have been prominent in the summary presented in the meeting but is well captured in the main document |
| 4 | James Njuguna (CESSCO Murang'a) | | a) How will the government minimum wage be harmonized with the market rates for unskilled youth employment in SLM? | -NAVCDP aims at guiding on labor management. At the least, ensure the workers do not suffer by getting low wages but also ensuring everything is within the law and WB Standards (ESS2) -The labor officers will guide the counties on the payments using the rates applicable in the respective counties. |

| S/No. | Name / Position / Institution / County | Contacts | Question/Observation/Comment | Answer Provided |
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| 5 | Francis Otieno (Farmer, Homa bay) | | <p>a) Why can't farmers be made to use organic fertilizer and pesticides? This would reduce production cost and increase farmers earnings.</p> <p>b) What criteria will be used to determine the people to be resettled?</p> <p>c) Mechanization is relevant to making farming easier and enjoyable. Tractors for ploughing, harrowing, planting, and spraying.</p> <p>d) Let the right personnel with knowledge in agriculture and related fields run the project. They should be honest and transparent, and each should have a certificate of good conduct.</p> | <p>a) This is a good idea and will be mainstreamed in the project activities.</p> <p>b) The RPF has given the criteria for identification and documentation of the persons to be resettled. Besides the projects takes into considerations activities that will not require acquisition of land.</p> <p>c) The point is noted and will be considered during project operation.</p> <p>d) Point noted for consideration</p> |
| 6 | Dr. Muli (Farmer, Machakos) | a) | b) Value chains disconnect between producers and consumers then brokers come and exploit the market. Yatta multipurpose farmers' cooperative society. | NAVCDP will enhance market access for farmers and improve linkages between producers and consumers thereby addressing most of the value chain challenges. Farmer markets similar to what they have in Europe and America will be introduced. As a matter of fact, there is one being piloted in Kiambu. |
| 7 | EutichusKyungu (Farmer, Kitui) | | a) Project implementation at FPO level. NARIGP concentrates much on activity implementation budget but not administration cost/staff cost. Hence you find it difficult for committee to implement these activities to its member groups, requesting NARIGP to consider staff cost in its budgets. | Capacity building, provision of equipment and facilitation of staff from relevant county technical departments involved in the implementation of project activities had been considered in the project |

3. NAVCDPESS Frameworks - Stakeholder Consultation Workshop (November 11,, 2021): For National Line Departments Policy Makers and Other Stakeholders including Donors and CSOs.

| S/No | Name / Position / Institution / County | Contacts | Question/Observation /Comment | Answer Provided |
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| 1 | Joshua Lodungokio k- The National Treasury | 0704420301; lodungokiokbon@gmail.com | a) The VMGs Kiambu, Nandi, Uasin Gishu, etc., counties. How have they being involved in this project? | The IP communities have been fully involved in micro project identification and implementation. In some cases, the IP communities have their own value chains while in other cases; they are recognized as members of the CIG/VMG/PO. They have also been elected to leadership positions in the CIGs/VMG/Po. |
| 2 | David Kioko – Ministry of Energy | 0724691174; david88089070@gmail.com | Comments: -Encouraged use of solar power in the FLID to cut on the cost of energy and reduce pollution caused by use of fossil fuels. -Noted that the NAVCDP will actually be operationalizing the Kenya National Energy Efficiency and Conservation Strategy. and asked the team to download the same for guidance. - The Ministry of Energy is ready to collaborate with the project team to when called upon. | -Comments noted positively. NAVCDP will engage further. |
| 3 | Margarete Njuki, NEMA Hqs | 0721262347; Margarete.wainoi.njuki@gmail.com | a)As presented this morning, the ESMF ESMP does not consider air pollution from VCs especially dairy b)Biodiversity concerns: biodiversity is a complex issue and needs to be integrated in the report because these VCs in a way will lead to lose of biodiversity. | a)The point is noted for emphasis in the ESMF b) point noted and further engagements with NEMA to discuss the issue to be done during project implementation. |

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| 4 | Mary Kanyi - KGRIC | 0721379470; marywacera@yahoo.com | <p>a) NAVCDP is on fewer VCs and will cover not all counties previously under NARIGP. How will continuity be ensured on the communities left out?</p> <p>b) How will NAVCDP integrate with other projects for synergy? And also access other benefits i.e., crop and livestock insurances?</p> <p>c) Farmers are being exploited along the VCs. How will this project help reduce this exploitation?</p> | <p>a) NARIGP and KCSAP have elaborate sustainability measures to ensure that the activities continue after the projects. The projects also fully involve and build the capacities of agriculture extension staff who will continue to interact with the farmers after closure of the projects.</p> <p>b) For every VC the starting point is what determines who is in it and with consultations alliances are formed to avoid duplications.</p> <p>c) The issue of farmer markets will eliminate the issue of exploitation. Sensitization of FPOs and CIGs will be supported and strengthened.</p> |
| 5 | Henry Chemjor- Potato Council | 0725626763; hchemjor@npck.org | <p>a) Some counties have no capacities on E&S. They go ahead and hire consultants who have no or very little expertise? How will this new project help control this gap?</p> <p>b) Public Lands and ownership: when such lands are given to communities to invest; management issues crop up later and this affects the progress of such investments. How is land being handled in this project?</p> | <p>a) Counties will be advised to hire consultants handling environmental / social issues who have the requisite qualifications and experience</p> <p>b) The land on which the project will be implemented will be fully documented and due diligence done. NLC will also be fully involved to ensure that public land is properly availed for FPO utilization on other related investments.</p> |

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| 6 | Christine Kalui, | 0722570466; kaluic@kebs.org | a) The POs: how will they be strengthened? In my opinion through capacity building for ownership and sustainability. b) Review of Policies: The new Agriculture strategy - Agricultural Sector Transformation and Growth Strategy is not mentioned. Kindly include. | a) Point noted and the issues to be included in the FPO capacity building b) ASTGS to be included in the ESS documents. |
| 7 | Ben Musungu– | 0714159582; bmusungu@kepsa.or.ke | a)The VCs seem to have dropped from 29 to 6. How will the 6 VCs interphase with the CIGs? b) BMOs not mentioned here. What role can they play? | a)The CIGs that are not will be included in NAVCDP will be addressed using the normal extension services. b) The BMOs to be involved as stakeholders during the value chain improvement activities |
| 8 | Elijah Gichuru – Coffee Research Institute | 0723152655; ekgichuru@gmail.com | In the presentation of the table with the vulnerable groups i.e., Ogieks, we did not see a listing of the aged. Why? | The table on VMGf mainly focused on ESS7. The aged and other categories of VMGs are addressed in ESS1 under the ESMF. |
| 10 | Maurice Opondo- Ministry of Water | 0721247009; nauropond@hotmail.com | -Agreed on validating the Frameworks but with adjustments: - Policies, add the following: Irrigation Policy 2019; Irrigation Act 2019; Water Act 2016; Water Act 2021. -Think about catchment conservation and capacity WRUAs to check on water use footprints. -Propose inclusion of Labor Officers as stakeholders. They do have a responsibility in implementation of NAVCDP. | All points well noted and to be included in the ESS instruments. |
| 11 | Goreti Osur- National | 0733908450; gosur@ngeckenyar.org | a) NACVDP should consider inclusion of gender in its operations. | a) Point noted and to be considered |

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| | Gender and Equality Commission | | b) Issue of certification – seems to be emphasized at quality at value addition. Why not along the entire VC? | b) Point noted and GAP and certification to be included in all the segments of value chains. |
| 12 | Francisca Kanini– Youth Affairs | | a) Data and Digital Space for the youth –youth seem not well captioned in the Frameworks because they are boxed under the digital space, but we feel they should be right from production decisions. b) Does NAVCDP have climate change activities? | a) Point well noted. b)Climate change issues are mainstreamed in all project activities |
| 13 | Zacharia Njuguna – Nairobi City Council | 0721273241; Njugunazakaria2015@yahoo.com | a) Nairobi County practices urban farming. To what extend will NAVCDP support this system? b) Market/Market Access: Nairobi is the largest consumer of the produce from the rural areas. Is NAVCDP going to support infrastructural development and traceability approaches? | The issues will be expounded and considered when unpacking the activities of component 3 of NAVCDP for Nairobi, Kiambu and Machakos. |