



# **Ministry of Agriculture and Livestock Development**

## **STATE DEPARTMENT FOR CROP DEVELOPMENT**

### **SECURITY MANAGEMENT PLAN(SMP)**

**Food Systems Resilience Project (FRSP)**

**September 2023**

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## **ACRONYMS AND ABBREVIATIONS**

ACLED	Armed Conflict Event Location Data
AoI	Area of Interest
BPU	Border Patrol Unit
CoC	Code of Conduct
CSR	Corporate Social Responsibility
CSIC	County Security Intelligence Committees
FCDC	Frontier Counties Development Council
GBV	Gender Based Violence
GPS	Global Positioning System
GSU	General Service Unit
IED	Improvised Explosive Device
KDF	Kenya Defense Forces
FSRP	Food systems Resilience Project
KFS	Kenya Forest Service
KPS	Kenya Prison Services
KRA	Kenya Revenue Authority
KWS	Kenya Wildlife Service
NEDI	North Eastern Development Initiative
NEMA	National Environmental Management Authority
NPS	National Police Service
FSRP	Food systems Resilience Project
NGAO	National Government Administrative Officers
NIS	National Intelligence Service
NLC	National Land Commission
NMSC	National Multi-agency Security Committee
NPRs	National Police Reserve(s)
NPS	National Police Service
PSRA	Private Security Regulatory Authority
RSIC	Regional Security Intelligence Committee
SEA	Sexual Exploitation and Abuse
SMP	Security Management Plan
ICRC	International Committee of the Red Cross
ICTA	Information and Communication Technology Authority
IHL	International Humanitarian Law
IPOA	Independent Policing Oversight Authority\
VBIED	Vehicle Borne Improvised Explosive Device

# I INTRODUCTION

## I.1 Project description

1. The FSRP project is aligns with Kenya's Vision 2030. The project responds to the Vision 2030 objective for agriculture by focusing on revitalizing agriculture and transforming it from subsistence into a more competitive and commercially oriented sector. The project will support investments in building resilient food systems in Kenya, through six components. They are: i) (Re-) Building Resilient Agricultural Production Capacity which aims to strengthen the resilience of Kenya's domestic food supply to climate change and other shocks and stressors by fostering more climate-resilient agricultural production and related supporting services ii) Supporting the Sustainable Development of Natural Resources for Resilient Agricultural Landscapes, which aims to enhance the sustainable management of natural resources by investing in water conservation and rangeland management interventions identified as priorities by existing county integrated development plans (CIDPs iii) Getting to the Market which aims to improve physical and economic access to sufficient, safe, and nutritious food by improving crop and livestock farmers' access to domestic and international markets iv) Promoting a Greater Focus on Food Systems Resilience in National and Regional Policymaking which will support efforts to bring a resilience focus to food-related public institutions, policies, and spending at the national and regional levels, while building the organizational capacity within the public sector to pursue and implement them (v)Contingent Emergency Response Component will finance eligible expenditures in the event of an emergency precipitated by a disaster.
2. The project will make investments at the national, county, and at farm levels. National investments will include capacity building, technical assistance, policy analysis, policy coordination, and targeted market infrastructure upgrades. County- and farmer- level investments will be undertaken in 13 counties including **Baringo, Marsabit, Wajir, Mandera, Garissa, Tana River, Lamu, West Pokot, Laikipia, Isiolo, Turkana, Samburu, and Elgeyo-Marakwet**. These counties comprise 60% of Kenya's pastoral nomadic economic block in terms of land size. These are also counties that have been the worst impacted by the prevailing drought. Over the recent years the frequency and severity of drought has been increasing, this, coupled with overstocking, poor grazing management, degraded environment and the limited coping strategies has had a devastating effect on the lives and livelihood of pastoral communities. This has resulted to pastoralists taking a long time to recover as seeds/vegetative materials in the ground do not regenerate even after the rains. The livestock producing ecosystems have become extremely fragile from degradation, encroachment by invasive weed species and recurring droughts of increasing intensity resulting in reduced capacity to support plants or animal production

## **I.2 Project Beneficiaries**

3. The project aims to support 300,000 crop and livestock farmers, most of them operating at a small scale. The project will also benefit many other value chain actors including extension workers, aggregators, logistics support providers, and various SMEs. Nearly 5,000 jobs are expected to be created by the expansion of FPO, anchor off-taker, SME, and agritech operations, and the development of agro-entrepreneurship, and market linkages

## **I.3 Implementation Arrangements**

4. **Project Oversight, Policy Guidance, Governance and Coordination.** At the national level, the GoK will be represented by the National Treasury (NT) and MoALD will be the main implementing agency. Within MoALD, the State Department for Crop Development will assume responsibility for the Kenya FSRP in coordination with the State Department for Livestock Department (SDL). Overall project oversight and policy guidance will be led by KCSAP's existing steering committee (NPSC) at the national level, and by the three existing projects' CPSCs. To enhance their ownership of the project, participating county governments will be fully involved in the decision-making process at the national level. They will be represented in the NPSC by the Chair of the Agriculture Committee of the Council of County Governors (CoGs), and they will be represented in the National Technical Advisory Committee (NTAC) by county executive committee members (CECMs).
5. At the community level, project implementation will be backed by the strong institutional architecture developed at the community level under KCSAP, NARIGP, and ELRP. CIGs will serve as the primary interface between project interventions and smallholder farmers and play a crucial role in enabling the delivery of training and extension services and helping farmers mobilize savings.

## **I.4 Justification for the Security Management Plan**

### **I.4.1 Potential Security Impact of the Project**

6. There may be threats to health and safety for workers and the community, including crime, conflict, gender-based violence and sexual exploitation. (refer to OSHA security risks in the LMP) It is therefore critical to the interests of both the project and the communities, that developments in the area take a conflict sensitive approach. The relationship between the residents and security agencies is cordial. However, there are sections of locals who have a poor relationship with security agencies. Security arrangements also need to be sensitive to local communities (culture, needs, values) and should not compound existing problems.
7. Other social risks are associated not only with the small civil works but also other Program (or project) activities include: (i) insufficient community and other stakeholder engagement (including the potential exclusion of vulnerable individuals or groups); (ii) elite

capture of project benefits; (iii) the exclusion of vulnerable groups or individuals from project benefits due to poorly designed, disseminated, or non-transparent beneficiary selection processes or eligibility criteria; (iv) social tension and conflict induced by competition over agricultural resources including irrigation water, and by ongoing contextual security risks in conflict-affected areas; (v) small labour influx and associated risks including community health and safety, transmission of diseases; (vi) sexual exploitation and abuse and sexual harassment (SEA/SH), and other forms of GBV either as a result of relatively small labour influx or changes in power dynamics in homes among men and women; (vii) failure to comply with labor standards, including due to the use of child labor (a known risk in the agricultural sector); (viii) operational concerns due to remoteness and insecurity, namely in relation to the monitoring and supervision of social risks and grievance management; and (ix) weak implementation capacity, especially at the grassroots level characterized by limited functional structures and trained manpower.

8. A detailed assessment of risks and impacts is therefore needed whose objectives are:
  - To examine and map security dynamics in the 13 counties
  - To identify existing security resources and gaps
  - To identify sources of resilience
  - To analyse security risks of/to the project
  - Site/County specific SMPs may be prepared on specifically sampled high-risk site-specific areas

#### **1.4.2 World Bank Environmental and Social Standards**

9. This security management plan is anchored on World Bank Environmental and Social Standard 4 (ESS4) that covers Community Health and Safety on sub section (b) Personnel Security in line with the World Bank Good Practice Note on Assessing and Managing Risks and Impacts of the Use of Security and the Guidelines for Implementation of the UN Basic Principles on the Use of Force and Firearms by law Enforcement Officials.
10. The standard role of the public security will be to maintain the rule of law, including safeguarding human rights and deterring act that threaten the project personnel and facilities. The public security forces to be deployed shall be competent, appropriate and proportional to the threat. Government of Kenya shall abide by the World Bank Good Practice Note on Assessing and Managing Risks and Impacts of the Use of Security to comply with the commitments on human rights extended throughout Food systems resilience project (FSRP) activities and bolstered by its compliance with:
  - World Bank Good Practice Note on Assessing and Managing Risks and Impacts of the Use of Security Personnel, 2018,
  - Voluntary Principles on Security and Human Rights Toolkit Version 3, 2008,
  - Guidelines for Implementation of the UN Basic Principles on the Use of Force and Firearms by law Enforcement Officials, 2016,



- The Penal Code 2016,
- Prevention of Terrorism Act 2012,
- Prevention of Organized crime Act 2012,
- Counter Trafficking in Persons Acts 2012,
- Independent Policy Oversight Act 2011,
- Kenya Police Service, Service Delivery Charter, 2015, and
- The Universal Declaration of Human Rights, 1948.

11. The environmental risk of the Program is rated as **Substantial**. Activities to be financed under Component 1 (“[Re-]Building Resilient Agricultural Production Capacity”) could lead to an increased demand for agrochemicals and will require management of wastes that may be generated from animal healthcare services. The Program will also finance the rehabilitation and construction of small-scale irrigation schemes (Component 2); and the construction and rehabilitation of market infrastructure (Component 3) for value addition, food safety and reduced food loss and waste (for example, storage, cold chain, processing, and marketing). The latter can result in various environmental, health and safety risks and impacts including: (i) the inappropriate use and disposal of agrochemicals including pesticides as well as agricultural research laboratory chemicals; (ii) health and safety risks and impacts during construction works and agricultural research laboratory activities; (iii) the inappropriate use of water resources through overuse and agrochemical contamination, which can affect water quantity and quality in neighbouring communities and downstream; (iv) the physical and chemical degradation of soils due to unsuitable land management techniques; (v) impacts on biodiversity and ecosystems of agricultural activities including agricultural water usage and pollution, and the introduction of invasive species ; and (vi) air, construction, waste, noise, water, and other environmental pollution linked to the construction of small-scale infrastructure such as storage facilities and small-scale irrigation schemes.
12. Although environmental pollution is expected to be site-specific and small in scale in the context of the project will have a significant positive environmental outcome as activities to be financed under Component 2 involve management of water resources for resilient and sustainable water supply for productive food systems and water and soil moisture conservation investments. However, there are also various environmental, health and safety risks that need to be properly managed. Project was assigned occupational and community health and safety issues during construction; security and community conflict issues; and GBV including sexual exploitation, abuse and sexual harassment
13. To identify and manage the potential environmental, social, health, and safety risks, Ministry of Agriculture and Livestock Development has prepared the required environmental and social instruments. They include: (i) an environmental and social management framework (ESMF) to screen project activities and guide the development of site-specific instruments; (ii) an integrated pest management plan (IPMP) to mitigate

potential risks and impacts associated with the application of pesticides; (iii) a resettlement Policy framework (RFP); (iv) a stakeholder engagement plan (SEP); (v) an IP/SSAHUTLC framework or plan; (vi) labor management procedures; (vii) SEA/SH action plans; and (viii) security management plans. An environmental and social commitment plan (ESCP) has also been developed in line with the ESF.

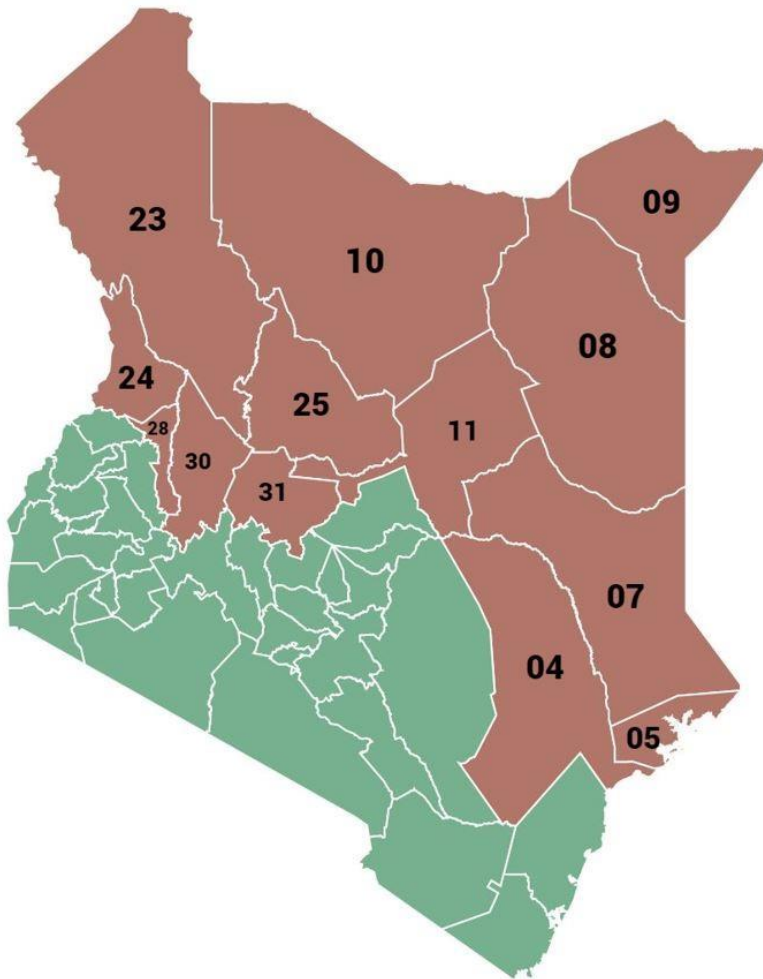
## 2 THE SECURITY MANAGEMENT PLAN

### 2.1 The Preparation Process

14. The security risk assessment and management plan were prepared through meetings in Nakuru and will be consulted in meetings bringing together state and security stakeholders from all the project counties and from central agencies for discussion and development of security assessments and plans. Agencies represented under a National Multi-Agency Security Committee at the National and County Level included the County Security Intelligence Committees, Kenya Defense Force, Ministry of Interior and Coordination of National Government, Ministry of Agriculture and Livestock Development. Following its development, the security management plan will be subjected to internal review.
15. On the basis of the findings of the security risk assessment, the objectives of this security management plan are:
  - To set out the security requirements aimed at mitigating risks of a security (and other social and environmental risks) nature, that could threaten communities, employees, facilities, and ability to operate, as well as the reputation of the Government of Kenya and the World Bank.
  - To inform the roles and responsibilities of all parties
  - To provide direction, organization, integration, and continuity to the security and asset-protection program.
  - To set out the requirement for a responsible approach towards security management to protect stakeholders including local communities from human rights abuses.
  - To set measures for monitoring incidences, and preventing and mitigating grievances
16. The plan is applicable across the entire life cycle of the project, and after any change in the security-related context in which the project operates. Security arrangements, to the extent possible and appropriate are transparent, and are included in disclosure to and consultation with the local communities. The project's grievance redress mechanism is an important tool for reducing potential security risks.
17. The project is being implemented in an area classified as fragile, conflict prone and underserved.

## 2.2 Security Context

18. The map below shows the traverse of the project area in detail, through four counties and along the border. These counties have divergent security threats and demographic challenges described in the coming sections.



**Figure 1: Project Area Map**

### 2.2.1 Characteristics of Project Counties

19. Most of the 13 counties to some extent are similar in terms of climate, economic activities, ethnicity, culture, and religion. All have arid or semi-arid climates and pastoralism and agro-pastoralism are the main economic activities, necessitating mobility over long distances. The pastoralist communities in the area meet the criteria for the World Bank

ESS7 Sub Saharan historically underserved traditional communities SSAHTLUC (Indigenous Peoples). Most of the counties are part of the former “Northern Frontier District” which has lagged behind in development in the decades after independence. Human development indicators are low, and there is a low enrolment in primary and secondary schools in comparison to Kenya as a whole. The development projects promise to “open up the north” and bring long desired opportunities. This raises a range of perceived concerns, including that the benefits of the development projects will accrue only to powerful outsiders; that immigration will overwhelm and marginalize local communities; that land-grabbing, already a problem, will intensify; and that the projects will involve loss of valuable rangeland and water access for pastoralists.<sup>1</sup>

20. Isiolo county has a strategic location in the centre of Kenya, has been considered an important “gateway to the North” since colonial times and continues to be at the centre of development plans. The county has a high population of pastoralists from four main ethnic groups, Borana, Turkana, Samburu and Somali, some agriculturalist Meru and a number of minority groups. Garissa county borders Somalia and is an arid county despite the presence of the long Tana River on its southwest edge. It is home to Abudwak, Abdalla and Aulihan pastoralist sub-clans of the Ogaden clan. Wajir county also borders Somalia and has a short border section with Ethiopia. It is arid and sparsely populated, having no permanent rivers, and pastoralists often move in and out of Somalia. The population is Somali ethnicity, with Degodia, Ogaden and Ajuran clans.<sup>2</sup> Mandera is located in the northeast corner of Kenya, bordering Ethiopia and Somalia and Mandera town is about one thousand kilometres away from Nairobi. Mandera also has a mainly Somali population, with Garre, Murulle and Degodia clans as well as an alliance of minority clans known as “corner tribes” and the Marehan Somali who mainly reside across the border in Somalia. Mandera Town is contiguous with Bulla Hawa town in Somalia and close to the Ethiopian town of Malka Suftu which lies across the Dauwa river.

**Table 1: Ethnic groups in the project counties with main area of residence**

County	Ethnic groups	Main area of residence
1. Isiolo	Meru Samburu Turkana Somali Borana	Isiolo town and border area Oldonyiro and Ngaremara wards In and around Isiolo Town, and Ngaremara ward Various and towards borders of Garissa and Wajir Various and are almost exclusive inhabitants in Cherab and Chari wards
2. Wajir	Degodia Ogaden Ajuran	Wajir West, El Das, Tarbaj and Wajir East subcounties Wajir South subcounty Wajir North subcounty
3. Mandera	Murulle Degodia Garre Corner tribes	Mandera East, Lafey subcounties Mandera North and West subcounties Mandera North, South, East (around the town), West and Banisa subcounties Mandera East (around the town), Kalaliyo ward and near Daua river
4. Marsabit	Waata Konso Deis El-molo Turkana Lkunono Gabra Rendille Borana Samburu Jaldesa Sakuye Arabs	Ileret North-Horr, Dukana, Marsabit (Dirib-Gombo), Hurri Hills, Maikona, Kalacha, Balessa, el-hadi Garwale Marsabit (Dub gobba, Qachacha, Dakabaricha, Dalachas) Telesgei, Loyangalani and Moite
5. Garissa	Munyoyaya Boni	Munyoyaya Balich village Boni Bodhai ward (Boni forest), Ijara sub county)
6. Tana river	Waata Munyoyaya Malakote /Ilwana	Waata Sombo Munyoyaya Balambala (TR)

		Malakote //lwana Bura
7. Samburu	Il Kunono Dorobo //Il torobo Boni	Maralal Laisamis Wamba Kipini Coast
8. Baringo	Il-Chamus Endorois Sapor Turkana, Luo Pokot Tugen	Kiserian, Marigat, Mokutani, Sandai, Lobo L. Bogoria Kokwa Island Marigat division (Sapor) Around Lake Baringo
9. Turkana	El Molo  Ngikebootok	Kalokol (originally form Loiyangalani), They live in Loiyangalani on Marsabit side, Central Islands and Longech past Kalokol in Turkana Banks of River Turkwel around Kaputir, Nakwamoru, Kapelibok, Juluk, Namakat and Nabeye
10. Lamu	Giriama Somali Boni Orma Pokomo Sanye Watta	Witu, Didewaride, Hindi, Mapenya, Mpeketoni, Langoni, Hongwe, Mkomani, Shella, Matodoni (West) Kiunga (East), Mkomani, Witu, Pandanguo, Baharini (West) Hindi, Witu, Pandanguo (West), Kiunga, Patte, Foza, Basuba(East) Witu, Didewaride, Langoni, Mkomani, Baharini, Matondoni, Mkunubi, Makowe(West) Witu, Hindi, Mkomani, Langoni (West), Patte (East) Mapenya. Ndambwe, Mkunumbi, Witu, Hindi, Baharini(West), Foza, Patte, Siu (East) Witu (West), Dide Waride, Waradhe, Seti.
11. Laikipia	Yiaku Maasai Samburu Turkana Pokot	Doldol, Sieku, East Laikipia, Mkogodo forest Sosian North Laikipia North Laikipia
12. West Pokot	Sengwer Pokot	West Pokot Pokot North Pokot Central

13. Elgeyo Marakwet	Cherangany/Sengwer  Ogiek/Ndorobo	Cherangany, Kamoi, Kapterit, Koisungu, Chebororwa, Kondabilet, Kaptiony, sengwer, Rogor, Kapterit, Kamoi, Embotut, Kapcherop Kuserwa – Koisungur, Kabiemit, Tumeyo, Soy, Kokwao, Kapchemutwa Sengwer, Kuserwa, Kamoi, Kapterit, Kipteber, Lelan, Kondabilet, Cheborowa, cherangany
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21. Traditional leadership plays a major role and has strong links with political leadership. The Borana in Isiolo have the *Gadaa* system which governs natural resource management and conflict resolution, while some other groups in Isiolo and the Somali clans of Garissa, Wajir and Mandera counties also have traditional political leadership, as well as systems for governing resources and many aspects of daily life.<sup>3</sup> There are also Kadhi’s courts which decide on matters of Sharia law and are presided over by Imams in Kenya Somali communities while the other mentioned structures are relied upon for alternative dispute resolution. Both Borana and Degodia traditional leaders are based in Ethiopia.
22. Most of the land is largely community land, owned collectively by respective communities having ancestral rights to them, and neighboring communities may often use, subject to negotiation. The Community Land Act of 2016 was enacted to enforce these rights and provides for the mapping of all community land in the country, and registration of parcels by communities. Much tension currently surrounds the issue of community land compulsorily acquired for development projects with communities fearing that legal provisions may not secure for them significant compensation. This is one of the most critical issues along the Isiolo-Mandera route, and one which has the potential to lead to resistance and conflict by communities.
23. Related to this, these counties are also facing the challenges of population growth, particularly in urban centres, resource competition, water conflicts, adverse development impacts and privatization of common-pool resources. Irrigation projects are present and planned to increase in Wajir, Isiolo and Mandera. One important side-effect of the development projects, particularly the Lamu Port South Sudan Ethiopia Corridor Development (LAPSSET), is the intense land speculation which has occurred along the route. This also coincides with the Isiolo-Mandera road as it passes through Isiolo and Meru. Isiolo town and its suburbs have also been a site of jostling for allocation of plots in order to gain political dominance in the anticipation of LAPSSET (Elliot 2016), while relocation of project affected persons (PAPs) during some development projects, has raised integrity concerns including corruption and land grabbing, leaving unresolved conflicts.



24. The communities of Wajir, Mandera, Garissa and most groups in Isiolo share a similar culture, shaped around Islamic tradition. Women usually occupy a subservient position in the patriarchal society, fulfill traditional gender roles in the home and are largely not involved in formal employment. However, both men and women have access to livestock as owners and/or as users. In the north eastern of Kenya, the mild stimulant *miraa* is often chewed and predisposes to poor work performance, family strain and anti-social behavior.

### 2.2.2 Regional Dimension

25. The geography of the project counties brings in an international dimension which heavily influences its internal security; Mandera, Wajir and Garissa counties have borders with Somalia measuring approximately 780km, and also borders with Ethiopia measuring approximately 330km. Official border crossings along the Kenya Somalia border exist (often with twin towns in each state) at Mandera Town/Beled-Hawa, Lafey/Damasa, El Wak/CeelWak, Liboi/Dhobley, Amuma, Hulugho and Kiunga (Lamu county). Along the western side of the Ethiopia border there are crossings at Moyale (which straddles the border) and Rhamu. These have been opened and closed at various points in time, due to war in Somalia, refugees, Al-Shabaab and recently the COVID-19 pandemic. However, all borders are porous with many unofficial crossing points, having implications for control of firearms, immigration and illegal trade, as well as spill-over of conflict dynamics. There are close cross-border ties and some ethnic groups have kinsmen in Ethiopia. Officials noted that Ethiopian and Eritrean illegal immigrants pass through the area also.

## 2.3 Overview of the Security Situation

26. County security teams have the sole mandate to decide on security risks. The Project will collaborate with the security teams as necessary. Collaboration shall be with the National Police Service, Kenya Defence Forces, National Intelligence Service, Kenya Forest Service, Kenya Wildlife Service, Prisons Department, among others who are chaired by the county commissioners at county level. Different security risks exist in the selected 13 counties and may impact the project, whether new or changing, these must be communicated without delay through the chain of Security Team Leader to the designated project Site Officers and be recorded in the security log. The security risks can be categorized into:

- 1) **Internal Risks** may include but not limited to: illegal, unethical, or inappropriate behaviour of project personnel or those directly affiliated with it, such as employee theft, workplace violence, and labour unrest, potentially with associated sabotage. **External Risks** are those caused by the actions of people outside the project who seek to take advantage of opportunities presented by the development and operation of the project, such as common criminal activity; disruption of the project for economic, political, or social objectives; and other deliberate actions that have a negative impact on the effective, efficient, and safe

operation of the project. In extreme cases, these could include terrorism, banditry, inter/intra community conflicts, armed insurgency, coups, or war.

## 2.4 The Main Security Risks

27. According to police data provided in Table 4 below, the main security risk in the 13 counties include:

- Criminal offences;
- Terrorism;
- Cattle rustling / Inter-tribal or communal violence which could pose a threat to FSRP project personnel;
- Industrial Action leading to strike or disruption of work, social conflict, civil unrest;
- Breakdown of relationships with Community groups and Committees;
- Reaction of community to an incident or accident involving FSRP project personnel or asset;
- Threat of armed attack;
- Theft/ Larceny; and
- Kidnapping

28. The FSRP project has adopted a systematic and careful examination of the workplace, work activity, working environment and those people who may be at any security risk. Risk assessments shall identify what might go wrong and how, with an evaluation of any security hazards undertaken, this will determine the control measures needed to prevent or minimize the potential security risks. A 5x5 impact and likelihood risk matrix has been adopted as the most appropriate security risk Likelihood verses Consequences. The matrix works by selecting the appropriate consequences from across the bottom, and then cross referencing against the row containing the likelihood, to read off the estimated risk rating.

### Table 2: Likelihood verses Consequences 5x5 Risk Assessment Matrix

		Impact →				
		Negligible	Minor	Moderate	Significant	Severe
Likelihood ↑	Very Likely	Low Med	Medium	Med Hi	High	High
	Likely	Low	Low Med	Medium	Med Hi	High
	Possible	Low	Low Med	Medium	Med Hi	Med Hi
	Unlikely	Low	Low Med	Low Med	Medium	Med Hi
	Very Unlikely	Low	Low	Low Med	Medium	Medium

**Table 3: Operational health and safety security risk and mitigation measures**

Potential Risk as identified in ESS2	Type of Worker Likely to be affected	Magnitude of the Potential Risk	Mitigation measures
<p><b>Security related risks</b></p> <ul style="list-style-type: none"> <li>• Criminal offences;</li> <li>• Terrorism;</li> <li>• Cattle rustling / Inter-tribal or communal violence which could pose a threat to FSRP project personnel;</li> <li>• Industrial Action leading to strike or disruption of work, social conflict, civil unrest;</li> <li>• Breakdown of relationships with Community groups and Committees;</li> <li>• Reaction of community to an incident or accident involving FSRP project personnel or asset;</li> <li>• Threat of armed attack; Theft/ Larceny; and Kidnapping Violence at work.</li> <li>• Risks posed by dogs.</li> <li>• Handling weapons.</li> <li>• Exposure to radiation. Risk factors related to work organization.</li> <li>• The physical workload. The psychosocial workload.</li> <li>• Specific risks facing female security personnel.</li> </ul>	<p>All security workers</p>	<p>Medium to high</p>	<ul style="list-style-type: none"> <li>• Consider all existing security measures</li> <li>• Ensure that quick communication is possible if a problem arises (telephone, radio, alarm buttons,).</li> <li>• The Security Management Plan (SMP) has provided guidance on how to maintain a safe physical environment and manage staff activities to reduce the risk of personal injury and property loss during the implementation of the FSRP. The plan describes how security will be organized to face identified threats and how to be continuously reassessed and reorganized in correlation with security situations and operations being undertaken. e.g Flexibility in the number of employees, working time (such as nonstandard forms of working time, night and weekend shifts, overtime, standby)</li> <li>• All CPCU, supervision consultants and contractors to adopt county specific SMPs and implementing them in the execution of their work.</li> <li>• The county social specialists and project coordinators to monitor and report on the implementation of the SMPs.</li> <li>• Security personnel provided for works under the project to abide by the provisions in the SMP and sign CoC guiding their relationships with local communities as well as the project workforce.</li> <li>• If firearms are to be used, then they must be good-quality firearms, kept in good condition, maintenance is carried out by specialized personnel, Stored in suitable locations. Adhere to mitigation measures that accompany the security rating of sub projects location as stipulated in the county security management plans prepared under FSRP</li> </ul>

**Table 4: FSRP project Security Risks and Mitigation Measures**

Risk description	Likelihood of the risk occurring	Impact if the risk occurs	Severity Rating based on impact & likelihood.	Responsibility (Person who will manage the risk)	Mitigating action (Actions to avoid or reduce the risk impact)	Contingent action (Action to be taken if the risk happens).	Progress on actions	Useful resources
Criminal offences: Theft/ Larceny	Possible	Moderate	Medium	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Consider all existing security measures</li> <li>Ensure that quick communication is possible if a problem arises (telephone, radio, alarm buttons).</li> <li>All CPCU, supervision consultants and contractors to adopt county specific SMPs and implementing them in the execution of their work.</li> <li>The county social specialists and project coordinators to monitor and report on the implementation of the SMPs.</li> <li>Security personnel provided for works under the project to abide by the provisions in the SMP and sign CoC guiding their relationships with local communities as well as the project workforce.</li> <li>If firearms are to be used, then they must be good-quality firearms, kept in good condition, maintenance is carried out by specialized personnel, Stored in suitable locations. Adhere to mitigation measures that accompany the security rating of sub projects location as stipulated in the county security management plans prepared under FSRP</li> <li>Staff crime security awareness,</li> <li>Permanently etching on equipment (spray paint and initials on a piece of equipment does not qualify as being “positively” identified).</li> <li>Installation CCTV and Alarm Systems: either standalone or integrated combined with wireless communication to an off-site,</li> <li>Establish formal and consistent reporting and communications mechanisms with public security forces and other stakeholders</li> <li>Adequate lighting,</li> <li>Perimeter fencing especially materials areas and camp(s).</li> </ul>	<ul style="list-style-type: none"> <li>Escalate to the FSRP project Coordinator</li> <li>Undertake joint risk assessment process including representatives of NPS in use</li> <li>Maintain close contact with representatives of NPS at different levels</li> </ul>		VPSHR Toolkit <a href="https://www.miga.org/sites/default/files/archive/Documents/VPSHR_Toolkit_v3.pdf">https://www.miga.org/sites/default/files/archive/Documents/VPSHR_Toolkit_v3.pdf</a>
Terrorism	Possible	Severe	Med - High	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Consider all existing security measures</li> <li>Ensure that quick communication is possible if a problem arises (telephone, radio, alarm buttons).</li> <li>The Security Management Plan (SMP) has provided guidance on how to maintain a safe physical environment and manage staff activities to reduce the risk of personal injury and property loss during the implementation of the FSRP. The plan describes how security will be organized to face identified threats and how to be continuously reassessed and reorganized in correlation with security situations and operations being undertaken. e.g Flexibility in the number of employees, working time (such as</li> </ul>	Conduct effective risk analysis assessments, and SWOT analyses and Force-Field Analyses related to gaps and needs assessments.		VPSHR Toolkit <a href="https://www.miga.org/sites/default/files/archive/Documents/VPSHR_Toolkit_v3.pdf">https://www.miga.org/sites/default/files/archive/Documents/VPSHR_Toolkit_v3.pdf</a>

Risk description	Likelihood of the risk occurring	Impact if the risk occurs	Severity Rating based on impact & likelihood.	Responsibility (Person who will manage the risk)	Mitigating action (Actions to avoid or reduce the risk impact)	Contingent action (Action to be taken if the risk happens).	Progress on actions	Useful resources
					<p>nonstandard forms of working time, night and weekend shifts, overtime, standby)</p> <ul style="list-style-type: none"> <li>All CPCU, supervision consultants and contractors to adopt county specific SMPs and implementing them in the execution of their work.</li> <li>The county social specialists and project coordinators to monitor and report on the implementation of the SMPs.</li> <li>Security personnel provided for works under the project to abide by the provisions in the SMP and sign CoC guiding their relationships with local communities as well as the project workforce.</li> <li>If firearms are to be used, then they must be good-quality firearms, kept in good condition, maintenance is carried out by specialized personnel, Stored in suitable locations. Adhere to mitigation measures that accompany the security rating of sub projects location as stipulated in the county security management plans prepared under FSRP</li> <li>Enhance intra/intra agency cooperation within the FSRP project area and NPS.</li> <li>Meet on regular basis with the security apparatus at the sub-county and county level</li> <li>Assess the security situation and make changes to the security management plan</li> <li>Ensure travelling FSRP project staff have NPS escort</li> <li>Engage with and empower border communities as key contributors in border security and management,</li> <li>Implement Border Community Policing programs,</li> <li>Implement information exchange programs and mechanisms<sup>4</sup>.</li> </ul>			
Cattle rustling	Possible	Significant	Med - High	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Initiate peace building process among the affected FSRP project counties,</li> <li>Use Traditional institutions in creating peace, security, law and order in community policing and conflict management,</li> <li>Carry out civic education by use of the local Civil Society Groups, and</li> <li>Offer vocational and technical skills to the youths and or initiate income generating FSRP project to engage youths<sup>5</sup>.</li> </ul>	Strengthening of surveillance within the County boundaries and develop protocols for cross border use,		
Armed attack / Kidnapping	Possible	Severe	Med - High	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Use of physical security personnel,</li> <li>Staff crime security awareness,</li> </ul>	Never fight back when apprehended with armed people,		VPSHR Toolkit <a href="https://www.miga.org/sites/default/files/archive/Docu">https://www.miga.org/sites/default/files/archive/Docu</a>

<sup>4</sup> Good Practices in the Area of Border Security and Management in the Context of Counterterrorism and Stemming the Flow of “Foreign Terrorist Fighters”

<sup>5</sup> Social and Economic Costs of Cattle rustling in Kenya. IGAD Policy Brief Series No ICPALD 20/CLE/1/20-17

Risk description	Likelihood of the risk occurring	Impact if the risk occurs	Severity Rating based on impact & likelihood.	Responsibility (Person who will manage the risk)	Mitigating action (Actions to avoid or reduce the risk impact)	Contingent action (Action to be taken if the risk happens).	Progress on actions	Useful resources
					<ul style="list-style-type: none"> <li>Permanently etching on equipment (spray paint and initials on a piece of equipment does not qualify as being “positively” identified).</li> <li>Installation CCTV and Alarm Systems: either standalone or integrated combined with wireless communication to an off-site,</li> <li>Establish formal and consistent reporting and communications mechanisms with public security forces and other stakeholders</li> <li>Adequate lighting</li> <li>Perimeter fencing especially materials areas and camp (s).</li> </ul>	<p>Listen carefully to instructions and do as you are told (if instructions are difficult to hear, ask politely but firmly for them to be repeated),</p> <p>Inform the victim’s family timely manner,</p> <p>Do not make any sudden movements that might startle the criminals or be interpreted as an attempt to resist or escape,</p> <p>Do not hesitate if told to move and do so in a controlled manner.</p> <p>Do not try to argue or make provocative comments.</p> <p>Do not stare or make eye contact with the criminals.</p>		<a href="#">ments/VPSHR_Toolkit_v3.pdf</a> <a href="#">Crisis management corporate guidelines</a>
Industrial Action <sup>6</sup>	Unlikely	Moderate	Low-Med	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Adhere to all provisions in the FSRP project Labour Management Procedures,</li> <li>Understand the nature of the dispute the stated reasons, the underlying reasons and any “hidden agenda”,</li> </ul>	Use the alternative dispute resolution: Conciliation, mediation and or arbitration, Identify the legal strategy to be pursued and associated consequences.		<a href="#">FSRP Labour Management Procedures</a>
Community Hostility	Unlikely	Moderate	Low-Med	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Adhere to all provisions in the FSRP project Stakeholder Engagement Plan,</li> </ul>	Set some ground rules within the community groups, and Revisit the group’s purpose.		<a href="#">FSRP Stakeholder Engagement Plan</a>
SEAH, and incident response	Possible	Moderate	Medium	National FSRP project Coordinator	<ul style="list-style-type: none"> <li>Adhere to all provisions in the FSRP project Grievance Redress Mechanism</li> <li>Abide by the requirements of SEAH Action Plan for the FSRP project being prepared,</li> </ul>	Continuous SEAH awareness creation the hired firm.		<a href="#">FSRP Grievance Mechanism</a> <a href="#">FSRP SEAH Action Plan</a>

The Table below provides an overview of the security situation analysis for the 13 FSRP project participating counties for various potential security threats such as theft, cattle rustling. From the geographical risk assessment, NPC will leverage this process to determine which locations require National Police Service, armed security support and, importantly, which do not.

**Table 5: Situation Analysis Matrix for the security within the FSRP project counties**

#	FSRP PROJECT COUNTIES	Criminal offences	Theft/ Larceny	Terrorism	Cattle rustling	Armed attack / Kidnapping	Industrial Action	Community Hostility	SEAH, and incident response
1.	Mandera	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible
2.	Marsabit	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible
3.	Wajir	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible
4.	Garissa	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible
5.	Tana River	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible

<sup>6</sup> Industrial action occurs when disputes in the workplace are not resolved by negotiations and the workers either go on strike, stage sit in, embark on a go slow or are locked out of the premises.

#	FSRP PROJECT COUNTIES	Criminal offences	Theft/ Larceny	Terrorism	Cattle rustling	Armed attack / Kidnapping	Industrial Action	Community Hostility	SEAH, and incident response
6.	Isiolo	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible
7.	Samburu	Possible	Possible	Unlikely	Possible	Possible	Unlikely	Unlikely	Possible
8.	Baringo	Possible	Possible	Unlikely	Possible	Possible	Unlikely	Unlikely	Possible
9.	Turkana	Possible	Possible	Unlikely	Possible	Possible	Unlikely	Unlikely	Possible
10.	Lamu	Possible	Possible	Possible	Possible	Possible	Unlikely	Unlikely	Possible
11.	Laikipia	Possible	Possible	Unlikely	Possible	Possible	Unlikely	Unlikely	Possible
12.	West Pokot	Possible	Possible	Unlikely	Possible	Possible	Unlikely	Unlikely	Possible
13.	Elgeyo Marakwet	Possible	Possible	Unlikely	Possible	Possible	Unlikely	Unlikely	Possible



30. In the Counties with low risk security threat, the FSRP project could consider using private unarmed security personnel. Due diligence involving back ground checks can be undertaken to ensure that only those from reputable security firms are engaged. The unarmed security personnel can undertake basic security duties such as access control and perimeter security management; and if deemed necessary, the police may be engaged on a reactive basis. This approach will alleviate undue pressure on local policing resources and reduce the risks of engaging armed officers. An appropriate, formal agreement will be developed to support service delivery and mitigate the identified security risks and respond to any stakeholder concerns.
31. Care will be taken to ensure that security response or presence of security forces will not result in additional risks to communities or individuals within the FSRP project implementation areas.

#### **2.4.1 Social Conflicts, Civil Unrest**

32. The main risk is the general population including the local communities, who presume to have been aggrieved that would mobilize crowds that may include villagers for a demonstration. Compensation and environmental as well as social concerns can create this kind of scenario. Most of the time, negotiations facilitated by local leaders and government entities can resolve the situation but some can escalate leading to violent actions.
33. Any indications of such a threat must be communicated through the FSRP project coordinator to the Multiagency security team through the designated field police officers and complaints may be made to the officer-in-charge of a Police Station (Officer Commanding Station - OCS) and be recorded in an occurrence book for future reference. The threat should in turn be communicated to the Officer Commanding Police Division (OCPD) at the sub-County level and to the County Commander of Police using the existing public security channels.
34. National, county, and local workers could also demonstrate, if there is a perceived discrimination and unfair working conditions in terms of wages, overtime, and welfare. It is the responsibility of Ministry of Agriculture, Livestock, Fisheries and Cooperatives (MoALD) and the FSRP coordinating team to ensure that working conditions for all workers/employees are in line with the National legal framework.

**Table 6: Conflict events in the Project Area by Type over 5 years from 2015 – 2020 (ACLED Data)**

	Meru		Isiolo		Garissa		Wajir		Mandera	
	Events	Deaths	Events	Deaths	Events	Deaths	Events	Deaths	Events	Deaths
<b>Battles</b>	1	0	23	58	35	99	18	53	33	82
Al Shabaab and police	0	0	3	4	32	98	10	33	29	79
Inter-clan/inter-communal	1	0	20	54	0	0	6	19	0	0
Other	0	0	0	0	3	1	2	1	4	3
<b>Violence Against Civilians</b>	11	27	11	27	27	174	20	36	43	102
Al Shabaab	0	0	0	0	15	163	12	30	29	41
Inter-clan/inter-communal	7	26	8	17	3	3	2	3	4	42
Police/military	4	1	1	1	4	1	2	3	4	3
Other	0	0	3	9	5	7			6	14
<b>Explosions</b>	0	0	1	1	21	63	15	26	33	89
Al Shabaab	0	0	0	0	18	61	10	22	26	78
Other (may be Al Shabaab)	0	0	1	1	3	2			7	11
<b>Peaceful Protests</b>	11	0	9	0	16	2	2	1	10	0

## 2.4.2 Criminal Offenses

35. The main risk remains small scale thefts of light equipment, fuel and personal effects which can involve aggressions. To mitigate this risk, materials storage and control, inventory and maintenance of storage areas for raw materials, equipment, etc. will be according to the national laws and regulations and relevant good international industry practice, including the World Bank Group Environmental, Health and Safety Guidelines.

## 2.4.3 Terrorism

36. There is the ever-imminent threat of terrorism from the lawless Al-shabab from neighbouring Somalia in the northern counties that could pose a serious threat to the implementation of the FSRP activities. None of the FSRP project counties lies along the Somalia border. However, the FSRP project stakeholders will be on high alert to avoid incidences of infiltration of the terrorists into the FSRP project areas. The stakeholders will also be sensitised to report any situations that may indicate signs of an attack from the terrorist groups.

## 2.4.4 Cattle Rustling

37. Nomadic pastoralists in Northern Kenya are also known to be armed and would pose a security risk to the smooth implementation of the FSRP activities, especially if incidents of cattle rustling etc increase conflict between communities.

### **2.4.5 Armed attacks and kidnappings**

38. The FSRP project stakeholders may be exposed to this risk where the FSRP project personnel will be expected to carry huge sums of money or valuable items. The stakeholders will be sensitised to use cashless transactions as much as possible. Where risks may be high, the armed security teams may be called upon to provide escort to the destinations.

## **2.5 Alert States**

39. MoALD will adopt the FSRP project area alert status in evoking the security state response levels, triggers, and actions specific to the FSRP project site. The Tables below with the color shades of Green, Yellow, Orange and Red respectively are the security level responses to be adhered to.

**Table 7: Security Response Level: Green- Business as Usual- Security Risks Effectively Controlled**

<b>Security Response Level GREEN</b> <b>Business as Usual- Security Risks Effectively Controlled</b>	
<b>Event Indicator</b>	<b>Recommended Action(s)</b>
<p><b>No direct threat exists, and no incidents have taken place to warrant heightened security measures:</b></p> <p>This is the default threat level. There is no current, general, or undirected threat to government supported works FSRP projects within the County. Under this level the status remains at GREEN.</p> <ul style="list-style-type: none"> <li>• Site operations are running normally with employees going about their lives with no, or very limited, restrictions.</li> <li>• There are no restrictions on vehicle movement or crew changes</li> <li>• Peaceful protest demonstrations take place.</li> <li>• Occasional unrest or demonstrations away from operational sites. No direct threat to the operation</li> <li>• Effective government control and/or rule of law in place. Liaison remains regular and effective</li> <li>• Continued good will of the majority of the local community remains assured</li> </ul>	<p><b>No restriction to normal movement compliant with local Journey Management Plan (JMP) requirements. Staff and vehicles may move around the area within the protective envelope of the FSRP project area security.</b></p> <ul style="list-style-type: none"> <li>• Complete all pre-planning actions</li> <li>• All visitors or returning staff receive an arrivals Security brief</li> <li>• Train staff and ensure awareness of actions to be taken- site drills.</li> <li>• Ensure JMP is in place and followed</li> <li>• All crisis management and evacuation plans are in place and are maintained as ‘living documents’</li> <li>• The security situation, crime levels, political and social events are monitored closely. On-going collection and assessment of information through liaison with authorities and local community,</li> <li>• Ensure daily Personnel on Board (POB) is maintained.</li> <li>• All stakeholders are aware of the contents of the evacuation plan and understand their role within it</li> <li>• Vehicle Escorts taken when traveling to areas where civil unrest or cattle raids has occurred.</li> <li>• Maintain close liaison with social safeguards and good community relations</li> </ul>
<b>STANDARD OPERATING PROCEDURES</b>	
<p><b>FSRP project Security Assets</b>  <u>Police Foot Patrols and Escort:</u></p>	

**Security Response Level GREEN**  
**Business as Usual- Security Risks Effectively Controlled**

<b>Event Indicator</b>	<b>Recommended Action(s)</b>
	<p>Roles and responsibilities include:</p> <ul style="list-style-type: none"> <li>• The conduct of regular inner peripheral patrols and reporting of findings to Control room.</li> <li>• To ensure safe weapon handling and clearing is carried out at the unloading bays prior to entry to the guard rest area or main compound.</li> <li>• Gathering information and intelligence by interaction with local people.</li> <li>• Questioning of strangers or suspicious persons or vehicles.</li> <li>• Observing physical signs or evidence of potential hostile activity or presence (Noise, footprints, fire traces, etc.) and reporting to Control Room.</li> <li>• Developing Hearts &amp; Minds assurances with the community of security in the Area.</li> <li>• Developing community relations on behalf of FSRP.</li> <li>• Creating a deterrent factor by the presence of the patrol in the area</li> </ul> <p><u>Centralized Mobile Police Patrols</u></p> <ul style="list-style-type: none"> <li>• <b>Introduction:</b> The Centralized Police Mobile Patrols has responsibility for security of the entire FSRP project by patrolling the surrounding area, visiting areas of possible threat, local villages, and satellite locations. Their secondary responsibility is to provide immediate reaction and support inner peripheral security,</li> <li>• Roles and responsibilities include: <ul style="list-style-type: none"> <li>○ The conduct of regular area patrols and reporting of findings Officer Commanding Station OCS</li> <li>○ To react to Emergency situations as a Quick Reaction Force as directed OCS,</li> <li>○ To ensure safe weapon handling and clearing is carried out at the unloading bays prior to entry to the guard rest area or main compound,</li> <li>○ Gathering information and intelligence by interaction with &amp; questioning of local people,</li> <li>○ Questioning of strangers or suspicious persons or vehicles,</li> <li>○ Developing Hearts &amp; Minds assurances with the community of security in the Area,</li> </ul> </li> </ul>

Security Response Level GREEN Business as Usual- Security Risks Effectively Controlled	
Event Indicator	Recommended Action(s)
<ul style="list-style-type: none"> <li>○ Developing community relations on behalf of FSRP.</li> <li>○ Creating a deterrent factor by the presence of the patrol in the area.</li> </ul> <p><u>Contractors Camp Sites:</u></p> <ul style="list-style-type: none"> <li>● Main Gate - Barrier Check of vehicle occupants and main gate access control. Random cursory Vehicle searches on arrival and random checks (10% of vehicles) on departure to deter theft or when a vehicle is deemed suspicious.</li> <li>● Perimeter Foot Patrol–Daytime every hour at irregular times around camp perimeter.</li> <li>● Assist Journey Management with coordination of vehicles departing and arriving at camp, and the management of visitors.</li> <li>● Quick Reaction Force (QRF) (if allocated) specific to Contractor.</li> </ul>	

**Table 8: Security Response Level: Yellow- Enhanced Security Measures Required**

Security Response Level Yellow Enhanced Security Measures Required	
Event Indicator	Recommended Action(s)
<p><b>Increased level of disturbance and/or increased probability of impact to operations. Sporadic civil disorder events. A direct threat has been detected to one or more areas of the operation, but it is not considered imminent.</b></p> <ul style="list-style-type: none"> <li>● Area-wide protests and/or strike action that do not directly impact FSRP project</li> </ul>	<p><b>FSRP project operations continue. Enhanced security controls and operational restrictions required:</b></p> <ul style="list-style-type: none"> <li>● Necessary communications equipment Satellite Phones / Very Small Aperture Terminal &amp; Very high frequency radio calls (SATPHONES/VSAT/VHF) available and all systems checked</li> <li>● Ensure site specific plans are available to the FRT and have been revised and practiced</li> </ul>

<b>Security Response Level</b> <b>Yellow</b> <b>Enhanced Security Measures Required</b>	
<b>Event Indicator</b>	<b>Recommended Action(s)</b>
<p>operations or personnel but do present a risk to external logistical operations or works.</p> <ul style="list-style-type: none"> <li>• Increase in inter-tribal violence adjacent to FSRP project area of operations or locations.</li> <li>• Vehicle or aircraft movement is disrupted</li> <li>• Increased difficulty in accessing mission critical items or functions due to local security situation</li> <li>• Significant police or paramilitary deployment required to maintain rule of law localized curfews in place.</li> <li>• Heavy handed response from police and security service</li> <li>• Erosion of the support and good will of local communities</li> <li>• Difficulties in maintaining good relations with local authorities and traditional leaders</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure all security, crisis and evacuation plan representatives understand their roles and responsibilities</li> <li>• Brief local security forces on roles and responsibilities and rules of engagement. Apply controls to ensure actions are tracked.</li> <li>• Review local security risks and controls; operating area Journey Management Plan- implements additional controls.</li> <li>• Maintain regular communication with all stakeholders, including authorities, local community, other sites and activities.</li> <li>• Daily call with Officer Commanding Station,</li> <li>• If situation likely to continue, re-assess stocks of resources at operational sites and ability to re-supply (food/water/fuel/people).</li> <li>• Verify POB and carry our muster drills,</li> <li>• Assess requirements to increase physical security controls, access, perimeter protection, and road escorts.</li> <li>• Issue “Business Essential” travel advisory (If not already done).</li> <li>• All employees are briefed / updated on the security situation and controls- revise the evacuation plan</li> <li>• Confirm all expatriates registered with appropriate embassy and all visas and passports valid.</li> <li>• Consideration given to recommending changes to the daily routine to include: <ul style="list-style-type: none"> <li>○ identification of any out of bounds areas</li> <li>○ local travel restrictions</li> </ul> </li> <li>• Review which business critical and sensitive documents need to be protected and how.</li> </ul>

<b>Security Response Level</b> <b>Yellow</b> <b>Enhanced Security Measures Required</b>	
<b>Event Indicator</b>	<b>Recommended Action(s)</b>
<b>STANDARD OPERATING PROCEDURES</b>	
<p>These actions are in addition to the normal activities required at Security Status Green. Increased actions are:</p> <p><u>Police Foot Patrols:</u>  Roles and responsibilities include:</p> <ul style="list-style-type: none"> <li>• Reinforce construction camp sites entries.</li> <li>• Conduct patrols around construction camp inner and exit gates.</li> <li>• Off camp personnel interrogation.</li> </ul> <p><u>Centralized Mobile Police Patrols</u>  <u>Armed Security Force (ASF):</u></p> <ul style="list-style-type: none"> <li>• <b>Quick Reaction Force (QRF)</b> 4x Man armed team on standby within the construction camp on Notice to Move (NTM)  States: <ul style="list-style-type: none"> <li>○ <b>Daytime</b> - No change. But to include: <ul style="list-style-type: none"> <li>▪ Local area patrols will increase and cover the clearance patrol area of a radius of 300m from the camp perimeter.</li> <li>▪ Clearance Patrols must be completed after any suspicious activity is noted or the camp is stood to.</li> </ul> </li> <li>○ <b>Nighttime</b> – As per normal daytime QRF with second pair at 2 minutes NTM.</li> </ul> </li> <li>• <b>Mobile Patrol</b> – location of the threat will dictate the exact patrol requirement. Options: <ul style="list-style-type: none"> <li>○ 1 x patrol performing routine zone patrols or operating in a screening role.</li> </ul> </li> </ul> <p><u>Construction Camp Sites:</u></p> <ul style="list-style-type: none"> <li>• Check ID along with issued badge for all external workers whenever arriving.</li> </ul>	



**Security Response Level  
Yellow  
Enhanced Security Measures Required**

<b>Event Indicator</b>	<b>Recommended Action(s)</b>
	<ul style="list-style-type: none"> <li>• All external contractor/vendor visits must have been notified to the Main Gate Reception in advance – no unexpected arrivals will be allowed entrance. As with Green all individuals and guests must be escorted by their host.</li> <li>• Implementation of restricted access areas. Areas such as construction camp site will be by authorized badge only. Access point to be physically controlled.</li> <li>• Lighting must cover all areas of the site to ensure guard force have clear visibility whilst conducting foot patrols.</li> <li>• Vehicle checks will go up to 25% of vehicles (10% comprehensive, 15% cursory).</li> <li>• Quick Reaction Force (QRF) (specific to Contractor)</li> <li>• <b>Isolated Locations</b> <ul style="list-style-type: none"> <li>○ Consider increasing security at isolated locations and field operations.</li> </ul> </li> </ul>

**Table 9: Security Response Level: Orange-Increased Security Measures**

<b>Security Response Level Orange</b> <b>Implementation of Increased Security Controls and Preparation for Lock Down and/or Site Evacuation</b>	
Event Indicator	Recommended Actions
<p><b>Significant obstacle or direct threat has been detected to operations and is deemed imminent, or a security incident has taken place close to one of the FSRP project sites:</b></p> <ul style="list-style-type: none"> <li>• Widespread civil unrest, not contained by police or paramilitary forces.</li> <li>• Frequent acts of violence close to FSRP project operations.</li> <li>• FSRP specifically threatened and/or targeted.</li> <li>• Reinforcement of police by military forces to enforce martial law and impose curfews in key areas.</li> <li>• Substantial political or inter-tribal violence</li> <li>• Government ordered curfew in place</li> <li>• Law and order become fragile, shortages of food/water /supplies/power/ communication outages.</li> <li>• Failure to observe security restrictions regarded as life-threatening.</li> <li>• Loss of support and good will of majority of local community,</li> <li>• Liaison with authorities and traditional leaders breaks down</li> </ul>	<p><b>FSRP project operations are suspended. Significant increase in security controls and operational restrictions. All movement outside construction camps ceases.</b></p> <ul style="list-style-type: none"> <li>• All external movement ceases</li> <li>• Twice daily call schedule with Client Security Manager</li> <li>• Ensure sites including plant, machinery and equipment are secured – security protection in place.</li> <li>• Consider further increase in security controls including further reinforcement of security guarding, (police support) and asset hardening of critical equipment and safe havens.</li> <li>• Briefings to local security forces on roles and responsibilities- liaison with local commanders increased.</li> <li>• Consider resupply requirements for all locations and caretaker maintenance and security of unmanned locations.</li> <li>• Instigate evacuation drills and brief all staff on actions</li> <li>• Pack grab bags and ensure POB and documentation is available</li> <li>• Prepare vehicles for possible road moves and ensure thorough rehearsals have been conducted for any moves under escort.</li> </ul>
<b>STANDARD OPERATING PROCEDURES</b>	

<b>Security Response Level</b> <b>Orange</b> <b>Implementation of Increased Security Controls and Preparation for Lock Down and/or Site Evacuation</b>	
<b>Event Indicator</b>	<b>Recommended Actions</b>
<p>These actions are in addition to the normal activities operating at Security Status Yellow. Increased Actions:</p> <p><u>Police Foot Patrols:</u></p> <ul style="list-style-type: none"> <li>• Reinforce camp main gate and Emergency Exits security.</li> <li>• Conduct thorough searches on the arrivals.</li> <li>• Ensure all gates within the camp are padlocked.</li> <li>• Intensify inner perimeter patrols.</li> </ul> <p><u>Centralized Mobile Police Patrols</u></p> <ul style="list-style-type: none"> <li>• Inner perimeter fence 360 area check.</li> <li>• Ready to react to emergency.</li> <li>• Main gate and emergency exit manning.</li> <li>• Will be ready for escort tasks.</li> <li>• Questioning strangers or suspicious persons or vehicles.</li> <li>• Developing hearts and minds assurance.</li> </ul>	

**Table 10: Security Response Level: Red-Cease Operations, Lock down & Evacuation**

<b>Security Response Level</b> <b>RED</b> <b>Cease Operations and Lock Down or Evacuate Site</b>	
<b>Event Indicator</b>	<b>Recommended Actions</b>
<p><b>The operation has experienced a direct attack or there is credible evidence of an imminent attack.</b></p> <ul style="list-style-type: none"> <li>• Direct threats against FSRP project operations</li> <li>• Major civil disorder in areas of operation</li> </ul>	<p><b>Suspension of operations and/or activation of total lock down or evacuation plan:</b></p> <ul style="list-style-type: none"> <li>• Confirm operational plan and nomination of alternative managers or key points of contact during evacuation.</li> </ul>

**Security Response Level**

**RED**

**Cease Operations and Lock Down or Evacuate Site**

- Lines of supply untenable (road closures/security risks)
- Total collapse of law and order
- Diplomatic missions advise nationals to leave.
- No or limited local security forces protection
- Security force reaction may damage reputation
- Major difficulties in accessing necessities
- Frequent power and communications disruption.

- Implement evacuation plan
- Ensure adequate caretaker security in place if full operations are suspended.
- Ensure all critical or sensitive documents have been collected and are ready for destruction or removal
- Detailed briefing of all remaining personnel on situation and emergency response plans.
- Provide ongoing communications, guidance and assistance to local and security staff remaining in country
- Finalize plans for remote management of operations if full evacuation is implemented.

**STANDARD OPERATING PROCEDURES**

These actions apply to ensure the FSRP project area and camps are locked down to maintain the security of the core staff, whilst the FSRP Incident Management Team decides on the final course of action. Increased Actions:

Police Foot Patrols:

- Main gate sentry reinforcement.
- Intensify inner perimeter patrols.
- POB confirmation.
- Conducting thorough searches at the main gate.
- Ensure all exits are padlocked.
- Reporting suspicious activities to the control room.

Centralized Mobile Police Patrols:

- Inner perimeter fence 360 area check.
- Ready to react to emergency.
- Main gate and emergency exit manning.

## Security Response Level

### RED

#### Cease Operations and Lock Down or Evacuate Site

- Will be ready for escort tasks.
- Questioning strangers or suspicious persons or vehicles.
- Developing hearts and minds assurance.

#### Camp Sites:

- Main gate and all access routes closed and secured with vehicle entry prevention devices. This is in addition to vehicle tyre spikes.
- No access allowed unless authorized by security management. If authorized Red measures apply and all vehicles are searched comprehensively.
- No vehicle is authorized to move in or out of the perimeter unless directed by the security advisor.
- Static guards reinforced by armed police or military if available. All perimeter patrols and main gate to operate with an armed presence as well as the unarmed guard.
- Wider patrolling only as situation requires, as this will be done with coordination of any military presence.
- Perimeter is secured so internal and external patrols are stopped to provide manpower to reinforce the perimeter security.
- Internal security patrols to ensure direct observation on the perimeter at all times.

40. Alert levels provide specific guidance on recommended security measures and actions to be adopted on the basis of the prevailing security situation. It is anticipated that local or regional events (triggers) will be monitored daily and linked to the alert status. All the available security information will be assessed to ensure early identification of increases in risk which may require a change in alert state. Changing of rating level will be done on instruction from the FSRP project office.

## **2.6 Alert State Status Boards**

41. Alert State boards are to be displayed at the camp and indicate the current security alert state and associated restrictions to movement in the project area. Movement restrictions are to be covered in Journey Management Plan.

## **2.7 Site Security Layers**

42. All FSRP project facilities will undergo the following security layers/protocols.

- Physical security (guards).
- Access control system.
- Intelligence Network.
- Security induction.
- Awareness.
- Trainings.

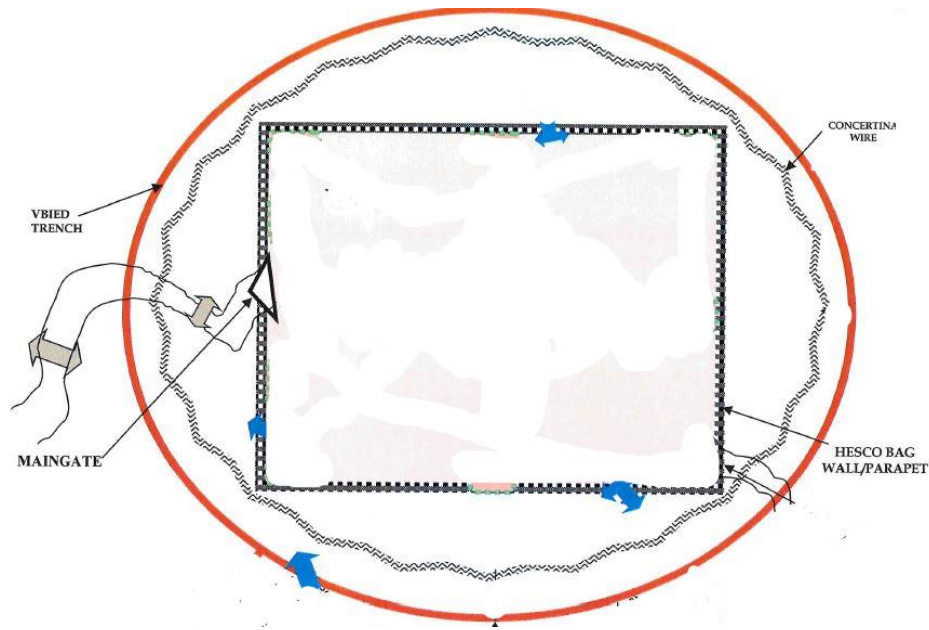
43. The combination of the different security layers will reduce the risk of having one system being by-passed.

### **2.7.1 Physical Security**

44. Physical security will involve the use of security barriers, such as fences, gates, locks, guard posts, surveillance/electronic security systems at all the FSRP project premises (project investment offices, sites).

### **2.7.2 Security barriers**

45. These will mainly comprise of fences, gates, guard posts, surveillance / electronic cameras which will be manned by trained personnel who shall document and record daily incidents at the various points and provide reports to their superiors for appropriate action.



### 2.7.3 Security operating Procedures

46. This shall entail some of the key security operating procedures which will comprise of:
  - Boundary security:** Security will maintain control of the FSRP project's perimeter by deploying personnel at strategic points along the boundaries of the project facilities and also channel people to access-control points that will have security personnel (both armed and unarmed as well as those in uniform and non-uniformed personnel);
47. **Access Control Policy and Procedures:** Access to FSRP project sites will by project personnel and visitors will be through a formal, documented access control procedures to facilitate the implementation of access control policy and associated access controls. MoALD personnel will be issued with badges and will at all times carry and display these badges when in the field. The badges will enable the bearer to access project facilities upon site security enquiry. Visitor badges will be issued to all visitors who are not employees of MoALD.
48. **Unexpected / Unplanned Visitors:** In case of unexpected (unplanned) visitors, the OCS will be notified immediately by the security officers. Access endorsement/authorization will be issued only by the OCS after consultation with the Project Coordinator, and thereafter a visitor's badge will be issued. The visit will not exceed the time agreed upon during access authorization and they must be accompanied by the project personnel /staff in charge of the visit.
49. **Visitor Badge Process:** Visitors badge will be issued after the visitor has been authorised by the site project personnel/staff. The visitor will then fill a visitor form providing all his/her details and purpose of the visit. A visitor's badge will then be processed and issued by the Access control office. Security induction must be done before the badge is issued to the applicant and the visitor must sign on the induction document

for acknowledgement. A data file with information regarding the visitor will be recorded and kept in the site access register.

50. **Luggage search:** A search of personal luggage will be performed by the guards at the access control point to ensure all prohibited items such as alcoholic beverages, firearms, knives and dangerous drugs are not smuggled into the FSRP project facilities.
51. **Vehicle Access Control Procedures:** All Vehicles accessing FSRP project facilities will only have a driver and should undergo a security check/search for prohibited items i.e., alcohol beverages, firearms, knives, explosives and dangerous drugs. The driver must also declare the entire luggage at the main gate (personal luggage) for checking.
52. **Materials Storage and Control:** where applicable, the FSRP project will institute controls over the transport, inventory, and maintenance of storage areas for raw materials, equipment, etc. Note that these are stored in accordance with appropriate Kenyan national laws and regulations and relevant good international industry practice, including the World Bank Group Environmental, Health and Safety Guidelines.
53. **Incident Response**—how security will respond to an incident and who is responsible for responding. Responses should be based on proper and proportional use of force. The role of public security should be described, including when they are called and by whom, for example, regarding criminal activity.
54. **Security Patrols**—what patrols check and how often.
55. **Off-Site Security**—Workers will travel to construction areas daily where the (public) Project Security Team will provide the main security. Security measures to be taken during travel should be given. Provision of security escort services, installation of GPS tracking devices on every vehicle and restriction of the movement of vehicles at night may also be necessary.
56. **Information and Communication**—procedures for categorizing, handling, and controlling sensitive information.
57. **Special Situations** – There may be instances where large-scale events (e.g., criminal activity, demonstrations, civil disorder) require interventions by public security which is not specifically associated with the project. When planning for such events or emergencies, there should be clarity on how project security (private or public) passes control over to formal public security (for example, police, military, emergency responders).
58. **Decision tree model:** the project security shall adopt a structured approach using the collaborative approach for all the armed security operatives in prioritizing the collection of relevant data during incident response. The structured tree model approach will help to define how questions are answered and allows the incident response team to respond consistently with predictable results. The structured approach also provides for definable, reproducible structures to be created facilitating controlled cost exposure during an incident response cycle.



59. **Information and Communication:** The project will detail procedures for categorizing, handling, and controlling sensitive information. County Policing Authorities and Community Policing Committees are part of community policing, which improves the transparency and accountability in service delivery to the community. The reporting mechanisms include: using of the emails: [incidents@ke-cirt.go.ke](mailto:incidents@ke-cirt.go.ke); [info@dcicpu.co.ke](mailto:info@dcicpu.co.ke) and the toll-free numbers: call 116,112 and 999.
60. In cases where a report should be made against the security teams (Police), the documented channels of receiving complaints at National Police Service Internal Affairs Unit (IAU) are:
- a. Visiting the nearest police stations,
  - b. Through letters P.O Box 1880 -00200 Nairobi,
  - c. [Through-email-iau@nationalpolice.go.ke](mailto:Through-email-iau@nationalpolice.go.ke),
  - d. Social media – Twitter - @ NPSOfficial-KE,
  - e. Anonymous Reporting Information System (ARIS) USSD \*683#, SMS 40683, Toll Free Line 0800721230, Mobile App ARIS, NPS, & Web Form [www.iau.go.ke](http://www.iau.go.ke),
  - f. Mobile +254 798474619,
  - g. WhatsApp (Videos and Pictures) 0758729917, and
  - h. Through the media.
61. **Code of conduct** (Police Act 2010, Cap 64). Every police officer shall be subject to Force standing orders and to the provisions of the Code of Regulations for the time being in force, so far as the same are not inconsistent with the provisions of this Act or of any regulations or standing orders made thereunder.
62. **Firearms Security:** The project will develop a policy regarding firearms on-site, as well as the responsibilities and procedures for issuing and storing any security firearms, ammunition, and non-lethal weapons. This shall include location for storage; how weapons are properly secured during storage; records for issuance; who they may be issued to; safeguarding while in possession of the personnel; and audits.
63. **Special Situations:** There may be instances where large-scale events (e.g., criminal activity, demonstrations, civil disorder) require interventions by public security which is not specifically associated with the project. When planning for such events or emergencies, there shall be clarity on how project security passes control over to formal public security (for example, police, military, emergency responders in line with the National Police Service procedures in conjunction with the project established decision

tree in armed police incident response. This will involve also collaborative and or leveraging with the existing projects being implemented within the project areas.

## **2.8 Security Supervision and Control**

64. The project will have a clearly defined management structure and responsibility, including overall lines of control, accountability, and supervision for the security effort. In making such arrangements, the project will be guided by the principles of proportionality and GIIP, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such security workers. The project will seek to ensure that government security personnel deployed to provide security services act in a manner consistent with paragraph 24 of ESS 4 and encourage the relevant authorities at County and National level to disclose the security arrangements for all facilities to the public, subject to overriding security concerns.
65. The Project coordinator will (i) make reasonable inquiries to verify that the direct or contracted workers retained by the Ministry to provide security are not implicated in past abuses; (ii) train them adequately (or determine that they are properly trained) in international human rights standards or minimal use of force techniques (less use of firearms), and appropriate conduct toward workers (in line with the Labour Management Plan) and affected communities (in line with SEAH Action Plan); and (iii) require them to act within the applicable law and any requirements set out in the ESCP.
66. All incidents including thefts, attempted, attempted break-ins must be reported to the OCS and recorded in the occurrence book, who will initiate an investigation to determine sequence of events, what may have contributed to the incident, probable cause (s) and contributing factors), and recommendations, corrective actions, and mitigation measures (based on investigative findings) – an incident report will be issued to the Project Coordinator with details of the above actions.
67. There shall be a broad agreement at the national level, and there after communicated to the local level where it is more likely and achievable, with each local Officer Commanding Station. This will include the specific project requirements such as stakeholder engagement, security arrangements disclosure, incident response, and grievance management would benefit from being formally agreed with the appropriate authorities in line with the Project Stakeholder engagement Plans and Grievance Mechanism (GM).
68. Depending on the security incident, the Project Coordinator will decide as to whether there is need to inform external agencies of the security incident. Project organization will require security personnel to manage security aspects;

## 2.9 Security Implementation Arrangements

69. All security activities are supervised and coordinated by the County Security Team on behalf of the Project Coordinator. The organisation of security responsibilities, authorities and communication process shall follow Government of Kenya (GoK) organisation from project management down through the project staff when reporting security breaches or vice-versa as the case may be.
70. **County Project Coordinator** is the responsible person for the operations on site and he is accountable of the actions by security personnel in charge of site security Security Actors, Resources and Gaps
71. Security actors in the project area are listed below and their locations
- a) National Police Service (NPS): There are several different police units including the Administration Police, regular Kenya Police and various specialised units such as the Quick Response Unit (QRU), Critical Infrastructure Protection Unit (CIPU), Border Patrol Unit (BPU), Anti-Stock-Theft Unit (ASTU), and General Service Unit (GSU). The Criminal Investigation Department (CID) also operate in the project counties.
  - b) National Intelligence Service (NIS) are present in all project counties.
  - c) Kenya Defence Forces (KDF) are particularly deployed along the Kenya-Somalia border.
  - d) The National Police Reservists (NPR) are civilians who supplement police duties in rural or remote areas (mainly pastoralist areas). All are under police oversight, though some are in conservancies and national reserves and some are under county governments.
  - e) Kenya Wildlife Service officers in Meru, Wajir, Mandera and Isiolo counties.
  - f) Immigration officers at border posts
  - g) *Nyumba Kumi* Initiative / Community Policing structures are in place in some of the project areas and have valuable local security information which would be an asset to the project. Actors are unarmed volunteers.
  - h) Private security guards in urban areas. It is important to note that in Kenya, private security guards do not carry arms and they are therefore vulnerable in insecure areas. However according to the Private Security Regulation Act No. 13 of 2016 providing security training or instruction to a security service provider or prospective security service provider is a requirement. This training may involve self-defence techniques for instance, not working alone especially the female employees; Other trainings include legal and regulatory framework of private security, security risks, threats and hazards, Basic security procedures, Security equipment and animals, Kitting and turn out, Report writing, Effective communication, County terrorism, and Health and safety requirements.
  - i) County security enforcement officers under the Office of the Governor, who often guard metropolitan areas and do not carry arms.

- j) Community militias provide many important defensive services to pastoralist communities, but are also often involved in attacks and raids. They are often armed with unregistered (illegal) weapons. More serious criminal elements such as bandits and terrorists also operate within the project area as noted. Their definition is fluid since community militias may be involved in these activities at times. .

**72. Security Team/Officers** (National Police Service, the National Youth Services, and the Kenya Wildlife Service) may be appointed to oversee specific security activities for project sites (storage and lay down areas, work sites, field transportation and day to day operations). They will supervise such activities and report directly to the Project Coordinator. In addition, the NPC will work closely with the National Police Service to develop a set of project related messages and in line with the project stakeholder engagement plan to be aligned with the broader project engagement security plan designed to promote the rule of law, discuss security arrangements, and elicit responses from key stakeholders. Project security team shall draw valuable insights and the structure of the key security messages and methods of engagement for each of the six major security stakeholder groups including the Employees and contractors, Government, Police, Communities and the Non-Government Organizations or Civil Society Organizations from the GIIP (VPSHR<sup>7</sup>) (Section V, Stakeholder Engagement).

**73. All project personnel** are required to be aware of the need for constant vigilance, care and compliance with security procedures, as well as the necessity to report any incident or suspicion to the OCS.

**74. Officer Commanding Station (OCS):** Security personnel (the police) will be deployed as necessary to provide security to project sites and facilities. The personnel will be led by an OCS. The police officers have been trained on the following specific topics; securing project sites, patrols, communication, use of radio call units, Quick intervention, and access control procedures. They are professional with a very good appearance and good English and Swahili command in terms of spoken and written. Their roles and responsibilities are detailed below: -

- To Implement the Standard Operating Procedures properly without fear or discrimination.
- To ensure respect of the access control procedures and make sure that they are applied to all project personnel.
- Perform interior Patrols days and nights to ensure that the national borders are intact or no intruders within the project facilities.
- Check the border status on a regular basis using back tracking security method.
- To report any security incident to the guard posts or security commanders.

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<sup>7</sup> VPSHR Toolkit [https://www.miga.org/sites/default/files/archive/Documents/VPSHR\\_Toolkit\\_v3.pdf](https://www.miga.org/sites/default/files/archive/Documents/VPSHR_Toolkit_v3.pdf)

- Maintain constant communication with the control room on hourly basis while on duty.
- Report to the control room in case of any technical issues.
- Ensure a proper behaviour at all times while applying the SOP; avoid exchanging of words with the project staff.

**75. Security Community Engagement:** The results of the security community engagement and security risk assessment process shall be further examined by the relevant parties and appropriate mitigations included in a project level Memorandum of Understanding (MoU), setting out a framework for cooperation and setting standards and expectations. Key clauses for drafting MoU have been adopted from the DCAF/ICRC Knowledge Hub<sup>8</sup> and customised to suit the project including:

- Building trust among relevant government stakeholders especially the County Government and Ministry of Interior and Coordination of National Government, NGOs, civil society and community members to prepare the ground for a meaningful MoU,
- Adherence to the provisions contained in the VPs (Voluntary Principles on Security and Human Rights) and the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (see Section K),
- Institute a vetting procedure to ensure that no one allegedly implicated in past human rights and international humanitarian law abuses (i.e. there is a conviction, pending case or very strong evidence) provide security to the company.
- Institute a training programme, for public security forces assigned to the project operations (See Section G Paragraph 2: Training),
- Develop an acceptable protocol to manage equipment transfers in a manner that aligns with the VPs.
- Operationalize acceptable modalities for project contributions to salaries, goods or services, if applicable, based on the risk assessment from time to time,
- An agreed system of information-sharing around security issues, with due regard for necessary Confidentiality,
- Have a commitment to a collaborative working relationship with the joint objective of respecting human rights and international humanitarian law.

76. Other softer measures to be included in the MoU include the camp access protocols, grievance mechanisms, engagement commitments that can, without concern for confidentiality, be made publicly available in order to build trust and or promote cooperation.

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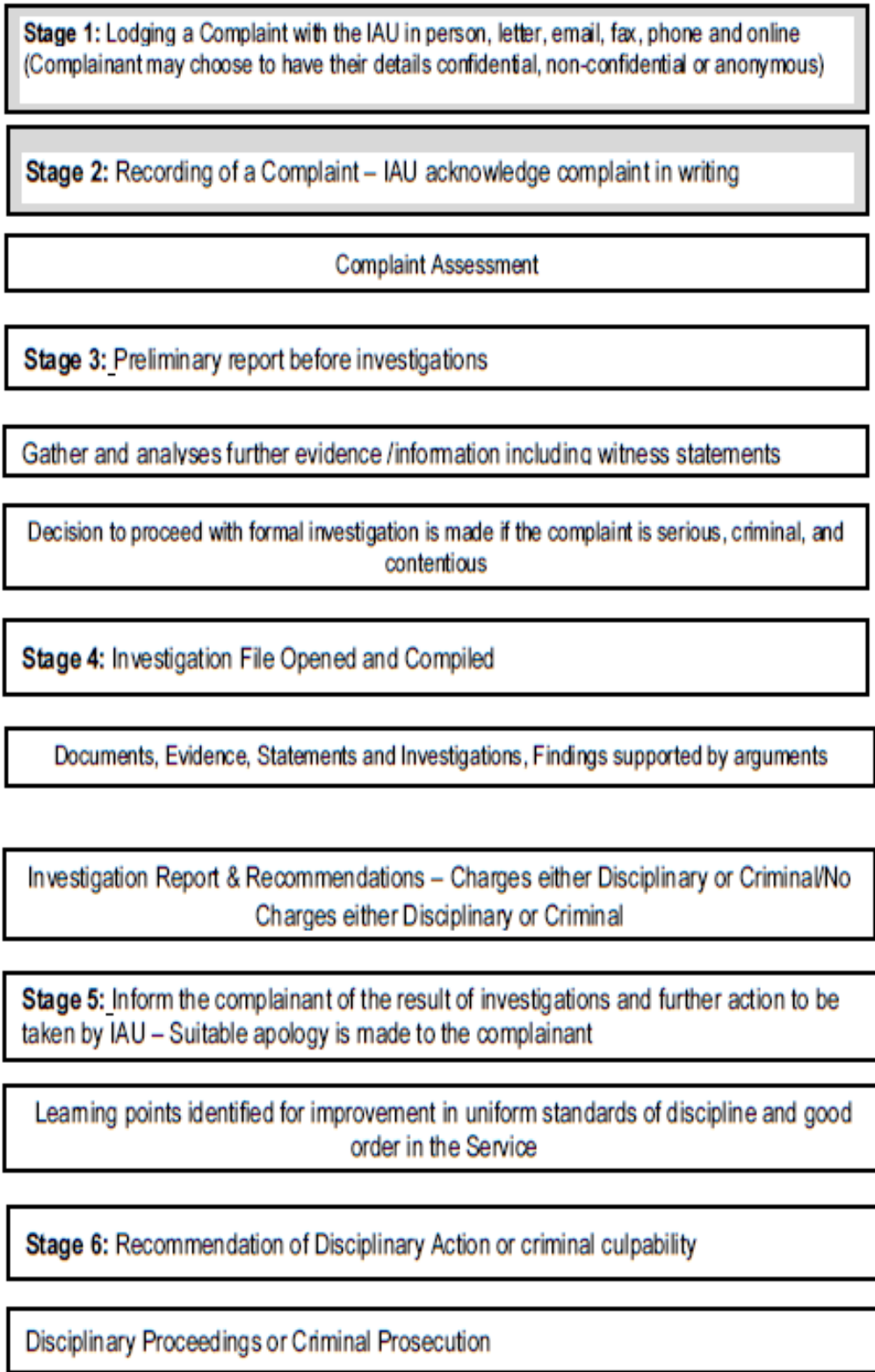
<sup>8</sup> [Addressing Security and Human Rights Challenges in Complex Environments](#)

## **2.10 Journey Management**

77. NPC has the overarching responsibility for project-wide journey management. This is delegated to the County Project Coordinator who will monitor all staff in while in the field through the journey management system in collaboration with the County social safeguards compliance officer. A journey management log is to be maintained at the control room whereupon vehicle movements are logged and monitored. This will be shared with the County and National PCU safeguards team by email.
78. Project staff will be required to complete a Journey Management Plan form, which has to be authorised by the project Coordinator and inform the Control Room on arrival and departure to update the POB.

## **2.11 Security Grievance Mechanism**

79. To extent possible, the SMP shall adopt the Project Grievance Mechanism in managing the security related grievances. The NPC shall engage the relevant project personnel to ensure security personnel grievances are included in the Project GM and Stakeholder Engagement Plan, and work with public security leaders to integrate the project GM with internal procedures. Key areas of emphasis will be on the following steps:
- Step 1: Publicizing Grievance Management Procedures,
  - Step 2: Receiving and Keeping Track of Grievances,
  - Step 3: Reviewing and Investigating Grievances,
  - Step 4: Developing Resolution Options and Preparing a Response,
  - Step 5: Monitoring, Reporting, and Evaluating a Grievance Mechanism, and
  - Step 6: Dedication of adequate resources both human and capital.
80. Grievances related to the security team shall adhere to the National Police Service Internal Affairs Unit and the Independent Policing Oversight Authority to expressly deal with the matters. See Figure 2 below:



**Figure 2: National Police Service Complaints Management Process (Internal Affairs Unit-IAU)**

## **2.12 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials**

81. The project has adopted the basic principles from the guidelines for implementation of the UN basic principles on the use of force and firearms by law enforcement officials. The guidelines promote the proper role that law enforcement officials must consider and require their respect by project implementers within the framework of Kenya national legislation and practice. The adopted principles and guidelines shall be brought to the attention of law enforcement officials as well as other project persons and include:

1. MoALD and appointed law enforcement agency (National Police service) shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials.
2. MoALD and appointed law enforcement agency shall develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms.
3. The use and deployment of non-lethal incapacitating weapons shall be carefully evaluated in order to minimize the risk of endangering uninvolved persons,
4. Law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result,
5. Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall:
  - a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
  - b) Minimize damage and injury, and respect and preserve human life;
  - c) Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment;
  - d) Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment.
6. Where injury or death is caused by the use of force and firearms by law enforcement officials, they shall report the incident promptly to their superiors. A detailed report shall be sent promptly to the Internal Affairs Unit for responsible administrative review and judicial control,
7. MoALD shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence in line with National Police Service Internal Affairs Unit and the Independent Policing Oversight Authority,
8. Exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles,



9. The appointed law enforcement agency shall ensure that all law enforcement officials are selected by proper screening procedures, have appropriate moral, psychological and physical qualities for the effective exercise of their functions and receive continuous professional training, and
10. MoALD and appointed law enforcement agency shall undertake the policing of unlawful assemblies, policing persons in custody or detention in line with the provision of the UN basic principles on the use of force and firearms by law enforcement officials, 2016.

## 2.13 Recording of incidents

82. All security related incidents shall be document in the Security Log Event on the Table below:

**Table 11: Security Occurrence Book / Log Matrix**

Security Log Event.			
DATE: ---/---/---	TIME: ----:---	INCIDENT:	Event Logger: Name +Signature
TIME	DEVELOPMENT/ACTIONS TAKEN		

## 2.14 Resilience Factors

83. Potential sources of resilience include the following:

- a) **Attention to services and the social contract** promotes citizenship and collaboration.
- b) **Devolution, constitutional reform and county government** helps to reverse marginalization of northern counties. Governors in the project counties to work together towards the implementation of FSRP.
- c) **Strengthened security arrangements and improved police-civilian trust** help with intelligence and surveillance and may be promoted inter-alia through reducing the use of aggressive tactics. More individuals from the project area have already been included in for all other sub-projects/SACCOs/FPO (without land/pasture land and resettlement impacts).
- d) **Subproject screening** is used to identify the types and nature of potential impacts related to the activities proposed under the Project and to provide adequate measures to address the impacts. Screening for resettlement issues shall be part of the environmental and social screening, as is detailed in the ESMF. Measures to address resettlement ensure that PAPs are:
  - e) Informed about their options and rights pertaining to resettlement;
  - f) Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives;
  - g) Provided prompt and effective compensation at full replacement cost for;
  - h) Losses of assets and access attributable to the subproject(s).
  - i) the security sector. Kenya has also increasingly recognised the need for a less securitised response to countering violent extremism. Community policing is another mechanism for achieving these goals and is now enshrined in law under the 2011 National Police Service Act.
  - j) **Media**, and especially radio has a far reach in Kenya and can be used for promoting dialogue and understanding, and also giving community members a voice through phone-in shows.
  - k) **Traditional elders and Councils of Elders** exist in all the ethnic communities in the project area. They have been important players in peace-building but sometimes also play a role in political conflict.
  - l) **Religious leaders** enjoy legitimacy particularly in rural areas and can influence attitudes and behaviours. Inter-faith dialogue may be useful in countering violent extremism
  - m) **Peace committees** have been proven effective sources of resilience, conflict management and peace-building in both border and interior areas. A provision has been made in the project to fund these peace committees.

n) **Business**, and particularly cross-border can incentivise cooperation and peace subject to restrictions relating to COVID19, but also may be a potent source of conflict. It requires regulation.

o) **Government Social Security Fund is cushioning the vulnerable members of the society**

84. In Isiolo the most famous peace agreement was the Modogashe Declaration, made in 2001 between community leaders and government representatives from the then Eastern and North-Eastern provinces;<sup>9</sup> this was able to mitigate severe banditry and cattle raiding. There have also been a number of peace processes in Mandera, listed in 2017 by the National Cohesion and Integration Commission (NCIC), in which traditional leaders, politicians, administrations and the NCIC itself have played roles at various times. The Garre-Marehan peace agreement brokered in 2005 in El Wak-Ceel Wak and supported by the Mandera District Peace Committee, was based on Islamic law and has held up since that time, but is strained by urban growth, regional events, the presence of Al Shabaab, and the counter-terrorism response amongst others. Wajir County is famous for its homegrown Wajir Peace and Development Committee which was started by local women has been particularly helpful in dealing with clan conflict in the past<sup>10</sup> and has been supported by the government and replicated in other counties. Also in Wajir, clan elders and political elites have adopted a conflict prevention approach to elections – in the form of ‘negotiated democracy’ which pre-allocated prized county and national government seats to specific clans or tribes.

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9

## 2.15 Private Security Management

85. Private security's role is to provide preventive and defensive services, protecting workers, facilities, equipment, and operations wherever they are located. Private security personnel have no law-enforcement authority, are unarmed in Kenya and will not encroach on the duties, responsibilities, and prerogatives reserved for public security forces. The following areas should be mentioned:

- a. **Provision and Composition of the Private Security Personnel:** This should clarify whether security personnel are direct employees or from a third-party security provider.
- b. **Active Oversight of Contractor Performance:** To ensure proper performance, the project will undertake audits, assist with training, inquire into any credible allegations of abuse or wrongdoing, and monitor site performance on an ongoing basis.
- c. **Security Personnel Background Screening:** The project will perform and/or require its security provider to perform valid background checks on potential security personnel to screen for any allegations of past abuses, inappropriate use of force, or other criminal activity and wrongdoing, such as money-laundering. No individual for whom there is credible negative information from these checks will serve on the project. These checks will be documented and maintained in individual personnel records, which are subject to review by the project and during project supervision.
- d. **Security Personnel Equipment:** Equipment to be provided to personnel should be described, including radios and non-lethal weapons.
- e. **Use of Force by Security Personnel:** The use of force by private security is only sanctioned when it is clearly for preventive and defensive purposes and in proportion to the nature and extent of the threat. This means being properly trained on using force effectively, proportionality, and consistent with good international practice, applicable laws and the ESSs.
- f. **Security Personnel Training:** The training responsibilities of either the security provider or the contractor should be outlined. The project will review any third-party security provider's training program and, where necessary, augment the training through the use of qualified third parties or direct instruction. The project will ensure that security personnel receive procedural or knowledge training in: basic guarding skills, guard-post orders and procedures, proper conduct and ethics/human rights, rules of engagement, rules for the use of force, adequate weapons training (as applicable), health, safety, and environment mandatory training, and training on the SEP and relevant public and worker grievance mechanisms (see **Annex 4**). Outline how training completion records will be kept. Training will be open to inspection/audit.

## **2.16 Public Security**

86. The site security management plan should refer to the overall security management plan for the specific relationship between private and project security providers in the project.

## **2.17 SMP Budget**

The Project will set aside USD 0.5 Million for implementation of the SMP and other sub-plans under the ESMF.

## ANNEXES

### Annex I: Private Security Officers Management and Conduct

In the cases where a contractor is required to use the services of private security officers, both the firm and security officers must comply with the Private Security Regulation Act 2016. According to the Act, both the individual and the private security firm/organization have to be registered with the Private Security Regulatory Authority (PSRA)

#### a) Security officers:

The person is eligible for employment as a private security officer if that Person:

- i. Is a citizen of Kenya or a person who is ordinarily resident in Kenya; (a person ordinarily resident in Kenya is a foreigner with a valid work permit)
- ii. Is over eighteen years of age;
- iii. Holds at least a primary school certificate;
- iv. has attended training in security matters in an institution accredited by the Authority;
- v. Submits a police clearance certificate issued by the Directorate of Criminal Investigation;
- vi. Where he or she previously served in any of the disciplined services, produces a certificate of discharge and a certificate of clearance from such service;
- vii. Is of sound mind.

#### b) Security Firm/Company

A corporate private security service provider is eligible for working in the project if;

- i. Is a company incorporated and established in Kenya;
- ii. If a foreign company, is registered in accordance with the laws of Kenya and has at least twenty five percent local shareholding;
- iii. People performing executive and management functions are registered with the Authority and has been security-vetted and nothing adverse has been established.

#### c) International Finance Corporation (IFC) Performance Standards

The IFC Performance Standards (PSs), provide a basic plan for security management that respects human rights and minimises or avoids risks to the affected communities. By fully implementing the **IFC Performance Standards** relating to security, a company will be largely aligned with the United Nations Good Practices (UNGPs) and will have the systems in place to ensure it is managing security in a responsible way. Private security companies will be required to demonstrate compliance with these requirements to be included in the project.

## **Annex 2: IFC PS Requirements Relating to Security Management**

The Company will assess risks posed by security arrangements (to both internal and external stakeholders). In doing this the Company will be guided by the principles of proportionality and good international practice (including UN code of conduct for law enforcement officials, UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials) - related to the hiring, codes of conduct, training, equipping and monitoring of staff.

The Company will:

- Conduct appropriate due diligence to ensure security workers are not associated with past abuses
- Train (them) in the use of force/firearms (N.B. firearms not applicable in Kenya)
- Train (them) in code of conduct towards workers and affected communities
- Require (them) to act in accordance with applicable laws
- Provide a grievance mechanism for affected communities
- Assess and document risks associated with security personnel associated with Government and seek to ensure security personnel operate in accordance with the above. Encourage Government to disclose security arrangements for facilities to the public, where safe to.
- Investigate allegations of unlawful/abusive acts of Security personnel - take action (or lobby Govt.) and report these acts to public authorities.
- Not sanction any use of force except when used for preventive and defensive purposes in proportion to the nature and extent of the threat





## **Annex 3: Public Security Conduct**

The use of force shall strictly follow the requirement as laid down in the national regulatory framework and best international standards (Section 3). The rules on use of force by police officers are found in Section 61 of the National Police Service Act, and in more detail in Schedule 6 of the Act (see below for both).

### **National Police Service Act Section 61:**

1. Subject to subsection (2), a police officer shall perform the functions and exercise the powers conferred by the Constitution and this Act by use of non-violent means.
2. Despite subsection (1), a police officer may use force and firearms in accordance with the rules on the use of force and firearms contained in the Sixth Schedule.

### **National Police Service Act Schedule 6:**

#### **A – CONDITIONS AS TO THE USE OF FORCE**

1. A police officer shall always attempt to use non-violent means first and force may only be employed when non-violent means are ineffective or without any promise of achieving the intended result.
2. The force used shall be proportional to the objective to be achieved, the seriousness of the offence, and the resistance of the person against whom it is used, and only to the extent necessary while adhering to the provisions of the law and the Standing Orders.
3. When the use of force results in injuries—
  - a. the police officers present shall provide medical assistance immediately and unless there are good reasons, failing to do so shall be a criminal offence; and
  - b. shall notify relatives or close friends of the injured or affected persons.
4. A police officer who uses any form of force shall immediately, report to the officers' superior explaining the circumstances that necessitate the use of force and the supervisor shall judge the rightfulness and decide on the next step, subject to these regulations.
5. Any use of force that leads to death, serious injury and other grave consequences shall be reported immediately by the officer in charge or another direct superior of the person who caused the death or injury, to the Independent Police Oversight Authority who shall investigate the case.
6. The Inspector-General shall not be precluded by virtue of paragraph (5) from conducting investigations into the matter.
7. A police officer who makes a report to the Independent Police Oversight Authority in accordance with paragraph (5) shall—
  - a. secure the scene of the act for purposes of investigations; and

- b. notify the next of kin, their relative or friend of the death or injury as soon as reasonably practical.
- 8. It shall be a disciplinary offence for a police officer to fail to report in accordance with these regulations.
- 9. An officer shall not tamper or otherwise damage any evidence from the scene of the act.
- 10. A Police officer in uniform shall at all times affix a nametag or identifiable Service number in a clearly visible part of the uniform
- 11. Following the orders of a superior is no excuse for unlawful use of force.
- 12. The Cabinet Secretary responsible for Internal Security and the Inspector-General shall make regulations for giving further direction on the lawful use of force, and the regulations shall include, among other things—
  - a. a list of lawful means to use force;
  - b. training requirements to be allowed to use these means;
  - c. procedures for reporting the use of the means of force, indicating whether the use of such means was necessary or not.

## **B – CONDITIONS AS TO THE USE OF FIREARMS**

- 1. Firearms may only be used when less extreme means are inadequate and for the following purposes—
  - a. saving or protecting the life of the officer or other person; and
  - b. in self-defense or in defense of other person against imminent threat of life or serious injury.
- 2. An officer intending to use firearms shall identify themselves and give clear warning of their intention to use firearms, with sufficient time for the warning to be observed, except—
  - a. where doing so would place the officer or other person at risk of death or serious harm; or
  - b. if it would be clearly inappropriate or pointless in the circumstances.
- 3. A police officer shall make every effort to avoid the use of firearms, especially against children.
- 4. Any use of firearm, even if there's no injury, shall immediately be reported to the officer's superior.
- 5. Any use of fire arms that leads to death, serious injury and other grave consequences shall be reported by the officer in charge or another direct superior of the person who caused the death or injury, to the Independent Police Oversight Authority who shall investigate the case.
- 6. The Inspector-General is not precluded by virtue of paragraph (4) from conducting investigations into the matter.
- 7. A police officer who makes a report to the Independent Police Oversight Authority in accordance with paragraph (4) shall—
  - a. secure the scene of the act for purposes of investigations; and

- b. notify the next of kin, their relative or friend of the death or injury as soon as reasonably practical.
8. The Cabinet Secretary in consultation with the Inspector-General shall make further regulations on the use of firearms which shall include regulations—
- a. that specify the circumstances under which police may carry firearms and the type of firearms and ammunition permitted;
  - b. that prohibit firearms and ammunition that cause unwarranted injury or present unwarranted risk;
  - c. to regulate the control, storage and issuing of firearms, including procedures that ensure that officers are accountable for the weapons and ammunition issued to them (in principle; don't allow to take firearms home and officers are provided by their superior with a fixed amount of ammunition and have to explain at any time when requested if bullets are missing);
  - d. for the selection, training and testing of officers authorised to carry firearms including techniques that could diffuse tension and reduce the likelihood of the need to use force in order to ensure that firearms are used appropriately and with the least risk of causing unnecessary harm;
  - e. to provide for testing of officers carrying fire arms at regular intervals, but at least once a year;
  - f. and provide for consequences when failing the test referred to under paragraph (e) which shall at least include that failing to pass the test shall result in losing the right to carry fire arms until the officer does pass the test; and
  - g. provide for a reporting system whenever officials use firearms in the performance of their duty.

## Annex 4: Areas of Training for Public Security Personnel and Other Staff

Annual training for public security personnel will be arranged in three tiers.

The **first tier** of the training is targeted towards members of the multi-agency security team, some of whom will lead subsequent Tier 2 training events for the security providers on the ground.

The **second tier** is targeted towards foot-soldiers who will be manning the road and the campsites. The training for this group will be five days, the group will comprise of police, specialized police modules, the Kenya Defense Forces personnel and to some extent, National Police Reservists (NPRs) who will be assisting the multi-agency security teams

The third **tier** of the training is targeted towards contractors and supervision consultant staff and support teams who will be resident at the camp. This will be a three-day training.

The training will be structured around the following areas:

- Operational security: including hostile environment security operations, operational communication and introduction to intelligence and undercover operations
- Multiagency security coordination: including multiagency approaches and teamwork
- Countering violent extremism: including radicalization, counter-terrorism tactics, explosives and bombs awareness
- Vital installation security: including various security disciplines, risk assessment and management, access control, VIP protection, surveillance detection, cyber security and searches
- Human resource management: including code of conduct
- International human rights law: including its application to security situations.
- Gender, sexual exploitation and abuse: including identification of vulnerable groups.
- Community orientation: including understanding conflict and conflict management
- Other: including COVID19, first aid, occupational hazards and recreational exercises.

Private security companies will also be required to arrange training for private security personnel covering the same areas.

## Annex 5: Role of Stakeholder Liaison Officer

A Stakeholder Liaison Officer will be appointed by FSRP to coordinate communications between the various stakeholders, with a particular emphasis on representation of project affected communities. This includes the following roles:

- a) Coordinate with the various stakeholders including:
  - FSRP
  - The contractor
  - Local administration
  - Civil society organizations
  - County and sub-county governments, and in particular steering groups and peace and cohesion groups
  - Respected community representatives including women's leaders, elders, representatives for persons with disability, youths and vulnerable marginalized groups, religious leaders, businesses and peace actors
  - The Security Liaison Officer
  - The World Bank team
  - The (FCDC)
- b) Oversee the civil society organization activities
- c) Ensure that all stakeholders are receiving up to date communication on the progress of the works along the road.
- d) Ensure timely and effective communications on grievances and concerns from affected communities to appropriate officials and back again. This will involve attendance at grievance redress mechanism meetings.
- e) To record and document stakeholder liaison activities
- f) To assist with the development of public relations programs to educate the county governments and the public about the projects and to support active community participation and ownership in the sub projects.
- g) To provide guidance and support to the Multi-Agency Security Team and as needed. This includes assisting with organization of required community meetings, field visits, research activities and other participatory consultations.
- h) Sensitise various stakeholders on the stakeholder's engagement process and grievance redress mechanism.
- i) Periodically undertake internal audit of the stakeholder engagement process and the grievance redress mechanism to identify any gaps and provide recommendation to improve the process.
- j) Perform other related duties as may be assigned by the Director, Development.

## **Annex 6: Assessing Allegations or Incidents Related to Project Security Team Personnel**

Examples of incidents relating to the project security team may include unlawful use of force or firearms, extortion, gender-based violence/sexual abuse and exploitation or other human-rights abuses. The following steps are to be taken in the event of such incidents.

### **Step 1: Incident received**

Anybody can report the incident. This could be through the community grievance redress mechanism, or the contractor's office or the project security team itself. The incident is reported to a police station and recorded in the Occurrence Book. According to the project CoC the perpetrator is immediately suspended and removed from the project operations/sites. Confidentiality of all those reporting or whistleblowing should be protected.

### **Step 2 : Investigation**

An officer of a senior rank is assigned the complaint to promptly look into the allegations and open an inquiry. This will also involve the complainant writing a full statement providing the details of the incident, witnesses writing a statement, visiting the scene of the incident, and evidence collection. An internal investigations teams shall be formed by the County Security Intelligence Committee of the area of incident through the guidance of the National Multi-Agency Security Committee who shall also formulate the protocol for investigation in collaboration with the MoALD and the World Bank.

### **Step 3 : Outcome**

Based on the evaluation of the evidence, the investigating officer will recommend to the OCS who will prepare a file to be presented before a court of law.

### **Step 4 : Arrests and prosecution**

Legal redress and the internal agency disciplinary rules and regulations will be exercised, e.g. defense forces standing order or reinstated to work and receive compensation depending on outcome. Nothing stops the aggrieved officer from reporting the matter to the Independent Police Oversight Authority (IPOA).

### **Step 5: Corrective Action**

Corrective action should be taken to address the causes of the problem and ensure that it is not repeated. This may require a change in practice, systems or training.

## **Step 6: Document, Report and Communicate**

Serious security-related incidents should be reported to the World Bank and representative sitting in the FSRP Multi-Agency Security Committee will follow the World Bank Environmental and Social Incident Response requirement for reporting a serious security incident. GBV shall be reported to the Police and the local NGOs concerned for the purpose of counselling and recovery of the GBV survivors.