

AKIIRA 1 GEOTHERMAL POWER PLANT PROJECT

COMMUNITY-LED RESEARCH & OUTREACH REPORT

INTERNATIONAL
ACCOUNTABILITYPROJECT

Introduction

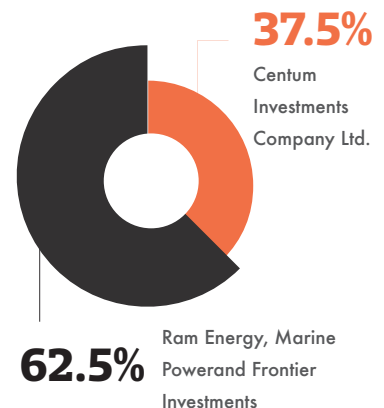
“I did not feel safe to speak my mind about the project because I was afraid that when these people (company officials) come here, I might be jailed because I was complaining.”

This concern was voiced by one of the affected community members who spoke with Narasha Community Development Group during a community-led research that was carried out in April, 2018 on the Akiira 1 Geothermal Power Plant Project.

Akiira 1 Geothermal Power Plant Project is Akiira Geothermal Limited's first geothermal exploration and power plant development project located south of the Greater Olkaria Geothermal Complex in Naivasha, Kenya. The entire concession granted to the developer by the Government of Kenya, Ministry of Energy straddles 480km², but with the project focused on an initial area covering 120 km² in a block known as Akiira. The project involves construction of a 70 megawatt electric (MWe) geothermal power plant. The project is the first phase of a planned 140 MWe geothermal development in the concession area. The project started in 2012 with exploration of the geothermal power resources. The power generation activities surrounding the Akiira 1 Geothermal Power Plant Project are likely to affect the Maasai pastoral communities in the project area through loss of homes, land and adverse impact on livelihoods. The project will likely have adverse impacts on the environment.

Investment Description

Project information from the European Investment Bank (EIB) indicates that the bank is preparing a €155 million (USD 192 million) loan package for the project. The Akiira 1 Geothermal Power Plant Project has an estimated total cost of €310 million (USD 380 million). It is being financed through a mix of 70% debt and 30% equity. The Kenyan firm, Centum Investments Company Limited, through its wholly owned subsidiary Mvuke Power Limited, owns a 37.5% equity stake in Akiira Geothermal Limited, with the remaining 62.5% owned by US firms Ram Energy and Marine Power, and the Danish company, Frontier Investments through its wholly owned subsidiary Frontier Akiira Holding Company Limited. The 30% equity is expected to be contributed by Centum Investments Company Limited, while the rest will be funded through commercial loans.



As of writing, the project is yet to be appraised by the EIB Board pending the completion of an Environmental and Social Impact Assessment (ESIA) for the steam field, power plant and transmission lines. This is to complement an ESIA that was prepared for the exploration programme of the project.

Community-Led Research

In April 2018, Narasha Community Development Group (NCDG), in partnership with the International Accountability Project (IAP), worked together to provide project information through the Early Warning System to communities affected by the Akiira 1 Geothermal Power Plant Project to facilitate their engagement in the project process. Dissemination of summarized project information was followed by community-led research to gauge the community's level of knowledge and engagement in the project processes, and to seek recommendations for mitigating harm before approval of its funding by the EIB.

Community-Led Research

The research was structured in the form of individual interviews, focus group discussions and a community dialogue (Baraza) in the Rapland area and Suswa ward. In total about 350 community members from both areas participated in the research, sharing their experiences, and raising concerns and questions about the project. 144 people participated in individual surveys. Focus groups comprised 50 people separated into small groups of elders, community leaders, women and youths.



An in-person validation of the research findings and recommendations was conducted by NCDG, Jaama Resource Initiative and the Kenya Human Rights Commission with the support of IAP in October 2018. This was done with and within the same affected communities that participated in the initial research. The communities gave their feedback to the research findings, contextualized the issues uncovered during the initial research and provided updates on the issues to inform the advocacy plan. The validation exercise was also used for IAP and the partners to provide feedback to the communities on the progress of the campaign.

Project Affected Communities

Narasha is home and ancestral land of the Maasai who have suffered massive land dispossession dating back to 1900 when the colonial government forced the Maasai out of 75% of their ancestral land and subsequent post-independence government-driven initiatives that have continued to alienate land from the Maasai. The three villages that are being directly impacted by the Akiira 1 Geothermal Power Plant Project are Rapland, Suswa and the Kambi Turkana group of Oloropil village.

Suswa and Rapland communities have had a history of land rights violations for decades and they have been trying to gain the legal ownership of their lands, which they claim indigenous ownership of. Their battles to reclaim their lands include court cases against Kedong Ranch Limited and the Ngati Farm Cooperation Society. Kedong Ranch Limited, founded by the colonial settlers before Kenya's independence, had been operating a Ranch in the area and possesses the land title deed. Ngati Farm Cooperative Society is a firm formed by a union of workers.

The three communities have also faced a history of human rights violations from geothermal power projects dating back to the late 1970's when the first geothermal power plant was commissioned. Most of the violations from the geothermal projects stem from the lack of consultation with and Free, Prior and Informed Consent (FPIC) from the indigenous Maasai pastoralist communities that live off the land. According to local community elders, ever since the beginning of the exploration processes, they have continually been resettled to adjacent lands only for them to be moved when a new project phase is initiated.*

Rapland

Rapland (derived from 'Resettlement Action Plan land') is a resettlement community that was created in 2014 by Kenya Electricity Generating Company (KenGen) as part of their resettlement process for the Olkaria IV Geothermal Project. This community moved from four villages - Olomayiana Ndogo, Oloosinyat, Oloonongot and the Olokarian Maasai Cultural Centre - within the Olkaria IV Geothermal Project affected areas.

The residents of Olomayiana Ndogo and Olokarian Maasai Cultural Centre lived in the Ngati Farm where they had been claiming ancestral land ownership from Ngati Farmers Cooperative Society, which in turn claims to have bought the land from colonial settlers immediately after independence. The community didn't participate fully in the identification of the new resettlement land.

* <https://www.culturalsurvival.org/news/campaign-update-kenya-maasai-protest-against-new-land-concessions-geothermal-extraction-kenya>

Community-Led Research

Even though they visited different parcels of land, the company made the decision for them to resettle to the current land. This land has been deemed unfit for human habitation, according to the World Bank's Inspection Panel Investigation Report on the Kenya Electricity Expansion Project.

Suswa Community

Suswa village is located adjacent to the Akiira concession land in the lower southern part. The Suswa Community is more vulnerable to exposure of waste gas and discharges from Akiira Geothermal Limited's wells once drilled. They were already adversely affected by discharges from the Olkaria IV Geothermal Project, especially contamination of their grazing land and water sources. Kedong Ranch Limited holds the title deed of the land on which Suswa community is located. Suswa community has been fighting with Kedong Ranch Limited for over 40 years claiming ancestral ownership of the land.

Since the collapse of Kedong Ranch in 1994, the community has been able to settle freely on the land even though they don't possess the land title deed. This is what they are seeking through the courts. The community lost the case at the High Court, and they subsequently appealed at the court of appeal. The case is still in court waiting for its determination.

Kambi Turkana (Oloropil Village)

The Kambi Turkana people - made up of Turkana and other non-Maasai ethnic groups - living within the Akiira 1 Geothermal Power Plant Project affected area were formerly employees, or had their parents employed by the Kedong Ranch Limited during the colonial era. The company would hire people from pastoralist communities particularly from Turkana, Samburu and Garissa Counties to look after the cattle. There is more than one village of Kambi Turkana group in the area, but the one affected by the Akiira 1 Geothermal Power Plant project is called Oloropil village.

The Kambi Turkana people settled on the land after Kedong Ranch collapsed in 1994 since they have no alternative place to live. Even though the Kambi Turkana were originally migrants, this is what they consider their home now.

During the resettlement process of the Olkaria IV Geothermal Project, KenGen resettled the Kambi Turkana people living within the project affected area without compensation to create space for the new Rapland community. This was done without KenGen engaging, consulting, or involving the Kambi Turkana in the project process. The Akiira 1 Geothermal Power Plant Project is also pushing them further away from their current settlement. Just like with KenGen, Akiira Geothermal Limited has also not engaged, consulted or involved them in the project process.

The three communities affected by the Akiira 1 Geothermal Power Plant - Rapland, Suswa and Kambi Turkana - currently co-exist. These communities have been affected differently over time by geothermal power projects, and are also affected differently by the Akiira 1 Geothermal Power Plant Project. The communities therefore have unique concerns and grievances in regards to the Akiira 1 Geothermal Power Plant Project.

Community-led Research

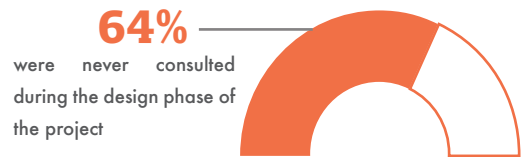
Of the respondents, 44% identified themselves as indigenous peoples, which therefore requires the communities' free, prior and informed consent to operate the Akiira 1 Geothermal Power Plant Project in the communities.

Of the respondents, 29% felt unsafe to share their true feelings, questions and ideas. and 38% indicated they felt partially unsafe. Some respondents who felt unsafe cited fear of harassment by the company if they expressed views opposing the project.

Community-Led Research

According to the research, 64% of the respondents indicating that they were not consulted during the formulation of the Akiira 1 Geothermal Power Plant Project. One community elder shared, “when the company came into the village for exploration of the geothermal resource, no one knew what was going on. The company did not get consent from us, let alone inform us of their planned activities.”

Consultations were conducted by the Akiira Geothermal Limited in the Rapland community and community members had an opportunity to provide their input. However, they were not provided with the relevant documentation to clearly articulate the issues as explained by the consultation team.



On the other hand, the community in Suswa reported poor engagement and consultation process by the company on the Akiira 1 Geothermal Power Plant Project. “When the company came into the village for exploration of the geothermal resource, no one knew what was going on. The company did not get consent from us, the villagers, let alone inform us of their planned activities,” reported one of the village elders. It was reported that in the early stages of the project, only a select few – mostly those in the committees - would know of the activities of the company.

The Kambi Turkana community reported that they were never consulted by Akiira Geothermal Limited. This is despite being located within the project affected area. The community has also not participated in any of the meetings that the company holds with the affected groups.

Akiira Geothermal Limited’s response to the preliminary findings of the research noted that “Kambi Turkana is an illegal settlement which was developed in 2016 when construction work was in progress. They have been engaged by our team on numerous occasion[s,] however they have repeatedly refused to sign the minutes of all meeting[s] they have attended. It make[s] it difficult for our team to engage [with] them.” The latter statement contradicts that reported by the company.

Representation

In terms of the village’s representation in the community representative committees, there are fifty (50) members in the committees - 25 from Rapland and 25 from Suswa - with not a single representation from Kambi Turkana village.

In the Rapland area, committee representatives were selected by the community members and they believe that they represent the community’s interest. The only challenge is that they never provide information or feedback to the community after holding meetings with the company.

In Suswa, the Community Representative Committees were not elected by the community. The communities reported that a select few people, most people who previously were on the Olkaria project committee, were invited and participated in a meeting in Naivasha town organized by the company. It is at this meeting that committees were ‘appointed’ by the few participants present. The communities expressed that this was a poor representative and participatory method of electing persons to represent them in the committees.

However, it was evident that there are no representatives for Kambi Turkana community on the committees, which was a clear reflection of the claims by Kambi Turkana community members that they have not been engaged or consulted and are not represented in the committees. One community member from Kambi Turkana Village said, “our community has not been considered as part of the affected communities. We have been left out in committee representation and in any negotiations involving the communities and the company, despite our village being within the project affected area.”

Community-Led Research

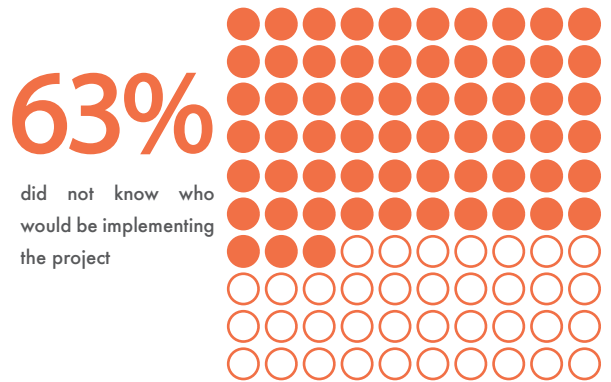
Community's Access to information

At the time the data was collected, 73% of the respondents did not have information about the Akiira 1 Geothermal Power Plant Project and they lacked sufficient details such as where, when and how Akiira Geothermal Limited intends to carry out its activities. When asked about funding for the project, 73% of the respondents did not know who funds the project while 63% of the respondents did not know who is implementing the project. One participant from Suswa noted that, "the company should give us more information about the project; we are currently unable to fully participate in the project process."

Of the survey respondents, 58% indicated that they did not have the information they needed to be able to provide informed opinions and ideas about the project. The community also lacks information regarding safety nets such as laws and policies regarding extraction of natural resources, mitigation guidelines and redress for conflicts arising. One participant from the focus group discussions said, "the Environmental and Social Impact Assessment prepared for the exploration programme was not shared with us as affected communities. What we know is through word of mouth. We want this information shared with us."

During the research and outreach meetings, 49% indicated that they do not know where to file their complaints and 77% did not know how to file their complaints.

The communities also expressed discontent with the Community Representative Committees set up by Akiira Geothermal Limited and meant to represent the communities in their interests and discussions with the company. Community members stated that their representatives on these committees do not represent their interest and that information from the company to committees does not flow down to the rest of the community members.



Environmental and Social Concerns

Of the respondents, 43% indicated that they may lose their land to the Akiira 1 Geothermal Power Plant Project without clear mechanism for compensation or resettlement, while 24% of the respondents indicated they had been displaced at least once by another project which leaves them more vulnerable.

Rapland communities expressed concerns regarding legal ownership of their current settlement and grazing area. The concession area granted to Akiira Geothermal Limited was used by Olkaria IV Geothermal Project as a resettlement land for the Rapland community. Before the community finished moving, the community was informed that a new company – Akiira Geothermal Limited – had been granted a concession area within that same area to conduct exploratory activities for the geothermal resource. This leaves their land rights to the resettlement area in balance.

For the Kambi Turkana community members, Akiira Geothermal Limited reportedly told the Oloropil village to relocate away from the project area to a distance of not less than two kilometres from the boundaries of the fencing of the project affected area. The Kambi Turkana community members are expected to relocate without compensation or alternative land for resettlement.

The company reported that "Akiira has a grievance mechanism, which all affected communities are aware of - including the Kambi Turkana village." However, Kambi Turkana community members reported that they are not aware of this grievance mechanism or how to reach out to it to handle their concerns.

Community-Led Research

As a result of the project, 47% of the respondents anticipate that they may lose their jobs and livelihoods. Sand harvesting communities reported that the activities of the company had affected their sand harvesting activities. The sand harvesters reported that gabions used by the company on bridges and other civil works are filled with rocks. These rocks erode when it rains and, since Suswa village is on the downhill (lower side) of the project site, the rocks are deposited in their village. The community also noted that from their knowledge, Akiira Geothermal Limited uses chemicals, including soap, for drilling the power plant wells. These chemicals are damaging their soil. The lack of information regarding the project design and the chemicals used in drilling make it difficult for the communities to engage the company and discuss how they can mitigate any negative impacts from the project.

Likely Negative Impacts for Communities



For the environmental concerns, community members from Rapland and Suswa expressed concern that they may be affected by noise and air pollution emanating from the sulphur hydroxide fumes, brine water and other contaminants from the power plants. The communities reported that the Olkaria projects have had many adverse environmental and social impacts on the community emanating from the pollution of air and water sources. The impacts include increased cases of cancer, miscarriage among women and death of cattle when they graze on castor oil plant that has turned poisonous due to exposure to brine water.

The Community Liaison Officer for Akiira Geothermal Limited, who was present during the baraza, mentioned that the Rapland community where an oil well was dug close to the resettled community would not have any adverse environmental impacts from the project. The company mentioned that they had put measures in place to mitigate noise pollution, air pollution and land and water pollution from the industrial waste. Silencers would be used to reduce noise from the plants, and brine and other waste from the power plants would not be dumped in rivers, and instead it would be dumped in designated wells/dams constructed by the company. All these mitigation measures were mentioned without availing the ESIA.

Agreements Between Affected Communities And Akiira Geothermal Limited

The research noted that from the onset of engagements between Akiira Geothermal Limited and the project affected communities, the communities sometimes could not distinguish between the purported benefits for them through the project itself and the other benefits outlined in separate agreements made between the communities and Akiira Geothermal Limited. The separate agreements made among communities and Akiira Geothermal Limited on provision of social services that the communities reported have largely not been fulfilled.

For example, the Rapland community reported that the agreed number of people from the community employed by Akiira Geothermal Limited and the number of students awarded scholarships were still not fulfilled. The meetings where these agreements were made, were reportedly documented, but a written contract was not signed on paper between the two parties. In the Suswa community, Akiira Geothermal Limited provided five-year employment contracts to workers from the community, but terminated the contracts after two years without explanation. As a result, those who had acquired loans using the employment contracts as security have been severely affected as they can hardly repay the loans. Again, this agreement was said to be minuted, but was not signed on paper between the two parties.

Community Recommendations

Project Benefits for Communities

From the interactions with the Akiira Geothermal Limited's Community Liaison Officer, the company's personnel acting as point of contact between the company and the communities, the officer stated that the company is unwilling to hold benefit sharing discussions with the communities until the Akiira 1 Geothermal Power Plant Project starts producing power. This leaves communities' claims to any potential benefits unclear and uncertain.

However, interactions with Akiira 1 Geothermal Power Plant Project community representative committee members revealed that there reportedly is an agreement with Akiira Geothermal Limited that the two communities will each receive Ksh 250,000 (USD 2,500) per month from the company through the committees for the entire duration of the project once the company starts producing electricity. This amounts to approximately Ksh 71 (USD 0.71) for Rapland and Ksh 38.50 (USD 0.39) for Suswa per person, per month.

Community Recommendations: The European Investment Bank

The recommendations are directed towards three entities - the European Investment Bank, the Government of Kenya and Akiira Geothermal Limited - based upon the responsibility and obligations of each to address issues arising from affected communities. The majority of the affected persons surveyed generally recognize some of the potential positive impacts the project could have. However, they have concerns regarding the company's engagement with the communities, the consultation conducted, their involvement in decision-making processes, issues of access to information and of project benefits sharing.

The European Investment Bank's policy on stakeholder engagement (Standard 10) requires promoters (Akiira Geothermal Limited in this case) to "uphold an open, transparent and accountable dialogue with all project affected persons and relevant stakeholders in an effective and appropriate manner." Since 64% of the respondents report that they were not consulted during the formulation of the project and, of those consulted, 29% felt unsafe to share their true feelings, questions and ideas, the European Investment Bank should not approve funding of the Akiira 1 Geothermal Power Plant Project until there is an open, transparent and accountable community engagement and involvement in decision-making processes.

The European Investment Bank's policy on stakeholder engagement (Standard 10) also emphasizes the value of public participation in the decision making process throughout the preparation, implementation and monitoring phases of the project. This requires thorough and complete project information to be distributed in a timely manner and accessible to all affected persons for informed deliberations. Based on the community-led research, Akiira Geothermal Limited has not fulfilled this to facilitate communities' meaningful involvement in the project process. As such, the European Investment Bank should make sure that the company provides thorough and complete background information and ongoing updates about the project in a language and accessible format for all community members. This information should include: the environmental and social impact assessment, all project implementers and the financiers.

The European Investment Bank's policy on rights and interests of vulnerable groups (Standard 7) requires "full respect for dignity, human rights, aspirations, cultures and customary livelihood and emphasizes free, prior and informed consent of the indigenous groups prior to project implementation." Since 44% of the respondents identified themselves as indigenous peoples, the EIB should require the application of Free Prior and Informed Consent for the implementation of the Akiira 1 Geothermal Power Plant Project. Based on this policy, the Maasai people should be allowed to give or withhold consent to the project and to negotiate the conditions under which the Akiira 1 Geothermal Power Plant Project will be designed, implemented, monitored and evaluated so that they can be able to preserve their unique culture and identity.

Community Recommendations

The European Investment Bank's policy on pollution prevention and abatement (Standard 2) requires a "project level approach to resource efficiency and pollution prevention and control in line with best available techniques and internationally disseminated practices to avoid or minimise pollution." In the project affected area, the Akiira 1 Geothermal Power Plant poses risks of pollution and requires the EIB to ensure that Akiira Geothermal Limited adheres to Standard 2 by putting measures in place that would mitigate risk of pollution. EIB should integrate the overlapping and compounding effects of the existing Olkaria Project, as illustrated in a review report of the Olkaria Project by the CEE Bankwatch Network, to the Akiira 1 Geothermal Power Plant project areas.

The European Investment Bank's policy on involuntary resettlement (Standard 6) emphasizes "respect and protection of the right to property and to adequate housing and of the standard of living of all affected people and communities." This policy must apply to all persons likely to be affected physically, economically and culturally. As such, EIB should ensure that Akiira Geothermal Limited also recognizes the Kambi Turkana community as project affected persons and accord them the treatment that would "improve or at least restore their livelihood and living standards" and to compensate for their losses incurred.

Community Recommendations: The Government of Kenya

The Constitution of Kenya, 2010, recognizes indigenous groups through self-identification. Since 44% of the respondents identified themselves as indigenous peoples, the Government of Kenya should enforce the application of Free Prior and Informed Consent by Akiira Geothermal Limited for the implementation of the Akiira 1 Geothermal Power Plant Project. This is emphasized through international law in Article 21 of the African Charter on Human and Peoples Rights that provides for all peoples to freely dispose of their wealth and natural resources in their interest and in no case shall a people be deprived of it. The Maasai people should, therefore, be allowed to give or withhold consent to the project and to negotiate the conditions under which the Akiira 1 Geothermal Power Plant Project will be designed, implemented, monitored and evaluated so that they can be able to preserve their unique culture and identity.

The Government of Kenya has the obligation to protect communities from human rights violations caused by companies. To ensure the communities are recognized as legal owners of their land and to protect them from any land-related human rights violations, as supported by Article 4 of the Community Land Act, 2016, the affected communities ask the Government of Kenya and the responsible authorities to make sure that the communities are granted land title deeds under freehold title. In the event that they have to be relocated by the project, they should also be able to agree on fair and just compensation and where possible, with the option of return to their land when the project ends.

Article 1 of the UN Declaration on the Right to Development, to which the Government of Kenya is a signatory, states that "the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development..." To protect the communities from human rights violations, ensure their full participation in the project process and to protect their social and cultural development in regards to the Akiira 1 Geothermal Power Plant Project, the Government of Kenya should require Akiira Geothermal Limited to obtain from the communities a social license to operate to affirm that the company is in agreement with the communities about the project processes. This is in line with their right to development under Article 22 of the African Union Charter on Human and Peoples Rights that stipulates that "affected persons shall have the right to their economic, social and cultural development and that the State shall have the duty, individually or collectively, to ensure exercise of this right."

Community Recommendations

The Government of Kenya, being a signatory to the International Covenant on Civil and Political Rights, has the obligation to protect the affected communities from human rights violations from Akiira Geothermal Limited that would prevent them from exercising these rights. The Government of Kenya should, therefore, ensure that there are safe and accessible spaces for full participation of all community members, especially women, people with disabilities, youth and elders, in the project processes and exercise their full civil and political rights.

Access to Information Act, 2016, Section 4 (1) (b) supports affected communities' access to project information. Akiira Geothermal Limited was in breach of Environmental (Impact Assessment and Audit) Regulations, 2003 when the company failed to share the ESIA prepared for the exploration programme of the project with the affected communities. Section 7 (2) (b) of the Environmental (Impact Assessment and Audit) Regulations, 2003 states that Akiira Geothermal Limited was required to "hold at least three public meetings with the affected parties and communities to explain the project and its effects, and to receive

Community Recommendations: Akiira Geothermal Limited

Since 64% report that they were not consulted during the formulation of the project and, of those consulted, 29% felt unsafe to share their true feelings, questions and ideas, to ensure that communities make informed decisions in exercising and protection of their economic, social and cultural rights, Akiira Geothermal Limited should provide for the communities' full and unconditional participation in decision making, including the freewill to elect trusted representatives to the committees who can uphold their interests without undue influence from the company or its agents.

The Kambi Turkana community should be recognized as one of the project affected communities since they are within the project affected area. As prescribed under the Environmental (Impact Assessment and Audit) Regulations, 2003 of Kenya, the community needs to be provided with project information and involved in all project processes. Since the Kambi Turkana have not been engaged, participated in decision-making processes and have not been provided with project information, to ensure that they make informed decisions in exercising and protection of their economic, social and cultural rights, Akiira Geothermal Limited should recognize the Kambi Turkana community as project affected persons and include representatives of the Kambi Turkana community onto the committees, provide them with project information and ensure their meaningful involvement in the project processes.

Since the Suswa community is inefficiently represented in the committees, community members from Suswa area ask that Akiira Geothermal Limited increases the number of committee members from their area so that they can effectively represent their area.

Section 4 (1) (b) of the Access to Information Act, 2016 of Kenya supports affected communities' access to project information. Akiira Geothermal Limited was in breach of Environmental (Impact Assessment and Audit) Regulations, 2003 when the company failed to share the ESIA prepared for the exploration programme of the project with the affected communities. Section 7 (2) (b) of the Environmental (Impact Assessment and Audit) Regulations, 2003 states that Akiira Geothermal Limited was required to "hold at least three public meetings with the affected parties and communities to explain the project and its effects, and to receive their oral or written comments." Since Akiira Geothermal Limited has not provided the communities with sufficient and timely information on the Akiira 1 Geothermal Power Plant Project to facilitate their meaningful involvement in the project process, the company should provide them with thorough and complete information and ongoing updates in a language and accessible format for all community members. This information should include: the environmental and social impact assessment, all project implementers and the financiers.

Community Recommendations

Since the communities are not accessing project information and updates through the committees, Akiira Geothermal Limited should schedule in advance consistent public education days to brief the people about the company processes and establish public notice boards, in accessible languages and formats, for updates on the project and engagement opportunities and reports.

Akiira Geothermal Limited has an obligation to respect the rights of the communities on which they embark on extracting the geothermal resources, and to ensure that the communities benefit from the project. The company should, therefore, sign an agreement with the communities to confirm that they have full knowledge and understanding of the Akiira 1 Geothermal Power Plant Project processes before they can commence operation. This should be in a form of a social licence to operate that would stipulate what has been discussed and agreed upon and the consent of both parties and endorsement by government.

Since human rights violations are occurring without effective monitoring by the Government of Kenya, Akiira Geothermal Limited should include a County Official as an Ex-Officio on the Committees to be a bridge between the company and the community. The official would be tasked with being keen on assessing the human rights aspects and providing feedback to government to compel the company to act upon human rights abuses.

To ensure that sand harvesting activities are not affected by the project, Akiira Geothermal Limited should build gabions using sand and cement, and not with rocks as is currently done, which are affecting the communities' sand harvesting activities. The company should also stop using soap in drilling to ensure that soil is not polluted.

To ensure that the communities benefit from the Akiira 1 Geothermal Power Plant Project, a project being implemented in and its resources extracted from their communities, Akiira Geothermal Limited should hold again benefit sharing discussions with the community based on Kenyan laws, and the communities should have the option of having a legal representative of their choice on the matter.