

Kenya Rangelands Coalition

1st Launch Meeting Synthesis Report

Kenya Wildlife Service Safari Walk Education Hall
August 2, 2011
Nairobi, Kenya

Written by Deepali Gohil and Preetika Bhanderi, based on discussions at the workshop, held on 2 August 2011, in Nairobi, Kenya.

Table of Contents

Acknowledgements	2
Acronyms	3
Executive Summary	3
Introduction: The Need for a Kenya Rangelands Coalition	4
Pre- Workshop Discussions	4
The Workshop: Opening Discussions	5
Policy Background	6
The Kenya Rangelands Coalition	8
<i>Defining the Vision and Principles of the Coalition</i>	8
<i>Building a Strong, Flexible, and Sustainable Kenya Rangelands Coalition</i>	9
<i>Membership</i>	9
Conclusion	9

Acknowledgements

The Kenya Rangelands Coalition gratefully acknowledges the support of the following individuals and organizations:

ACC

David Ole Nkedianye

KWS

SORALO

NRT

Project Convener: Dr. David Western, African Conservation Centre (ACC) and John Kamanga, South Rift Association of Land Owners (SORALO)

Project and Workshop Facilitation provided by John Kamanga (SORALO) and David Ole Nkedianye

For more information, please contact John Kamanga at john.kamanga@acc.or.ke

Acronyms

ACC	African Conservation Centre
ACP	Amboseli Conservation Program
AET	Amboseli Ecosystem Trust
AWF	African Wildlife Foundation
KRC	Kenya Rangelands Coalition
LRP	Laikipia Research Program
LWF	Laikipia Wildlife Forum
MRC	Mpala Research Centre
NLC	National Land Commission
NRT	Northern Rangelands Trust
SORALO	South Rift Association of Landowners

Executive Summary

The future of rangelands and management of wildlife in Kenya is at a crossroads. Land subdivision, population growth, climate change, devastating droughts, land degradation and unsustainable land use practices threaten the future of pastoralism and wildlife conservation in the rangelands. Almost 80% of Kenya is covered by rangelands, which hosts 60% of its livestock production, 60% of the carbon stocks and virtually all of the country's immense wildlife heritage, yet these regions have been largely marginalized when discussing policy and development issues for the country due to lack of representation and fractured advocacy practices. The passing of a new constitution in Kenya in August, 2010 has provided a new opportunity to address these concerns, and for communities and associations who have for decades grazed livestock and conserved wildlife to come together and form a strong, singular voice, empowered to determine their future and that of the rangelands.

At a workshop held at KWS, convened by ACC and SORALO, it was unanimously recognized and agreed upon that pastoral communities, ranchers and community conservancies would unite to form the Kenya Rangelands Coalition to advocate for the rangelands and to form an umbrella body to assist in the management and sustainable development of these landscapes and the people. An interim task force has been nominated from a group of stakeholders to define the Kenya Rangelands Coalition and formalize its position as the national representative body for rangeland policy development and management. The coalition of these associations will not only influence policy at a critical period when Kenya is revising and developing new land, environmental and conservation bills, but will also form a basis for the integration of new ideas and opportunities for the future of rangeland management and perpetuation and protect the rights of millions of communities in these landscapes.

Introduction: The Need for a Kenya Rangelands Coalition

The rangelands cover three quarters of Kenya and underpin our livestock and wildlife industries. However, rangeland communities are the poorest and least politically represented in Kenya, yet they face several growing threats. Severe droughts, wildlife poaching, land degradation, land subdivision, lack of basic infrastructure and poor education have resulted in deepening poverty and social disruption. In the past, various landowner and wildlife associations have come up to address these threats, however their voice has been weak. Formation and operation of the Kenya Rangeland Coalition (KRC) will thus give a voice to the communities residing in these rangelands and influence development to enhance the future of these rangelands. Implementation of Kenya's new constitution provides an opportunity for the communities to participate in the draft formulation process.

Prior to the workshop, SORALO and NRT carried out discussions to work together to combine their strengths learn from each other and define their roles as the major stakeholders in the threatened rangelands. In joining forces through the KRC, they would like to achieve the following:

- Sustaining community initiatives in the rangelands
- Better use of natural resources to enhance livelihoods in the rangelands
- Employment of scientific research for rangeland management and development
- Mobilize resources to enhance programs at the community level
- Influence policy

The goals of this workshop were to justify reasons for bringing together rangelands associations from northern and southern Kenya and gain consensus from stakeholders to form the KRC. Additionally the workshop participants were expected to define and deliberate on the:

1. Objectives and Operational structure of KRC
2. Main issues that KRC can address
3. Membership criteria for KRC

A taskforce comprising of nominated individuals would then finalise the above three points and agree on immediate follow-up steps to establish, streamline and sustain the Kenya Rangelands Coalition.

Pre- Workshop Discussions

The concept of Kenya Rangelands Coalition was formed with the intention of saving Kenya's rangelands through a North-South (Kenya) collaboration. In the past, conservation bodies have been active in trying to save the rangelands, though in the recent past local communities have been motivated to establish outfits to champion the protection of these landscapes. In the south, SORALO has been playing an active role in maintaining open rangelands and connecting ecosystems from Mara in the west to Amboseli in the east. In the north, NRT has been supporting communities' conservancies to develop management plans ensuring for their

efficient operation. By combining efforts of these community-based organisations, a strong lobby can be formed for developing, implementing and coordinating the conservation and livelihood strategies in the rangelands at a national level.

Discussions regarding formation of KRC have been held with:

- Regional bodies: NRT, SORALO, AET and Mara
- NGOs: ACC, AWF, LWF
- Research centres: LRP, ACP, MRC
- Zoos: Denver, St Louise
- Government: Ministry of Environment, Ministry of Northern Kenya and other Arid Lands

These discussions led to a way forward, agreeing to hold a workshop involving stakeholders to deliberate further on these issues.

This report synthesizes the discussions at the workshop and the agenda for next action steps that emerged.

The Workshop: Opening Discussions

After quick introductions, the workshop moved into describing the rangeland systems, and diagnosing the underlying challenges that face the system, identifying key points of leverage to influence the preservation of the system, and identifying specific initiatives that the potential establishment of a Kenya Rangelands Coalition could commit to undertake and address.

In addition to providing a background on the ecological and structural challenges facing these systems, participants were given an overview of the impact of the new Kenyan constitution on the rangelands. It was reiterated how rangelands had historically been marginalized due to weak development policies, lack of understanding of the systems and exploited due to deficiency of transparent land policies, some of the issues, which have been addressed under the new constitution. Facilitators conveyed how the new constitution detailing clearly defined land, environmental, cultural and health rights can empower landowners in the rangelands to address issues to determine the future of these lands, the people and for the management of the rich biodiversity preserved within them. There was widespread consensus that a cohesive, powerful rangelands coalition needed to be established to be able to influence policy formulation at this critical stage when acts and bills are being drawn up, to ensure that the needs and issues affecting rangelands, which account for 80% of the country, are addressed.

Pre-workshop discussions and a polling exercise at the workshop confirmed that there was virtual unanimity on the seriousness of issues facing the future of rangelands, the need for action to support successful livelihood and conservation strategies and processes across private and communally owned rangelands, and the risks if failure to address imperative issues persisted. There was also widespread consensus that a cohesive, powerful rangelands coalition needed to be established to be a strong, singular voice for the conservation of these landscapes

and the pastoral communities that exist within them, at both a policy and management level, and to be able to achieve horizontal learning and support the sustainable development of these marginalized lands.

Participants articulated that the Kenya Rangelands Coalition would play a pivotal role for the future of rangelands, which has reached a crossroads between persevering or perishing, by forming a distinctive voice to advocate for the people and landscape. This would be addressed by a focus on policy action with a commitment to a broadly inclusive, non-partisan processes, and secondly, through the coalitions' motivation to address issues facing the future of rangelands, with no angle or material advantage of their own to pursue.

Policy Background

Speakers during the workshop highlighted the opportunities presented by the August 4, 2010 referendum that led to the promulgation of a new Kenyan constitution. A brief synopsis of the critical aspects of the constitution detailed during the workshop is presented below.

History

In the past, Kenya had a centralized governance structure in terms of management and control of land, with almost all the public land classified as government land. The President, through an appointed Public Commissioner of Lands, controlled and managed the lands. There was a significant lack of transparency in this system, and consequently it led to forest loss, land grabbing and wrongful elimination leading to loss of land owned by communities.

Article 10 stresses on the importance of the participation of people, protection of marginalized lands and sustainable development. It recognizes the harms inflicted by having a centralized governance structure and enables communities in the marginalized rangelands to be the voice in the management and development of their lands.

Article 11 deals with culture, and directs parliament to announce legislation, and compensate communities to use their culture and heritage. The iconic pastoral Maasai, who constitute one of the many tribes that inhabit the rangelands, are strongly identified with Kenya, therefore their rich culture and heritage should be protected and communities should benefit from their status.

Article 40 addresses issues related to the protection of rights to property (land and non-land). Vast amounts of research and in particular bio-prospecting have been carried out in the rangelands, yet communities have received little or no benefit from it, therefore the constitution prevents repetition of such practices in the future. This article also protects legally owned land from potentially grabbing.

Article 42 talks about the rights to a clean and healthy environment. It recognizes that the people's right to life requires a clean and healthy environment, and obliges the government and people to ensure that this is provided, while preventing environmental degradation and activities that are harmful to human health.

Article 43 expounds on economic and social rights of the people. It emphasizes on the need for every person to have access to clean and safe water in adequate quantities, an issue that is pertinent in the rangelands.

For the first time in Kenyan history, an entire chapter has been dedicated to address issues related to land and environment. Article 60 to 72 of chapter 5 address these issues.

Article 60 kicks off the chapter, addressing the manner in which land ought to be managed. It stresses on principles that result in equitable, efficient, productive and sustainable land management practices. It instructs communities that forms land associations to practice sustainable and productive management of land resources, and ensure for sound conservation and protection of ecologically sensitive areas. This largely applies to fragile rangeland ecosystems that are limited in livelihood choices and form the countries biodiversity hotspots. The constitution also addresses the need to eliminate gender discrimination in law and practices, and detail a one-third rule for the participation of women. Additionally, it recognizes traditional dispute resolution mechanisms taking into account the impediments faced to access modern courts of law. This enables and empowers traditional systems of land management and livelihood options. **Article 2, sub-article 6**, furthermore recognizes that all the treaties Kenya signs become part of its laws. This thereby provides another opportunity for conflict resolution particularly in the cross border rangeland systems, through the East Africa Court of Justice, as Kenya is a member of the East African Community.

Article 63 categorizes land into 3; public, community and private. Public land, which was before classified as government land, is described as land owned by people but held in trust by the national or county government. A new National Land Commission (NLC) would be established to manage the public land. Community land is land vested in and held by communities such as group ranches and conservancies. Registered community land is technically classified as land private to those who own it, and their rights and duties are defined as such. Unregistered trustland and those transitioning towards registration would be held in trust by the government and managed by the National Land Commission. The article also states that communities can purchase and/or be allocated land such as forests and grazing lands.

The **Land Representatives Act** defines the management of community owned land, indicating a need for 10 representatives to act on behalf of the community. The constitution states that land will not be used unless agreed upon by the community as to how it will be managed, the extent of land under particular strategies, and clearly defined benefit sharing. Of key concern to the rangelands, is the current revision of the land representatives act which will define how to change tenure from one to another, critical issues when subdivision occurs, therefore the existence of rangelands coalition is necessary to be able to influence such a policy.

Article 65 identifies a mechanism through which non- citizens may hold land through leasehold tenure, which may not be longer than 99 years. It also seeks discussion and parliamentary approval on agreements relating to natural resources such as instances of mining and manufacture of biofuels.

The promulgation of the new constitution has therefore defined various aspects of land, livelihood and environmental management and provides great opportunity for the future of rangeland persistence. In a bid to leverage these opportunities, and capitalize on ongoing policy reviews and formulation, a Kenya Rangeland Coalition is necessary to ensure that these landscape are considered within the new wildlife, national land, land registration and land and environmental court bills, while being informed by the coalitions knowledge and experiences. Additionally, the impact of country's devolution into 47 counties as defined in Article 10, will

require different infrastructure and policies to address the needs of the diverse people and cultures inhabiting the country, of which the required knowledge and experiences can be met through horizontal learning from within the coalition, while it influences critical overarching development objectives at a national level.

The Kenya Rangelands Coalition

Participants expressed substantial enthusiasm and a sense of common purpose to establish the Kenya Rangelands Coalition, and expressed that the current situation provided a unique opportunity for the future sustainability of rangelands. Group activities and a plenary session identified the framework to create the coalition, identified main issues and objectives faced by the rangelands to be addressed and determine the criteria for membership eligibility.

Defining the Vision and Principles of the Coalition

A clear, compelling statement of vision and principles will be crucial in defining the Kenya Rangelands Coalition, stating what it seeks to achieve and how and why it differs from other similar activities (where it does), solidifying people's commitment to it, recruiting additional participants, and gaining influence. Workshop participants made a good start at stating their visions and articulating principles listed below that might guide the coalition.

- *To spearhead and support rangeland related issues at all government levels.*
- *Provide technical support and other relevant services to members.*
- *To advise stakeholders on matters related to rangeland sustainability and management.*
- *Provide an advocacy platform for members in policy formulation processes.*
- *Enhance unity (participation) amongst coalition members.*
- *To support livelihood diversification.*
- *Improve livestock production and marketing systems.*

It was agreed that a task force is required to address the policies which are swiftly being revised to accommodate to the new constitution, and where there exists a crucial lack of rangeland representation. These bills are expected to pass within the next 3 months therefore it was decided that an interim task force would be nominated.

The interim task force would consist of NRT: Ian Craig, Amboseli: Kolkai, SORALO: Meliera, Mara: Kalelo, LWF: Musiemi, Taita: Mombo and PDNK: Tiampata. The interim task force would be responsible for consolidating the Kenya Rangelands Coalition, formalizing its existence in terms of registration and setting up a secretariat, and conducting a membership drive. USD 20,000 has already been raised for the launch of the Kenya Rangelands Coalition, generously donated to the African Conservation Centre and SORALO, yet the task force will be responsible for generating additional funds required for the establishment of the coalition. ACC has also pledged support and office space at their headquarters in Karen to host the Kenya Rangelands Coalition, while Denver Zoo has expressed an intention to support the coalition.

Building a Strong, Flexible, and Sustainable Kenya Rangelands Coalition

A hierarchical framework for the development of the Kenya Rangelands Coalition was agreed upon, with group ranches and community conservancies forming the grassroots structure, which would combine to form a county body with its own secretariat and budget. Each county body would in turn join to form a regional body, which would eventually lead to a national body. At each level, representatives would be nominated toward the umbrella body, with the overarching Kenya Rangelands Coalition hosting representatives from each region and holding the secretariat. The national body would be responsible for policy advocacy, and addressing critical issues experienced within the rangelands to determine its future sustainability. It was expressly stated that this hierarchical structure did not seek to change ongoing facilities and institutions, but would draw from them.

Membership

There was agreement within the participants that communities and landowners, locally registered institutions representing them, and Kenyan owned private ranches maybe eligible for membership.

Conclusion

The future of rangelands in Kenya is at a dramatic crossroads. Land degradation, subdivision, climate change, unsustainable land use practices, population growth, urban growth, poor policies and various other ecological, demographic and legal aspects bear grave consequences for its future, yet the passing of a new, enabling constitution provides a great opportunity to build future resilience in these important landscapes. The establishment of a strong, empathetic voice that addresses these concerns through the Kenya Rangelands Coalition, and ensures equitable representation of the historically marginalized rangelands and the enormous contributions it makes to the local economy in policy frameworks. The coalition will not only seek to influence policy, but form an umbrella for the coordination and support for the sustainable development of its members, act as a clearing house for information and ideas, allow for transfer of skills across similar landscapes in a horizontal manner, and finally encourage for the conservation of the country's largest resource base.

Annex

Group discussions and a plenary session identified various aspects of a management framework for the Kenya Rangelands Coalition, detailed the main issues and objectives faced by the rangelands to be addressed and determined the criteria for membership eligibility. The outputs presented by each of the groups are summarized below.

Group 1

Objectives

- To articulate rangeland related issues at all government levels.
- Provide tech support and other relevant services to members
- To advise stakeholders on matters related to rangeland sustainability.. issues of rangeland management
- Provide an advocacy platform for members, in policy formulation processes
- Enhance unity (participation) amongst coalition members

Framework

A national secretariat/ coordination platform and a national advisory board was proposed as the hierarchical body, which would support the development of regional rangeland associations.

Group 2

Objectives

- Sustainable land use and livelihoods
- Policy and budget
- Coordination and planning
- Resource mobilization
- Education and outreach

Issues Faced by Rangelands

Wildlife conservation

Legislation support

Livestock management and marketing

Tourism

Coordination

Expertise and Exchange

Conflict resolution and management

Livelihood diversification

Vision and direction

Resource mobilization

Range management and rehabilitation

Framework

The group suggested 2 levels of management; the National and the Regional. The regional level would be determined by the various counties which constituted of rangelands, while at the national level a board comprising of regional representatives and supported by a secretariat was recommended.

Membership

The national level was depicted to constitute of regional associations such as NRT, SORALO, MMET, AET etc, and those areas that do not have representative regional bodies were to be taken into account by the task force. At the regional level, community membership through group ranches and conservancies, and private and institutional membership would be allowed.

Group 3

Objectives

- Achieve best practices in communities' natural resources in the rangelands.
- Creating linkages and networking between membership organizations/institutions and government.

Issues Faced by Rangelands

- Land
- Security
- Ecological Health
- Livestock
- Social and Economic

Membership

Institutions representing landowners and are registered only in Kenya.

Framework

Group ranches forming the smallest administrative units, which nominate representatives towards county level bodies (e.g. SORALO, AET, NRT, MMET), which relate to a national coordinating secretariat.