

ELGEYO MARAKWET FOREST POLICY, BILL AND REGULATIONS DEVELOPMENT AND DIALOGUE ON FOREST CONSERVATION AND MANAGEMENT

MEMBERS OF THE ELGEYO MARAKWET EXECUTIVE AND UNDP MEETING HELD ON 3RD-7TH

JUNE 2019 AT ROYAL CITY HOTEL, KISUMU.

INTRODUCTION

The county government of Elgeyo Marakwet is in the process of enacting a Bill on Forest Conservation and Management Act whose purpose is to protect existing water sources and the fragile ecosystem of Kaptagat and Cherangany water towers. The constitution of Kenya 2010, mandated the County governments to enact legislation to conserve, control and manage county forests and natural resources, at private, county and community land. Several consultative meetings have been held between major county stakeholders such as Elgeyo Marakwet County Assembly Joint Committees on Environment, Physical planning and Administration of Justice, UNDP Team, the Sengwer community representatives and other forest sector stakeholders, to sensitize and ensure that they have adequate prior knowledge of activities which have been planned to actualize the bill. With logistical support and funding from UNDP as a major partner, concurrence from the County Assembly joint committees on Environment, Physical planning and Administration of Justice, the Department of Water, Lands, Environment and Climate Change, The County Executive of Elgeyo Marakwet, led by His Excellency Engineer Alex Tolgos a consultative meeting was held on 3th to 7th June at the Royal Hotel, Milimani Kisumu with the County Executive Committee Members and staff from the department of Water, Lands, Environment and Climate Change.

The County Government with support from UNDP- FCPF REDD+ project, will facilitate the dialogue process and further support the county in developing legislations on forest management towards enabling the county to implement national policies on forests and Climate Change Act 2016-that obligates counties to develop county specific policies and legislations on adaptation and mitigation which will incorporate the participation of communities in the county including the indigenous communities in the management of the forest resources.

Outcome

This participatory process will ensure that all stakeholders in the forestry sector within the county including the indigenous people are consulted. Meaningful participation increases the acceptability of public decision-making, improves citizens' knowledge and awareness of complex policy

challenges, helps decision-makers to make better decisions that in turn improves the quality of public services being provided by the government and enhance public integrity. The specific outcome of this workshop to understand the process that will be involved in coming up with the Forest Management bill, regulations and policy and agree on the roadmap of achieving the same and also understand the REDD+ readiness process.

Objectives of the Workshop

The workshop's objectives were to;

- Enable the county executive understand the national REDD+ Process,
- Enhance the understanding on human rights-based approach and indigenous people's rights and
- Receive feedback on proposed approach towards forest policy, bill and regulations drafting process.

Structure of the Workshop

This workshop was held in Kisumu between 4th and 7th June 2019. It was composed of the Governor, Deputy Governor and the County Executive committee members. A team of technical members was also part of the team to offer secretariat services. The forum was being facilitated by a representative from UNDP and moderated by the county Executive Committee member responsible for environment. Major areas of concern during presentations from UNDP-FCPF being the following;

- i. REDD+ and accompanying safeguards
- ii. Forestry in Elgeyo Marakwet county
- iii. CECs views and proposed approach
- iv. Draft terms of reference
- v. Recommendations and way forward

Presentations highlights and key discussions

During the workshop, the County Executive Committee members were taken through the following areas;

- i. **Kenya REDD+ Readiness Project.** This entailed the background of the project from the time UNDP received request to be the delivery partner by the Government of Kenya to

the project inception, the due diligence process and approach applied by UNDP as well as the project goals and deliverables.

- ii. **Social and environmental standards:** the team was taken through a brief overview of UNDP's Social and Environmental standards which are geared towards strengthening the quality of UNDP's programmes and projects and ability to deliver sustainable results, avoiding adverse impacts to people and the environment, minimizing, mitigating, and managing adverse impacts, strengthening capacities for managing stakeholder engagement risks and disputes and ensuring full and effective stakeholder engagement
- iii. **Free Prior and Informed Consent (FPIC):** This presentation elaborated on;
 - a. The legal basis for FPIC in REDD+ in Kenya;
 - b. The scope of application of the National FPIC Guidelines;
 - c. When FPIC is required when implementing REDD+ in Kenya;
 - d. To whom should FPIC guidelines be applied
 - e. How should FPIC be operationalized and outcomes of the FPIC process be recorded, used, evaluated and monitored.

Recommendations and way forward

The project aims to put in place mechanisms to enable Kenya to reach its overall REDD+ goal to improve livelihoods and wellbeing, conserve biodiversity, contribute to the National Aspiration of attaining a minimum 10% forest cover and mitigate change for sustainable development. To achieve this objective, the outcomes are envisaged; an operational national REDD+ strategy and investment plan; an operational safeguards information system for REDD+; functional multi-stakeholder engagement and capacity building for REDD+; and technical support provided for improvement to the National Forest Monitoring System and Forest Reference Level.

Elgeyo Marakwet County will initiate a dialogue process involving all stakeholders as well as indigenous communities living in the county. The dialogue will also facilitate a process for the county to also develop the first Forest Management and Conservation policy, bill and accompanying regulations.

The work plan is as shown below;

WAYFORWARD AND WORKSHOP OUTCOMES

Dialogue consultative meetings in the Four Sub-Counties and county leadership				
	BUDGET DESCRIPTION	No. Days and rate	Venue and dates	Facilitation required
1.	County Executive	22 representatives three days meeting	Kisumu 3TH to 7 st May 2019	Bed and breakfast Conference Transport DSA
2	Assembly Committee in Charge of Environment , consultative meeting with key assembly leadership and county executive leadership in Narok together with Narok in Naivasha	40 participants - 20 representatives from the county and 20 from Narok county one days meeting 3 persons from COG	Naivasha 11 rd to 14th June 2019	Bed and breakfast Conference Transport DSA
3	Marakwet West and Marakwet East Consultative meeting all stakeholders representing Private sector, Professionals, civil society, area MCAs, marginalized groups, communities, CFAs, WRUAs, County Executive and Assembly Environment Committee	70 representatives, two days meeting	Iten 17 th and 19 th June 2019	Bed and breakfast Conference Transport DSA
4.	Keiyo South and Keiyo North Consultative meeting all stakeholders representing Private sector, Professionals, civil society, area MCAs, marginalized groups, communities, CFAs, WRUAs, County Executive and Assembly Environment Committee	70 representatives, one days meeting	Eldoret 20 th and 21 th June 2019	Bed and breakfast Conference Transport DSA
5	Consultative meeting all stakeholders representing Private sector, Professionals, civil society, area MCAs, marginalized groups, communities, CFAs, WRUAs, County Executive and Assembly Environment Committee	35 representatives, one days meeting	Eldoret 24 th and 27 th June 2019	Bed and breakfast Conference Transport DSA

6.	Dialogue public barazas with both the indigenous communities from across the county with special focus on Embobut forest adjacent communities at kapyego and Senwer Location break down	Target of 20 No. participants.	Iten 1 st to 5 th July 2019	Conference Transport DSA
7	Multi-stakeholders dialogue with representatives of all state agencies working on forests and communities' representatives on management of forest resources	40 participants	Eldoret 8 th to 12 th July 2019	Bed and breakfast Conference Transport DSA
8	County Executive	22 representatives three days meeting	Mombasa 22 nd to 26 th July 2019	Bed and breakfast Conference Air tickets DSA
9	Assembly Committee in Charge of Environment, County Assembly Caucus(2) consultative meeting with key assembly leadership and county executive leadership	23 representatives 3 from county Assembly	KISUMU 29 th July to 2 nd August 2019	Bed and breakfast Conference Transport DSA
10	Recruitment of national consultant to draft the county Forest Management policy and Bill	40 days	Expected start date 1 st June 2019	
11	Recruitment of a coordinator to coordinate dialogue process and consultations during the development process of the forest management policy and bill - for a period of One-year (TORs attached)	One year	Expected start date 1 st June 2019	





