



STAKEHOLDER ENGAGEMENT PLAN (SEP) FOR AKIRA GEOTHERMAL LIMITED

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LIST OF ABBREVIATIONS

AGL	Akiira Geothermal Limited
AGIL	African Geothermal International Limited
EMP	Environmental Management Plan
EHSS	Environment Health and Safety & Security Advisor
GDC	Geothermal Development Company
GMC	Grievance Mechanism Committee
GWDC	Great Wall Drilling Company (GWDC)
ICP	Informed Consultation and Participation
IFC	International Finance Corporation
ILO	International Labour Organization
KenGen	Kenya Electricity Generating Company Limited
KWS	Kenya Wildlife Service
LUP	Land Use Policy
NEMA	National Environment Management Authority
MPG	Marine Power Generation Company Ltd
MW	Mega Watts
OSHA	Occupational Safety and Health Act
RAP	Resettlement Action Plan
REI	Ram Energy Inc
SE	Social Expert
SEP	Stakeholder Engagement Plan
SMP	Security Management Plan

1 INTRODUCTION

1.1 Project Background

This document is the Stakeholder Engagement Plan (SEP) for Akira Geothermal Limited (AGL) and it is live a document and will be updated from time to time.

It is intended to be read in conjunction with the Company's suite of documents which includes the Land Use Policy, Security Management Plan, Resettlement Policy Framework, Remedial Action Plans (RemAP-1 and RemAP-2), and the Grievance Redress Mechanism.

Marine Power Generation Company Ltd (MPG), a renewable energy company, was awarded a Geothermal Development License by the then Ministry of Energy and Petroleum (Now Ministry of Energy) No 2/2009 in July 2009, for the development of up to 140 Mega Watts (MW) of geothermal energy in Nakuru County, covering a concession area of approximately 480km². The concession area is located on Akiira Ranch, Mlima Panya and Mount Margaret that lie within Nakuru and Narok Counties in Kenya.

MPG along with a number of investors further set up Akiira Geothermal Limited (AGL) as a Project company to develop up to 140MW net of geothermal power, to be constructed in a phased approach of two 70 MW net geothermal power plants in each phase, located in Naivasha Sub-County of Nakuru County. AGL is jointly owned by Centum Investments Company Limited and Frontier Energy, together with the development partners Marine Power Generation Limited (MPG) and Ram Energy Inc. (REI).

1.2 Project Justification

Kenya's energy sector relies heavily on hydro-power and thermal generation, accounting for 45.3% and 39.2% of the energy supplied to the grid respectively. The remainder is made up of wind (1.4%) and thermal (14.1%). Though hydropower is renewable, it is vulnerable to the effects of climate change, while thermal plants are costly and increase the carbon load. Addressing the effects of climate change in the energy sector requires proper planning and development of energy solutions that are resilient and that also minimize carbon emissions. Wind energy, alongside geothermal and solar, provide the solution to a low carbon pathway.

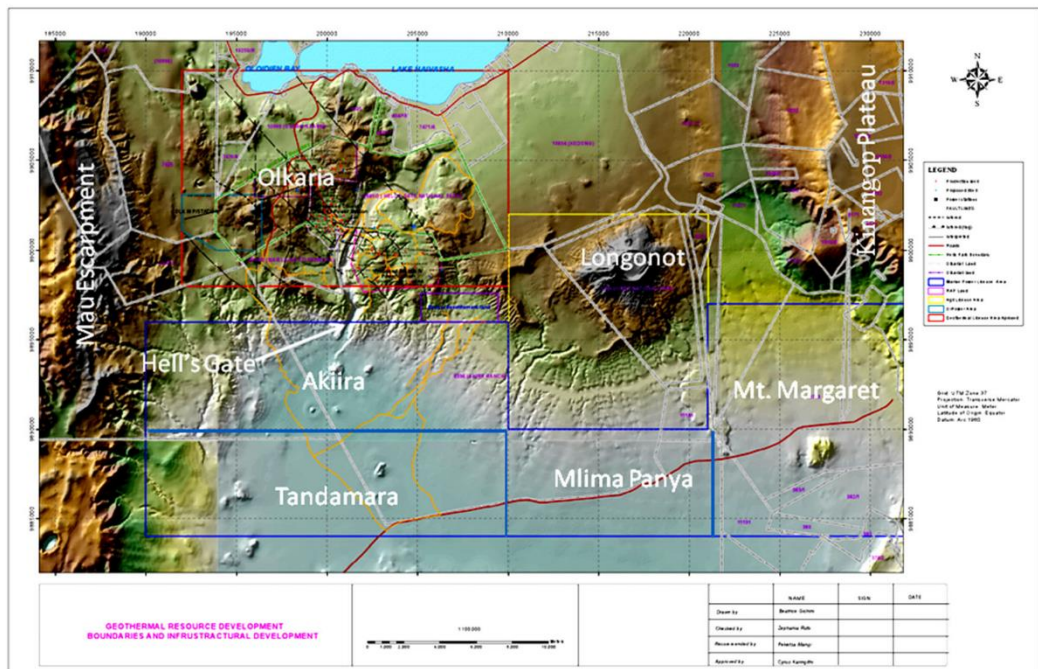
The GoK has initiated several flagship projects under the Vision 2030 Plan. Some of these projects include the Standard Gauge Railway System, Special Economic Zones, Information and Communication Technology Parks, Growing Manufacturing Sector and the LAPSET Project. Additionally, the counties are also largely viewed as new frontiers for socio-economic growth. All these together with Kenya Power's Last Mile Connectivity project will create demand for additional power. The proposed wind energy Project seeks to contribute toward the demand for additional electricity generation infrastructure in a renewable form.

Kenya has overtime relied on hydropower, but the seasonal variability of river flows has resulted in reduced supply of hydropower, prompting the country to assess alternative sources of energy production to meet increased demand including geothermal power. As such, the proposed Project will contribute to the efforts to meet this demand, understanding that investment in power generation is imperative if the Country is to adhere to the key pillars of achieving Vision 2030. In addition, the proposed Project supports the Least Cost Power Development Plan through the development of geothermal power, and the objective for geothermal power to provide 27% of generation capacity to meet the power demand forecasts up to 2033.

1.3 Project Location

As noted above, Akiira Geothermal Area is part of the Marine Power Generation Ltd (MPG) concession area which covers over 480 km². The concession area has been divided into 4 prospects which are all larger than the Olkaria Geothermal field which has a potential to generate over 1000MWe. The prospects are Akiira (which has been ranked highest based on its proximity to the Olkaria Domes field), Tandamara, Mlima Panya and Mt. Margaret. The concession has been subdivided into 4 prospects known as Akiira, Tandamara, Mlima Panya and Mt. Margaret. The project area is on the eastern part of the Akiira prospect and to the south of Olkaria area. Akiira project area is in a private ranch and covers 1,000 acres which has been surveyed and demarcated. All these have been depicted in Figure 1.1 below.

Figure 1.1: The Marine Power Concession Area covering an area of 480 km².



1.4 Stakeholder Engagement Plan (SEP)

This SEP aims to ensure a proactive, well-coordinated and structured approach to community and stakeholder engagement within the project area.

It is a tool used to help recognize the stakeholders' human rights by allowing them to express their views on the project and how it will impact their lives. The Project developer believes that engaging the people as project partners helps to build community understanding and increase collaboration and support for current and future activities.

The key objectives of the Stakeholder Engagement Plan are to address the following aspects:

- Identify and map stakeholders who have influence on the Project or who the Project influences and identify and record key issues and concerns that stakeholders may have about the Project.
- Identify whether there are any vulnerable communities/groups, and if so, engage with

- them in meaningful informed consultation.
- Build trusting relationships with local stakeholders based on a transparent and timely supply of information, open dialogue, and provision of opportunities for stakeholders to voice opinions and concerns for informing Project design and mitigation measures, and minimising impacts on local resources and/or stakeholders.
- Keep stakeholders regularly informed about the Project's activities, explaining the nature of the construction and operation stages, overall Project duration, and any changes that could generate new impacts or increase the existing ones, and opportunities for grievance and engagement.
- Build positive stakeholder relationships and ensure ongoing stakeholder participation.
- Implement a viable grievance mechanism.

Risk Management (for both long terms operating and reputational costs):

- Improve on social governance performance, processes and knowledge within the organization.
- Enable better management of expectations, misconceptions and misinformation about the project and the project company from the community and other stakeholders.
- Identify emerging community/other stakeholders' issues and concerns at an early stage of the project development and devise appropriate management strategies for the risks; and
- Sharing of benefits from the project through the community development activities and therefore enabling the neighbouring communities to feel part of the development and support the project throughout its lifespan.

Securing a Social License to operate the project:

- Build a strong foundation of understanding among the different stakeholder groups which will help to secure local buy-in to the operations and ease the path to development.
- Gain better understanding of the needs, concerns and expectations of stakeholders and address these concerns.
- Provide communities with timely and adequate information on activities/operations and the related implications including issues that could potentially affect them.
- Build and maintain transparent trust-based relationships with the stakeholders; and
- Provide a transparent grievance management mechanism where concerns, comments and disputes are captured and responded to in a constructive, proficient, and timely manner. This is covered under the project GRM which is a stand alone document.

The project recognizes that failure to engage effectively with stakeholders could lead to deterioration in the company's reputation and delays in executing its business plans.

2 LEGISLATIVE FRAMEWORK

2.1 Overview

Public consultations and participation in a development project is anchored in the Laws of Kenya. This SEP is designed to meet laws of Kenya and IFC Performance Standards on Environment and Social Sustainability as discussed in section 2.2 below.

Kenya has signed and ratified a number of International Conventions, which relate to access to information, public participation in decision-making, and public access to justice in relation to the environment.

It is also important to mention that Development Finance Institutions have policies, standards and guideline that strictly uphold the spirit of stakeholder engagement and public participation in development projects. This chapter looks at the general legal, policy and administrative frameworks that point to consultations and participation, both at national and international levels.

2.2 Relevant National Laws

2.2.1 Constitution of Kenya

The Constitution of Kenya provides a strong foundation for participatory governance. It recognizes that all sovereign power belongs to the people of Kenya and may be exercised either directly or through elected representatives. The Constitution of Kenya, Article 1(2) establishes public participation as a key value and principle in governance. The Constitution of Kenya, Article 10 (2)(a), states that public participation would improve decision-making and ensure equality and non- discrimination. Likewise, the state is under obligation to encourage public participation in the management, protection and conservation of the environment as stated in Article 69(1).

2.2.2 Access to Information Act, 2016:

The Acts' objectives in section 3 (d) state that its purpose is to promote routine and systematic information disclosure by public entities and private bodies on constitutional principles relating to accountability, transparency, public participation and access to information. AGL is therefore mandated to share relevant project information with the stakeholders and incorporate their valid and practical views during the project implementation Environment and Land Court Act 2011: The principal objective of this Act is to enable the Court to facilitate the just, expeditious, proportionate and accessible resolution of disputes governed by this Act. Section 13 (2) (b) of the Act outlines that in exercise of its jurisdiction under Article 162 (2) (b) of the Constitution, the Court shall have power to hear and determine disputes relating to environment and land.

2.2.3 National Land Commission Act, 2012:

Part II Section 5 (f) of the Act states that part of the functions of the commission is to encourage the application of traditional dispute resolution mechanisms in land conflicts. This shall be important especially when handling any form of grievance that shall be related to land issues during the project implementation phase. The project shall encourage grievances to be solved as per the grievance system used locally by the community.

2.3 International standards

The following international standards shall be applicable to the project:

- IFC Performance Standards on Environment and Social Sustainability (2012).
- EIB Environmental and Social Principles and Standards 2009.
- Equator Principles.
- International Labour Organization (ILO) Convention 169.
- UN Guiding Principles on Business and Human Rights (UNGPR).
- UN Guiding Declaration on the Rights of Indigenous Peoples, encompassing the principle of Free, Prior and Informed Consent (FPIC).

2.3.1 IFC Performance Standards on Environment and Social Sustainability (2012)

IFC standards stipulate that when host country regulations differ from the levels and measures presented in the Performance Standards (PS) and EHS Guidelines, projects are expected to achieve whichever is more stringent. If less stringent levels or measures are appropriate in view of specific project circumstances, a full and detailed justification for any proposed alternatives is needed as part of the site- specific environmental assessment. This justification should demonstrate that the choice for any alternative performance level is protective of human health and the environment. The following PS are applicable to this project in terms of stakeholder engagement and consultations.

IFC PS1: Assessment and Management of Environmental and Social risks and impacts

PS1 indicates that the client shall develop and implement a Stakeholder Engagement Plan that is proportionate to the level of project risks and impacts and development stage and be tailored to the characteristics and interests of the Affected Communities. The PS requires the following to be adhered to:

Disclosure of information

PS1 requires that the disclosure of information should be done in detail and in a culturally appropriate manner to enable the community to understand the risks, impacts and opportunities that will emanate from the project. This will enable them to understand the project better and therefore make an informed decision on the same.

Consultation

PS1 requires that when affected communities are subject to identified risks and adverse impacts from the project, the client will undertake a process of consultation in a manner that provides the affected community with opportunities to express their views on project risks, impacts and mitigation measures and enable the client to respond to the same. It further requires that the extent and degree of engagement required by the consultation process should be commensurate with the project's risks and adverse impacts and with the concerns raised by the Affected Communities. According to this standard, effective consultation is a two-way process that should:

- Begin early in the process of identification of environmental and social risks and impacts and continue as an ongoing basis as risks and impacts arise.
- Be based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information which is in a culturally appropriate local language(s) and format and is understandable to Affected Communities.
- Focus inclusive engagement on those directly affected as opposed to those not directly affected.
- Be free of external manipulation, interference, coercion, or intimidation.

- Enable meaningful participation, where applicable; and
- Be documented.

PS1 emphasizes the importance of conducting an Informed Consultation and Participation (ICP) in projects with potentially significant adverse impacts on Affected Communities, this process will help to build upon the steps outlined above in Consultation and will result in the affected communities' informed participation.

This process entails a more in-depth exchange of views and information, and an organized and iterative consultation. AGL will continue to incorporate into their decision-making process the views of the affected communities on matters that affect them directly, such as the proposed mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

It states that the consultation process should:

- Capture both men's and women's views, if necessary, through separate forums or engagements; and
- Reflect men's and women's different concerns and priorities about impacts, mitigation mechanisms, and benefits, where appropriate.

So far, AGL has conducted several public engagement activities with the relevant stakeholders including the community in the project area of influence.

IFC PS7: Indigenous People

Performance Standard 7 recognizes that indigenous peoples, as social groups with identities that are distinct from mainstream groups in national societies, are often among the most marginalized and vulnerable segments of the population and therefore private sector projects can create opportunities for indigenous people to participate in, and benefit from project-related activities that may help them fulfil their aspiration for economic and social development.

Section 8 of PS7 requires that where projects have possible negative impacts to Indigenous Communities, they should be avoided and where alternatives have been explored and adverse impacts are unavoidable, the client will minimize, restore, and/or compensate for these impacts in a culturally appropriate manner.

Section 10 requires for participation and Consent of Indigenous People throughout the project and which should be done also in a culturally appropriate manner. This should include information dissemination about the project as well as engagement planning. Where relocation of IP is unavoidable the Developer is required to develop an FPIC indicating: Demonstration that information dissemination about the project has been done in a culturally acceptable manner and has been understood by the IP which will result to obtaining Consent from them.

How the IPP will benefit from the project.

Currently, AGL land is not occupied by any community. The neighbours/surrounding communities are Suswa, and Rapland communities who belong to the Maasai community and Kambi Turkana, and Mlima Tatu, and much more recent settlement of individuals given land by Kedong Ranch from Kambi Turkana.

IFC Good Practice Handbook on Stakeholder Engagement

This guideline provides for interactive consultations whose importance is as stated below:

- The public should have a say in decisions about actions that could affect their lives.
- Public participation promotes sustainable decisions by recognizing and

- communicating the needs and interests of all participants, including decision-makers.
- Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
- Public participation seeks input from participants in designing how they participate.
- Public participation provides participants with the information they need to participate in a meaningful way.
- Public participation communicates to participants how their input affected the decision.
- In addition to consultation, the negotiation process may provide further assurance to affected parties by giving them a greater say in the outcome. It also provides them with the additional clarity, predictability, and security of a signed agreement detailing precisely what the company commits to doing, and the roles, if any, for the affected stakeholders.
- Good faith negotiations are transparent, considerate of the available time of the negotiating parties, and deploy negotiation procedures and language readily understood and agreed to by all parties.

The above guidelines have been adopted during consultations with the identified project stakeholders and shall guide all future consultations.

2.3.2 EIB Environmental and Social Standards

The overall objective of these Standards is to outline the promoter's responsibilities in the process of assessing, managing and monitoring environmental and social impacts and risks associated with the operations.

EIB Standard 10 on Stakeholders engagement:

Indicates that a meaningful engagement process allows for the efficient implementation of a financed operation and, in particular, the early and effective identification, assessment, and management of any environmental and social risks, impacts, and opportunities. The views, interests, and concerns of project affected communities and other interested stakeholders are heard, understood, and taken into account throughout the project lifecycle will guide the SEP.

Specifically, the standard requires the promoter to:

- Establish and maintain a constructive dialogue between the promoter, the affected communities and other interested parties throughout the project life cycle.
- Ensure that all stakeholders are properly identified and engaged.
- Engage stakeholders in the disclosure process, engagement and consultations in an appropriate and effective manner throughout the project lifecycle, in line with the principles of public participation, non-discrimination and transparency.
- Ensure that the relevant stakeholders, including commonly marginalized groups on account of gender, poverty, educational profile and other elements of social vulnerability, are given equal opportunity and possibility to voice their opinions and concerns, and that these are accounted for in the project decision-making; and,
- Duly verify and assess that the quality and process of engagement undertaken by third parties on the project conform to the provisions included in the present standard.

2.3.3 Equator Principles

The Equator Principles provide international principles for stakeholder engagement. Principle 5 outlines the main consultation and disclosure of information requirements including demonstration of effective Stakeholder Engagement as an ongoing process in a structured and culturally appropriate manner with affected communities and, where relevant, other stakeholders. It recognizes that indigenous peoples may represent vulnerable segments of project-affected communities. The principle requires that for projects affecting indigenous peoples, they will be subject to a process of Informed Consultation and Participation and will

need to comply with the rights and protections for indigenous peoples contained in relevant national law, including those laws implementing host country obligations under international law.

Principle 6 stipulates that a grievance mechanism should be established to consider concerns from project affected communities. The grievance mechanism is required to be scaled to the risks and impacts of the Project and have affected communities as its primary user. It also requires that Grievance Redress must be done in a timely, transparent and in a culturally appropriate manner. This project shall adopt the above principles throughout its various project phases.

2.3.4 International Labour Organization (ILO) Convention 169

This Convention applies to:

Tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from, sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations.

Peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

The convention came into force on 5th September in 1991. Article 7 indicates that the peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly. This has been adopted when developing this SEP and shall apply throughout the project.

2.3.5 UN Guiding Principles on Business and Human Rights (UNGPs)

These Guiding Principles emphasize three pillars which are: protect, respect and remedy. Each defines concrete, actionable steps for governments and companies to meet their respective duties and responsibilities to prevent human rights abuses in company operations and provide remedies if such abuses take place.

In accordance with this SEP, some of the guiding principles will include but not be limited to the United Guiding Principles On business and Human Rights (UNGPs).

GP 13: It states that the responsibility to respect human rights requires that business enterprises to:

- Avoid causing or contributing to adverse human rights impacts through their own activities and address such impacts when they occur.
- Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

GP15: Indicates that in order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including:

- A policy commitment to meet their responsibility to respect human rights;

- A human rights due-diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
- Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

GP31 advocates for the development of Grievance mechanism that is accessible and can be used by all relevant stakeholders to the project.

In accordance with the above, an ESIA was conducted for the project and further upgraded to international standards. This SEP also states the various strategies through which various stakeholders shall be engaged throughout the different phases of the project and has also provided a Grievance Mechanism to be used by all the project stakeholders.

2.3.6 UN Guiding Declaration on the Rights of Indigenous Peoples, encompassing the principle of Free, Prior and Informed Consent (FPIC)

Article 10:

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior, and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 16

- Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
- States shall take effective measures to ensure that State-owned media duly reflect indigenous 15 cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 17

- Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.
- States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
- Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect 16 their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 22

- Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
- States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 26

- Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
- Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

- States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

- Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
- Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

- Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
- States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
- States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 32

- Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
- States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or

territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

- States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 40

- Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective 27 remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

- The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.
- Relevance: All the above international standards and requirements have been referred to in developing this SEP and shall be applied during update of this document and its implementation.

3 STAKEHOLDER IDENTIFICATION AND ANALYSIS

3.1 Overview

A stakeholder is defined as “persons or groups who are directly or indirectly affected by a project as well as those who may have interest in a project or the ability to influence its outcome either positively or negatively” IFC, May 2007.

The objective of stakeholder identification is to establish which organizations and individuals may be directly or indirectly affected (both positively and negatively) or have interests in the Project. As per IFC PS1 the Project needs to identify the range of stakeholders that may be interested in their actions and consider how external communications might facilitate a dialog with all stakeholders.

Stakeholder identification is an ongoing process, requiring regular review and updates. Stakeholder engagement is therefore, a basis for building strong, constructive and responsive relationship that are essential for successful management of a project (IFC, 2012).

To date, many potentially affected and interested parties have been identified through the ESIA process both through the original ESIA which was conducted in 2014, updated ESIA of 2016. AGL and the Remedial Action Process. AGL has also made a number of contacts with the local communities, government departments and other organisations as part of its consultation process and project disclosure.

This SEP has been updated to reflect the stakeholders that have been identified and categorized through the engagement process to date and is explained below.

3.2 Primary stakeholders

Primary stakeholders are directly affected or an involved in the project in one way or another. They are either are living within the project area of influence or are key decision makers towards the project implementation. This includes the following:

3.2.1 Communities surrounding AGL Land

Communities surrounding AGL Land include those who were affected during 2019 evictions, and those who live near the project and were not affected by evictions. They include the following:

- PAPs from Lorropil and Mlima Tatu villages, those who were affected by evictions and those who were not affected and currently living in Kedong Ranch.
- Kedong Ranch Owners, they have influence on land sub-divisions on the area.
- Kampi Turkana, Rapland and Suswa communities. This were not affected by evictions but live within the project area of influence.
- Laborers- Workers who are regularly engaged from the community to work in the project during the construction and operational phases of the project.

3.2.2 National Government

I. Ministry of Interior and Coordination of National Government.

County Commissioner Nakuru and the Deputy County Commissioner Naivasha

The County Commissioner Nakuru County is the highest national government officer managing all administrative and interior security issues in the County. Together with the Deputy County Commissioner Naivasha and the Chief Olkaria location are the entry point to the project area, and they need to be informed on any development within the County/area.

Due to the above the national government representative atomically becomes the Chairperson for both community and sub-county grievance resolution process. Consultations were sought with the DCC Naivasha in organizing for public forums through the area chiefs and assistant chiefs.

I. Kenya National Commission on Human Rights (KNCHR)

The Kenya National Commission on Human Rights (KNCHR) is an independent National Human Rights Institution established by the Kenya National Commission on Human Rights Act 2002. The KNCHR is broadly mandated with the promotion and protection of human rights in Kenya. Further, the KNCHR also plays a watchdog role over the Government in the area of human rights and provides a leadership role in moving the country towards a human right respecting state. 2. The functions of the KNCHR are stipulated in section 16 of its constitutive act and include investigation (on its own initiative or upon complaints made), creating public awareness on human rights and recommending to parliament effective measures to promote human rights while also ensuring government compliance with international obligations under human rights treaties and conventions. Since its establishment the KNCHR has successfully carried out various investigations and research studies

One of the core functions of the KNCHR as stipulated in section 21 of the KNCHR act is “to submit an annual report to the President and to the National Assembly through the Minister and may at any time submit special reports to the President and to the National Assembly on any matter... and shall include an overall assessment of the Commission of the performance of the Government in the field of human rights during the period under review.” Within this context the KNCHR published a special report titled “Growing Old in Kenya: Making it a Positive Experience (2009)” whose key focus was the process of growing old and the rights issues along that whole spectrum of life. The representative of KNHCR is a primary stakeholder as they are a part of the Grievance Redress Management Committee.

3.2.3 NGOs and CBOs

These are organizations with direct interest in the proposed Project, and its social and environmental aspects and that can influence the Project directly or through public opinion. Such organizations may also have useful data and insight and may be able to become partners to the Project in areas of common interest. The representative of CBOs is a primary stakeholder as they are a part of the Grievance Redress Management Committee.

3.2.4 Contractors (Drilling, Operation and maintenance)

The Contractors shall work closely with the AGL ESG team, to ensure that they adhere to all the recommendations from the relevant project stakeholders.

3.3 Secondary stakeholders

Secondary stakeholders are those who have an indirect influence in the proposed project. They include:

- Institutions with regulatory roles in the project.
- Institutions/individuals with representation functions example the elected leaders.
- Government bodies with representation at county levels/who control county functions

in relation to the project.

3.3.1 National Government

I. Ministry of Energy

Involved in the approval of the Expression of Interest to develop the wind power plant in Kajiado County.

Kenya Power

Kenya Power is the national off taker. It has a direct role in PPA negotiations, a key project contract that affects the overall project timeline.

Kenya Electricity Transmission Company (KETRACO)

KETRACO is a national company responsible for the planning, design, construction and maintenance of electricity transmission lines and associated substations of Kenya. The project will connect to a KETRACO's substation and may use some of KETRACO's wayleaves to build its own grid- connection line.

Energy and Petroleum Regulatory Authority (EPRA) previously Energy Regulatory Commission (ERC)

Amongst other duties, EPRA regulates the electrical energy, renewable energy and other forms of energy. EPRA has a direct role in approving the Power Purchase Agreement (PPA) for the project, a key project contract that affects the overall project timeline. The PPA for this project was signed on August 12th, 2015.

The Geothermal Development Company

The Geothermal Development Company (GDC) is a 100% state-owned company, formed by the Government of Kenya as a Special Purpose Vehicle to fast track the development of geothermal resources in the country. The creation of GDC was based on the government's policy on energy - Sessional paper No. 4 of 2004, and the energy Act No. 12 of 2006 - which un- bundled the key players in the electricity sector to ensure efficiency.

II. Ministry of Environment and Forestry

National Environment Management Authority (NEMA)

NEMA issues the Environmental Impact License which is one of the required project approvals before construction can start. Prior to issuance of the ESIA License, Nakuru County Director for Environment (CDE) was involved and was the main overseer of the ESIA report. The project received the ESIA approval on the 23 July 2013.

III. Ministry of Tourism and Wildlife

Kenya Wildlife Services

AGL land lies in the administrative locations of Hells Gate and Olkaria within Naivasha sub-County, Nakuru County in the Rift Valley of Kenya. Specifically, its neighbours Hells Gate National Park which is compatible with wildlife ecology.

AGL had to consult with KWS in order to include Hell's Gate National Park Management Plan in their decisions and to adopt the park's management plan Zonation of geothermal development area within the park.

IV. Development Partners and Limited Partners

The lenders and Limited partners to the project will need to be updated on the progress of the project as a way of monitoring the investment regularly.

3.4 Tertiary stakeholders

These are stakeholders who can influence the project outcome as described below:

3.4.1 Neighbouring geothermal developments (KENGEN, AGIL, ORMAT, OSERIAN)

One of the key connections between the proposed Project and other geothermal development companies is the management of impacts resulting from their respective projects.

Continued engagement between geothermal development companies is recommended in order to manage any potential cumulative impacts. In addition, geothermal development companies operating in proximity to each other may share resources (access roads etc.) common to their projects.

3.4.2 Media

Media are an important stakeholder in this project since they act as links between the project and the public. The right information should be channelled to them so that AGL ensures that whatever goes out to the public concerning the project tallies with the actual project state

Table 3-1: Stakeholder Identification and analysis

Stakeholders	Who/what do they represent?	Knowledge of Issues	Ability to Influence Outcome	Position on and stake in Project	Communication Strategy Level1,2 or 3	Comments
PRIMARY STAKEHOLDERS						
Neighboring communities (Kampi Turkana, Milima Tatu, Rapland and Suswa)	Immediate Neighbours to AGL Land	High	Have great influence on the project implementation since they are the ones to experience the direct and indirect impacts of the project.	They can therefore be for the project or against the project as an aggrieved group.	Level1	<p>The following communities were engaged on the Remedial Action Plan and Grievance Redress Mechanism: Milima Tatu- 15th September 2022. Lorropil Village- 16th September 2022 Rapland Community- 20th September 2022 Suswa Community- 29th September 2022</p> <p>Other Community engagements on the project include: Olkaria Classroom construction: 21st February 2023- Rapland 10th March 2023- Rapland 6th July 2023- Olkaria Primary School</p> <p>Environmental Audit 12th April 2023- Kampi Turkana/ Milima Tatu 13th April 2023 – Rapland 14th April 2023- Suswa 20th April 2023- Lorropil</p>

						<p>13th July 2023- Suswa – 12th September 2023- Tree planting Olkaria Primary</p> <p>General Operational update 13th December 2023- Suswa (End year committee meeting) 14th December 23- Rapland (End year Committee update meeting) 30th January 2024- Rapland Classroom handover</p>
Surrounding landowners (including, Kedong and Ngati farmers)	Workers at AGL	High	Have great influence on the project implementation since they are the ones to experience the direct and indirect impacts of the project.	They can therefore be for the projector against the project as an aggrieved group.	Level1	Engaged regularly on matters concerning the project so that they are part of all phases of the project.
Labourers- Workers who shall be outsourced from the community to work in the project during the construction and operational phases of the project.	Construction of the project	High	Have great influence on the project implementation since they are the ones to experience the direct and indirect impacts of the project.	They can be against the project if their minimum needs on labour are not met. These may They can be against the project if their minimum needs on labour are not met. These may include poor working conditions, delayed salaries, unresolved grievances amongst others	Level1	Local workers were sourced from Rapland for the construction of Rapland classroom. The classroom completed and project handed over on 30 th January 2024.

Contractors (Drilling, Operation and Maintenance) are listed as a tertiary stakeholder above)		High	Implementation of the project as well as the various ESMP requirements	If the Contractors will not follow agreements made between AGL and outside community, these can trigger grievances/protests to the project	Level1	Various contractors and sub-contractors are regularly engaged on matters concerning the project so that they are aware of the requirements/ agreements with various stakeholders.
Ministry of Interior and Coordination of National Government. Local administration (County Government of Nakuru)	Are involved in matters concerning security and public outreach (organizing public forums) for the project. Are the entry point to the community	High	Are key in the project implementation, Environmental and social management for sustainable development. Oversee any approvals in as far as the project is concerned.	They are key in support received from the project by influencing the community and approvals from the various government departments.	Level1	The Deputy County Commissioner was visited on a monthly basis and given an update on the project status. The Assistant County commissioner and chiefs (Hellsgate and Olkaria locations) were actively engaged during the Lorropil Grievance redress process. The Chief Olkaria Location was also engaged during the Olkaria classroom handover held on 30 th January 2024.
Kenya National Commission on Human Rights (KNCHR)		High	They played a critical role during the grievance redress process as defined in their role above.		Level 1	Engaged on 11 th May 2023, 18 th May 2023, 15 th June 2023 and 22 nd September 2023 during the Lorropil grievance redress engagements. 7 th March 2024-

						Stakeholders engagement in Nakuru
NGOs and CBOs	They include Friends of Lake Naivasha and Lake Naivasha Riparian Association.	High	Are potential Partners in implementation of the CDAP activities and can be used to learn about the best-case scenarios which will give positive social milestones to the project.	Actors in community development and Advocacy especially at the grass root level.	Level 1	Engaged on 11 th May 2023, 18 th May 2023, 15 th June 2023 and 22 nd September 2023 during the Lorropil grievance redress engagements. They played a critical role during the grievance redress process by contributing example on how other grievances were handled in other projects.
SECONDARY STAKEHOLDERS						
Ministry of Energy	Various government departments regulate and oversee environmental and social management programs	Medium	As per relevant laws	They are key in support received from the project by influencing the community and approvals from the various government departments.	Level2	The project has received most of the ESIA License. Therefore, AGL should be keen to engage and keep these stakeholders informed whenever called upon.
Ministry of Environment and Forestry						
Ministry of Tourism and wildlife						
Development partners and Limited partners	The lenders and Limited partners to the project	High	As per various standards	Will be keen to ensure that the developer is in compliance with all requirements among them environmental and social safeguards. Lack of compliance can lead to delay in project implementation through sanctions such as withholding and in very	Level 1	Will need to be updated on the progress of the project as a way of monitoring the investment regularly.

				bad cases outright withdrawal from the project.		
TERTIARY STAKEHOLDERS						
Media	Communication channels that can be used with regards to the project. They Include civil societies.	Medium	Link between the project and the outside community	Plays a key role in sharing project information with the public and/or stakeholders	Level 3	
Neighbouring Geothermal developments	Neighbouring performing similar activities in the project area	Low	Will be key during project operational phase especially with monitoring activities	Will form part of key stakeholder consulting for best case project implementation activities. Including coordinating with various key stakeholders and the community at large.	Level 3	Continued engagement between geothermal development companies is recommended in order to manage any potential cumulative impacts.

4 STAKEHOLDER ENGAGEMENT PLAN IMPLEMENTATION

4.1 Overview

The SEP seeks to describe the entire stakeholder engagement process for the project, specify activities, outline roles, resources and timelines, and serves as a guiding document throughout the project cycle. AGL recognizes the provision of free prior and clear information to stakeholders as essential to have an integral involvement and cross-functional partnerships with all teams within the company.

SEP is an integral part of the project with the aim of guiding the stakeholder engagement across the life of the project and during the implementation of the management plans.

The objectives are aimed at enabling meaningful engagement with stakeholders by identifying different mechanisms for the participation of the said groups. The purpose of the plan is to provide an avenue for affected parties to express their views and opinions and get the appropriate feedback from the project proponent.

AGL has set up a team that will oversee implementation of the continuous stakeholder engagement.

This will comprise of the following Officers:

- AGL Social Specialist
- CLO's
- Frontier Energy ESG Manager

The SEP will inform how to deal with all grievances. The grievances will be logged in during the construction and operation phase and will be resolved as per the grievance process in chapter 6.

Consultations with stakeholders will be done by the AGL Social Specialist who will also look at the social aspects and work.

Consultations with the government agencies will be conducted as per the schedule that will be created with the Social Specialist during active project development. All relevant stakeholders will be informed in advance of the planned project activities.

Consultations with the primary stakeholders will involve meetings, information boards announcements and an Intranet system to appraise the project employees regarding the procedures of:

- Emergency response system,
- Incident/accident reporting,
- Grievance redress mechanism,
- Human Resources Policies and Procedures,
- Welfare measures
- Communication of general employment conditions,
- Company's code of conduct for work site,
- EHS concerns,
- Use of PPEs,
- Information and awareness regarding the requirements of labour laws and minimum wages, working hours.
- Worker's code of conduct including
- Retrenchment process
- GBV, SEA and VAC issues, and interaction with local community.

The above process will also be conducted with workers engaged by the contractors.

4.1.1 Dissemination of Information

Project related information will be posted on the informational boards at the site office during active project construction and operation as well as at the management level.

Information on the project milestones will be published in advance on the company's website to be available for the public and non-governmental organizations in the area to comprehend the attitude of the secondary stakeholders. Should any issues be raised by the stakeholders, AGL shall respond accordingly in the shortest possible time.

A summary of the engagement activities that AGL shall undertake as part of the Stakeholder Engagement Plan pertaining to the project area community and other stakeholders have been provided in the Table 3-2.

Table 4-2: Information Sharing to be done during Project Period

No	Stakeholder	Information that needs sharing	Timeline	Responsible Entity
1	Project Area Community	<ul style="list-style-type: none"> CDAP activities Information on employment Project subconsultants Vendors Environment and safety issues Grievance redress GBV, SEA and VAC issues 	Quarterly (throughout project cycle)	<ul style="list-style-type: none"> AGL Social Specialist
2	Migrant and Local Workers	<ul style="list-style-type: none"> Grievance redress Training on how to deal with locals. Safeguards sensitization (Health and safety) Code of conduct GBV, SEA and AC issues 	Quarterly (throughout project cycle)	<ul style="list-style-type: none"> AGL Social Specialist
3	Government (National and County)	<ul style="list-style-type: none"> Permits, Licenses and Approvals) Unresolved Grievances Environmental Monitoring Reports 	As need arises (throughout project cycle)	<ul style="list-style-type: none"> AGL Social Specialist
4	Subcontractors	<ul style="list-style-type: none"> Training on dealing with locals. EHS matters. Code of conduct for each worker Safety induction and toolbox talks GBV, SEA and VAC issues 	Quarterly and as need arises throughout project cycle	<ul style="list-style-type: none"> Site Supervisor EHS Officer AGL Social Specialist
5	Project Workers	<ul style="list-style-type: none"> Safety induction and toolbox talks Code of conduct GBV, SEA and VAC issues 	Quarterly and as need arises throughout project cycle	<ul style="list-style-type: none"> Site Supervisor EHS Officer AGL Social Specialist
6	Lenders, and Investors	Regular Reports on project progress	Quarterly and as need arises throughout project cycle	<ul style="list-style-type: none"> Board of Directors representative or AGL CEO

4.2 Resources and responsibilities

4.2.1 AGL Management

This is composed of the investment partners. They meet on a weekly basis to review project progress and make recommendations as appropriate or where need arises.

Their roles are as follows:

- Effecting necessary policy, administrative and financial decisions and actions, necessary for the successful implementation of the project.
- Facilitation of timely release of necessary funds towards implementation of the project.
- Resolve any grievance that has not been solved by the Project Implementation Team.
- Ensure that there is timely communication of project information to the stakeholders as indicated under Table 4.3.

4.2.2 AGL Chief Executive Officer

The CEO or the Boards designated representative ensures that all operational, technical and environmental, social and health and safety aspects of the project during the implementation phase are in line with management plans. His role is as follows:

- Has functional/technical management responsibility for environmental and social functions for the project implementation.
- Works closely with the Project Implementation Team in matters concerning community health and safety and community development initiatives.
- Has direct responsibility for working with investors and lenders in giving financial support to all SEP activities.
- Resolves any grievance that has not been solved by the Project Implementation Team.
- Ensures that all information communicated to stakeholders is consistent with the project activities.
- Approves information to be released to the media where necessary.
- Approves budgets for SEP implementation.
- Ensures all operational, technical and environmental, social and OHS aspects of project during the implementation phase are in line with management plans.
- Reports to AGL management on all Contractors (drilling and Operations and Maintenance Operator) activities, compliance and delivery of project and keenly highlighting matters to deal with health, safety, environment and community development, in liaison with the Environment Health and Safety & Security Advisor and the Social Coordinator.

4.2.3 Frontier ESG Manager

The Frontier ESG Manager is responsible for ensuring that environmental and social safeguards are implemented at all stages of the project to the required standards. He will:

- Ensures appointment of competent and qualified persons to be Social Specialist, Environment Health and Safety & Security Advisor and Community liaison Officers.
- Acts on the above positions in the event, the positions are vacant until they are occupied.
- Participates in the development and implementation of the CDAP.
- Ensures all social and OHS aspects of project during the project implementation are in line with the SEP.
- Reports to the Investors on SEP implementation.
- In the absence of the below Social Specialist and the Environment Health and Safety

and Security Advisor, then the Frontier ESG Manager will take over their roles.

4.2.4 AGL Social Specialist

- Ensuring social aspects compliance observance during the project cycle (construction, operation and decommissioning) and that they have incorporated all valid requirements as per stakeholders' concerns.
- Coordinate the CLOs and participate in Grievance Management meetings.
- Participate in any community development meetings geared towards implementation of the RemAPs, SEP and CDAP.

4.2.5 AGL Environment Health and Safety & Security Advisor

- Ensuring Environmental, Health and Safety & Security compliance observance during the project cycle (construction, operation and decommissioning) especially with the community and that they have incorporated all valid requirements as per stakeholders' concerns.
- Undertake sensitization of health and safety aspects to the community.

4.2.6 Community Liaison Officers (CLOs)

Currently there are 2 CLOs. Their roles are as below:

- Are direct link between the community and the project.
- Hold regular meetings with the community to share information from project to keep them updated on the project activities.
- Monitoring implementation of community development activities as indicated in the CDAP.
- Collect and log in any grievances from the community.
- Participate in Grievance Management meetings.

4.2.7 Community Committees

Currently the following committees exist within the community and are composed of members from Kampi Turkana, Milima Tatu, Suswa and Rapland communities. Their various roles are as indicated below:

Grievance Management Committee: Their role is to Manage and address grievances.

Environment Committee: They are in charge of community matters concerning Environment, social and health and Safety.

Economic and Other Opportunities Committee: They are in charge of business matters within the community including the employment opportunities that will be required especially during the construction phase.

Feedback Committee: They are in charge of communication/link between the community and outside community.

4.2.8 Contractors (Drilling, Operation and Maintenance)

They are responsible for the construction, operation and management of the project. Their roles will include:

- Ensure that all their activities and sub-contractors (where applicable) involved are in line with the agreements and expectations of the various stakeholders involved in the project. This will be implemented in liaison with the AGL CEO or boards' designated representative. This will include award of jobs and opportunities especially during the

- construction phase.
Work with the AGL ESG team to ensure that their activities are in line with the SEP, GRM, RemAP, and the project ESMPs including EHS Management plans.

5 MONITORING OF STAKEHOLDER ENGAGEMENT PLAN

5.1 Background

Monitoring is essential and should form part of good management practice. Monitoring is an internal project activity designed to provide constant feedback on the progress of a project, the problems it is facing, and the efficiency with which it is being implemented. AGL management shall report to the relevant stakeholders at all requisite times. The reports will also be submitted to lenders on an annual basis to ensure proper accountability at all levels and stages of this project.

5.2 Methodology

The Social Expert will be in charge of monitoring of the SEP implementation. He/ She shall use quantitative surveys, Focus Group Discussions/Round Table Meetings and direct observation to collect data. Results of the surveys will be compared with the set objectives to check if the implementation team is achieving its targets.

5.3 Internal and external monitoring

5.3.1 Internal Monitoring

AGL Social Expert has the overall responsibility of conducting regular internal monitoring of the progress and of SEP. The monitoring shall be a systematic procedural follow up of implementation activities in relation to the recommendations of this SEP. The objectives of internal monitoring will include but not be limited to:

- Ensure that the Project progress is implemented with utmost transparency.
- Verify that the communication channels proposed in the SEP are being used and assess their effectiveness as well as implement recommendations where necessary.
- Ensure that the Grievance mechanism is being used as intended and verify that the process used is effective in addressing any grievances, as well as make recommendations/adjustments where necessary.
- Ensure that CDAP is being implemented as intended and any Grievances arising from it are addressed in liaison with the Project Implementation Team members.

5.3.2 External Monitoring

To ascertain quality and objectivity in the process, when full scale operations commence, AGL shall engage an external consultant to conduct comprehensive monitoring of the SEP implementation on an annual basis, once AGL comes back to full operation. This expertise under this team would be dedicated to determining the progress, impacts and outcomes of the entire SEP implementation process. The team should also advise on corrective actions for adoption by AGL. The External Consultant will comprise a team of sociologists/communications experts, and shall at a minimum have:

- Dealt with an Indigenous Community before.
- Experience in Monitoring and Evaluation procedures.
- Experience in Conflict Resolution Procedures.

The objectives of the evaluation will be to:

- Review the results of the internal monitoring and review overall compliance with the SEP recommendations.
- Assess whether SEP objectives have been met/strategies have been laid down on how they shall be met.
- Assess general efficiency of the SEP implementation and formulate lessons for future guidance/adoption into the SEP.

5.3.3 Tools for Participatory Monitoring of the SEP

Quantitative surveys

One of the most common methods for obtaining information on how a project is operating is to design a questionnaire and to apply it to a sample of project participants. The questionnaires can be issued periodically or at the end of sampled stakeholder engagement activities. In this case, this shall be done on a quarterly basis. The developer will design a questionnaire containing the following types of information (among many others):

- Information to find out how stakeholders have been participating in the SEP implementation.
- Stakeholder perceptions on the SEP implementation activities and processes (efficiency, timeliness, relevance etc).
- Knowledge about the SEP and its objectives.
- Opinions on the SEP, its organization, the people, and organizations involved.
- Changes which the SEP implementation process has produced.

This information can be compared over time with the previous information collected throughout the SEP implementation process. It can also be used to determine changes and trends that may have outside influences such as political situations, project stage impacts etc.

Focus Group Discussions/Round Table Meetings

Participants of an FGD drawn from various stakeholder groups can be a good source of data for the monitoring process. The participants can be sensitized on the goals and activities of the SEP then asked to discuss specific issues about the efficiency and effectiveness of the SEP. An active FGD can also be used to identify bottlenecks to the SEP implementation process and from their perspective, assist in identification of root causes of inefficiencies or challenges being faced during SEP implementation.

Direct observations

Observations shall also be used to collect data on the SEP performance. This shall include the number of attendees when called for meetings, feedback from stakeholders on communications regarding the SEP, general interest and participation during the meetings among others.

5.4 Monitoring indicators

The following will be key indicators used for comparative analysis:

- Activities conducted during each month
- Number of stakeholder meetings held and records of minutes of meetings.
- Entries to the grievance register both open and closed.
- Entries to the commitment and concerns register.
- New stakeholder groups
- * Plans for the next month and long term plans.
- Keep records of all engagement activities including meetings attended, topics discussed, participants.

- Keep copies (electronic or hard copy) of all communication material, including minutes of meetings.

The above indicators will be constantly reviewed based on the SEP implementation outcomes in order to meet the SEP objectives. Implementation of the SEP will also gauge whether the intended outputs are being produced in a timely and cost-effective manner.

Monitoring Parameter	Frequency per parameter	
Monitoring Parameter	Frequency per parameter	
Number of stakeholder meetings held and records of minutes of meetings.	Monthly	
Entries to the grievance register both open and closed.	Weekly	
New stakeholder groups	Monthly	
Plans for the long-term plans	Annually	
Records of all engagement activities including meetings attended, topics discussed, participants.	Monthly	
Copies (electronic or hard copy) of all communication material, including minutes of meetings.	Monthly	

5.5 Reporting

The monitoring reports shall include reporting on the parameters covered in the table above during project development/ construction and operations phases. In addition, the following reports will be prepared:

AGL Social Specialist shall prepare summary reports for weekly project update calls that is attended by the project directors and senior project team.

AGL Social Specialist shall prepare quarterly reports that includes activities conducted on the SEP and GRM in table format for submission to Centum and Frontier directors. The report will include activities, success, challenges, and implementation of the SEP and GRM during the quarter, if there are no changes, the same report will be submitted in the next quarter.

Copies of these reports shall also be maintained on site for reference purposes and be shared with external stakeholders.

6 GRIEVANCE MANAGEMENT AND RESPONSE

6.1 Overview

A Grievance Mechanism (GM) is important in the project since it enable AGL to identify concerns arising in the affected community and among external stakeholders in good time and allow for efforts to address and resolve them in a transparent and accountable manner. In this way, the AGL seeks to minimise disputes arising in the local community because of project activity. A Grievance shall include any concerns expressed by the community or external stakeholders that are logged as grievances as indicated in the proceeding sections.

A well established and validated GM will promote good relation between AGL, the local community, and the external stakeholders thus reducing the risk of hostilities and delays in the construction and operational programs, both before and after the contractor takes possession of the site, as well as interruptions during the operational phase.

The GM will also be used to improve project performance and prevent future grievances through application of lessons learned from investigations of root causes and resolution.

Throughout the GM procedure, any Grievant reserves and retains the right to pursue legal remedy to their grievance if they so choose.

AGL has prepared standalone GRM procedures, that should be read together with this section.

6.2 Principles of the Grievance Mechanism

The principles that will guide the GM will be to:

- * Protect beneficiaries/project affected persons and communities' rights to comment, make enquiries about and make complaints regarding impacts of the project, including enquiries about and complaints brought against all sub-contractors.
- * Ensure neutrality and equity regarding all parties and grievant while handling grievances.
- * Ensure grievances are handled in a timely manner according.
- * Ensure transparency in the receiving and handling of grievances.
- * Maintain confidentiality regarding the individual or collective grievant and their grievances and allow for submission of grievance by anonymous individuals through provision of a grievance collection box at strategically agreed locations within the affected community area.
- * Ensure the GM is accessible to all project stakeholders so that they are not intimidated in any way by lodging their grievances; this includes, for instance, ensuring that the place where they are asked to lodge their complaint is not barred by security; that the person receiving any verbal or written complaint is respectful and responsive and will communicate in the language preferred by the Grievant; that a receipt is provided quickly.
- * Establishes a channel for stakeholders to contact the project openly, confidentially or anonymously establish mutual responsibility between AGL and grievant to ensure fair, accurate and responsible behaviour.
- * Prevent retribution; and
- * Not impede access to other remedies.

6.3 AGL Grievance Management procedure

6.3.1 Acknowledge

This is a step-by-step approach for receiving, acknowledging, and registering, reviewing, investigating, and resolving complaints and grievances from all projects affected stakeholder's resident in the area of its operations.

The procedure has three tiers:

- * first tier being community level,
- * the second tier is the inter community and the
- * Third tier is the sub county level.

AGL will strive at resolving grievances at the lowest level whenever possible through an effective prior stakeholder's engagement to identify individuals and groups which either support or don't support the project. Below is the summary of the procedure:



Figure 1.2 Akiira Grievance Management Process

6.3.2 Receive

Grievances (and complaints) may be received through a variety of channels which may include:

- * Phone calls or email.
- * Akiira CLOs Community Office.
- * Akiira Social Specialist.
- * Face to face engagements.

All staff assigned to receive grievances (complaints) must have:

- * Appropriate training on this Procedure provided by the Social Specialist.
- * Relevant grievance forms available; and
- * Clear understanding in terms of forwarding grievances to the relevant assigned persons.

The Akiira staff who receives a grievance must report it within 12hours to the responsible department or person for action to be taken and response given to the aggrieved person or group within 24 hours after receiving whenever possible. Even when action may be delayed a formal response should be given to the aggrieved within 24hours informing him/her of the progress.

6.3.3 Acknowledge

When a grievance or complaint is presented, the staff member receiving it will carefully note and record on the grievance registration form and check the content with the complainant/grievant. Where applicable, the Akiira staff can take pictures and GPS coordinates related to the claim to substantiate the claim.

Confidentiality benefits the grievance process and therefore all Akiira staff will ensure they maintain confidentiality; this will ensure that trust is built with the aggrieved person or party,

and they will be able to discuss all their issues freely without fear that the information will be improperly disclosed.

Once completed, the Akiira staff member will read and explain what has been recorded to the grievant (or complainant) to confirm that the facts of his/her grievance (or complaint) are as written. If possible, grievances (or complaints) should be in writing. However, verbal grievances (complaints) should also be accepted especially in circumstances where written grievances may be a barrier for some individuals.

Each grievant (complainant) receives a copy of the Grievance Registration and Acknowledgement Form (a copy of which shall also be kept with the Company) which acknowledges that the grievance (complaint) has been received. The Acknowledgement Form has a reference number and includes a commitment from the Company to provide a response within a pre-specified time period (e.g. thirty days) of logging the grievance.

Duplicate booklets with pre-printed and numbered forms (using carbon copy paper) will be used for this purpose.

If possible, and if within the authority and capacity of the Akiira staff member to determine, grievances will be addressed immediately through dialogue with the Grievant within seven days.

6.3.4 Review

The Social Specialist will review the complaint or grievance in consultation with the CLO's and stakeholders to ascertain the next course of action if it's not yet closed. Once received, the grievances will be acknowledged as soon as possible (within 5 or less working days from receipt). This information will be stored in the Company's achieve for confidentiality purposes.

6.3.5 Investigate

The Social Specialist is responsible for determining how to investigate a grievance. The investigation shall start within 5 days after the grievance has been registered. The aims of the investigation are:

- * to examine and verify the claims made by the Grievant, and evidence provided to substantiate the claims; and
- * to determine appropriate redress where required.

Investigation should seek to examine the event leading to the grievance and to verify the impact thereof. Investigation may involve visiting the location of the event leading to the grievance; photographs of the scene; engagement with other stakeholders in the field (i.e. triangulation) to confirm reliability of the account; and other evidence as appropriate.

Potential redress options include an apology, compensation of the aggrieved or any other resolution option within the limits and capacity of the field staff.

If investigation and resolution cannot be achieved within 30 days, a letter will be sent to the Grievant informing them that their grievance is being investigated, setting out the reason for the delay and advising the Grievant of anticipated closure date.

6.3.6 Resolve and Close

It is the responsibility of the Social Specialist to communicate the outcome of the review to the aggrieved person in writing (and/or verbally where literacy may be an issue) and through the Grievance Resolution Form. This response will be either:

- * an outcome of the grievance review; or
- * a notification that the company needs additional time to examine the issue further.

The final grievance review outcome is communicated both through the Grievance Resolution Form as well as through a verbal explanation. The Social Specialist shall have two (2) copies of the form; one for the complainant and one signed by the complainant for the company records. The Social Specialist will ask the complainant to sign the form at three places: one signature to acknowledge receipt, another signature to acknowledge satisfaction with the outcome, and another signature to acknowledge that the complainant has been respectfully informed about the outcome of the reviews and has no objections.

If the complainant is not satisfied with the outcome of the review, alternative resolutions should be considered and discussed among field operational management and with the complainant before the case is escalated to the DGRM committee who will convene a meeting to address the complaint.

6.3.7 AGL Grievance Redress Mechanism document

AGL GRM was updated and approved in September 2022 during the implementation of the Remedial Action Plan (RemAP). Flyers on the Grievance procedure was prepared and distributed during the disclosure of the RemAP in public meetings held in the four villages discussed. Stakeholders were then sensitized on how best they can reach AGL in case of any issues, concerns, complains or grievances related to the project.

6.4 The Grievance Redress Mechanism

6.4.1 Establishment

The GRM for AGL and its structures at project area or community level is established by Company. However, the Sub County Level Grievances Redress Mechanisms Committees have been established by the Deputy County Commissioner in consultations with AGL and whose responsibility is to handle grievances escalated from the community level.

6.4.2 Tier one – Community level

The Community level GRM is grounded on existing local dispute management models/mechanisms in the project area. It provides a forum whereby the Community and Project personnel listen to and resolve grievances. The GRM is spearheaded by Grievances Redress Mechanisms Committees (GRMC) established at appropriate levels. Establishing the GRMCs shall be done formally with a letter of assignment by AGL at the various levels. shing the GRMCs shall be done formally with a letter of assignment by AGL at the various levels.

Due to the existing cultural and social dynamics each of the four communities (Suswa, Rapland, Milima Tatu and Lorropil/ Kampi Turkana) within the project area will have a five-member committee comprising of the members below so that issues that affect a specific community can be handled at each community village level.

Establishing the GRMCs shall be done formally with a letter of assignment by AGL at the various levels. The Committee is comprised of the following:

- * Five community members (gender balanced)
- * Chief
- * Area Assistant chief
- * AGL CLO
- * AGL Social Expert

Grievances that are unresolved at the specific community will be escalated to the Inter community grievance level.

6.4.3 Tier Two: Inter Community Level

This level will handle grievances escalated from tier one and it will comprise of eleven members as below, and will only handle grievances that affect all the communities and has been reported by all or, most of them:

- * Two representatives from Suswa
- * Two representatives from Rapland
- * Two representatives from Lorropil/ Kampi Turkana
- * Two representatives from Milima Tatu
- * Area assistant Chief
- * Area Chief
- * AGL CLO
- * AGL Social Expert

This committee will elect its chairperson while considering gender balance.

6.4.4 Tier Three: Sub county Grievance committee

The Sub County level GRMC is grounded on the mandate of the national government as an oversight of community development and harmonious co-existence between community and development projects. The Sub County GRMC will handle all the grievances escalated from Tier 1 and Tier 2. The composition will depend on the type of grievance if it involves a single village then only committee members from the village will be invited to the Tier 3 grievance process.

The Committee is comprised of the following:

- * AGL represented by
 - * Frontier Energy ESG Manager
 - * AGL Social Expert
 - * AGL CLO's
- * Area Assistant chief
- * Chief's representing Olkaria and Hellsgate locations.
- * Five representatives of the affected village
- * NGO representative
- * Kenya National Human Rights Commission Representatives (KNHRC)
- * Assistant County Commissioner on behalf of County Commissioner.
- * Five Committee members (represented by the Chairman and his Personal Assistant, Secretary, Women Representative, Youth Leader and representative of the elderly).

This is final level of AGL grievance resolution process.

6.4.5 Appealing the resolution

The Kenyan laws allow any aggrieved person the right to access justice through systematic administrative and judicial system. The Bill of Rights, Chapter Four of the Constitution, guarantees a number of civil, political, economic, social and cultural rights, and these reflect human rights standards spelt out in international human rights law. Art. 20 of the Constitution indicates that the Bill of Rights applies to all law and binds all State organs and all persons (including business enterprises). Art. 22 provides access to remedy for any person who claims that a right or fundamental freedom in the Bill of Rights has been denied, violated or infringed, or is threatened. If the complainant remains dissatisfied with any of the structured levels of the grievance mechanism, he or she has a right of appeal to any legal authority.

A complainant who is not satisfied with the response received despite having had the opportunity to request for further clarification or feedback, he/she has the right to make formal communication to the Chairperson GRMC stating the reasons for dissatisfaction. A complainant who is not satisfied with the response received from the Chairperson GRMC despite having had the opportunity to request for further clarification or feedback, he/she has

the right to make formal communication to the Sub County level GRM stating the reasons for dissatisfaction.

A complainant who is not satisfied with the outcome after resolution of the grievance and communication from the Chairperson of Sub County GRM is advised to seek other judicial or administrative channels, including the Environment and Land Court (as provided in the Constitution of Kenya) or the Independent Accountability Mechanisms of lenders.

6.4.6 Other options for settling complaints.

The GRM may use the following options to settle grievances against AGL.

- a) **Document agreed actions:** the complainant shall be given the resolution by the GRMC in writing. This will give confidence to the complainant that issue raised was handled. The complainant will then decide on the next action especially if s/he is not satisfied with the resolution. A copy of the resolution shall also be kept by the secretary to the GRMC for future reference.
- b) **Caution:** AGL may resolve to caution the project staff involved in the grievance. This may be done in the presence of the complainant.
- c) **Apology:** The concerned project staff might be required to apologize to the complainant, preferably in writing.
- d) **Restitution/ restoration:** in case of damage to the property of the complainant, there shall be restitution or restoration to the damaged property.
- e) **Giving information:** sometimes grievances arise from lack of information or misinformation about the project. The GRMC will give such missing information to the complainant.
- f) **Referral to the Sub County level GRMC:** where the grievance cannot be handled at Community GRMC level, it will be referred to the Sub County level GRMC. This decision will be given to the complainant within the stipulated time.
- g) **Determining reasonable compensation:** where compensation is to be done, it shall be reasonable and in accordance with the laws of Kenya, and IFC/ EIB Guidelines.

6.4.7 Management of Complaints log and database/tracker

An active complaints Log has been created, is regularly updated, and is kept by the GRMC, while the closed Log will be stored by AGL. AGL has established and regularly updates the Complaints data base/tracker.

All cases and feedback given to the Complainant are entered in the Complaints Log and Complaints database/tracker. The Complaints records shall be archived at the end of the project and be subjected to the government data disposal guidelines.

6.4.8 Monitoring the GRM process

The GRM shall be monitored by the Frontier Energy ESG Manager. He/she will monitor the GRM process, achievements and challenges using information in the Compliant log, and other correspondences between the GRMC, AGL and Sub County level GRMC. Monitoring results shall be communicated to AGL and Project affected people, as appropriate, through reports prepared by AGL Social Specialist.

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The ESG Manager will monitor the performance of the GRM process over-all using information in the Complaints tracker and correspondences between the GRMC, AGL and Sub County level GRMC.

6.4.9 Implementation costs

AGL will cover all costs for the GRM implementation costs, including approved compensations.

7 APPENDICES

GRIEVANCE REGISTRATION FORM

Reference No _____ Date _____

Name of Complainant: _____

Residence: _____ Address: _____

Telephone No: _____ ID Number: _____

Date of Birth: _____

Description of Complaint: _____

Name of witness (If available) : _____

Id of witness (If available): _____

Location where grievance is received	Location where grievance is related to
County	County
Sub County	Sub County
Division	Division
Location	Location
Sub-location	Sub-location
Village	Village

Project area: _____

Department grievance is related to: _____

FOR OFFICIAL USE ONLY

Grievance Non Grievance

Nature of grievance _____

Method of receipt

Phone Letter Verbal

Name of recipient: _____

Signature of the recipient:

GRIEVANCE RESOLUTION FORM

Reference No_ Date _____

Name of Complainant: _____

Residence: _____ Address: _____

Telephone No: _____ ID Number: _____

Date of Birth: _____

Response to Complaint: _____

Name of witness (If available) : _____

Id of witness (If available): _____

Location where grievance is received	Location where grievance is related to
County	County
Sub County	Sub County
Division	Division
Location	Location
Sub-location	Sub-location
Village	Village

Project area: _____

Department grievance is related to: _____

Acknowledgement of resolution by complainant:

Signature of Complainant: _____

Name of Akiira personnel: _____

Signature of Akiira personnel: _____