

**TECHNICAL WORKSHOP OF EXPERTS
ON
INDIGENOUS PEOPLES MANAGEMENT OF
FORESTS
AND
NATURAL RESOURCES IN KENYA**

**PAPER PRESENTED
BY
DAVIS OLE TAMOOH
davistamooh@yahoo.com**

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INTRODUCTION

Historically the Maasai Community a Pastoral Community in Kenya have natural resources which it owned and managed for its own use in the best way it new best (pastrolism).

These resources included pastures, forests, watering points and salt licks for its Livestock. There were set of rules (customs & traditions) which governed the use of these resources and were implemented by men or by the clan (Traditional Institutions).

The colonial and post-independence governments came up with legal systems that came to interfere with the Traditional institutions that the indigenous peoples used to govern and manage their Natural Resources.

The post-independence Governments in Kenya introduced what we may call a free market policy tempered with a measure of state controls, which brought about conflicts on the resource management. The policy and legislation framework that was put in place by the Colonial Government has survived with a few changes or over the last four decades since political independence. At independence large parts of Kenya were set aside as Trust Lands to be administered by Local Authorities for the benefit of the indigenous peoples, in recent years these lands have been progressively allocated to the Government as Public Land and individuals, thereby changing **Communal Tenure** into **Public and Private Tenure**. Group titles have been subdivided to create Private Titles, which have great led to conflict in Natural Resource Management.

COMMUNAL MANAGEMENT

For sustainable development it is important to understand the impact that different management systems have on both utilization and conservation of NR and the welfare of the indigenous communities.

Historically, substantial parts of the World's Natural Resources have been communally managed.

To prevent their over use, these resources were often subject to some form of effective local control. Note that most of indigenous communities use their resources for **food, medicine, shelter** and other essential forest products and therefore needed to be guaranteed.

Now, nearly everywhere, both the resources and the communal management systems are facing increasing pressures as populations grow and the economic and political environment changes.

While in some cases local communal management systems have disappeared naturally as communities have been forced to change by law on the case of areas of ground **MAU FOREST COMPLEX** in Kenya but never the less, indigenous communal management is an important option for many communities and a potential strategy for conservation.

There is need to maintain access to critical resources for the many rather than a few and especially to preserve the access of the rural poor. In most cases, the survival of the Local Communities depends upon the safe-guarding of the rights of those communities in their lands and forest rights. Local communities use their lands communally for pasture, woodland it under community-based tenure systems.

In Kenya the Government and commercial elites are actively appropriating land, stimulated by subsidies to commercial agriculture, development activities under structural adjustment policies. These interests often target un intensively or seasonally used common pool resources assisting that they are vacant and under utilized.

INDIGENOUS PEOPLES AND FORESTRY IN AFRICA

COMMUNITY FORESTRY AS A STRATEGY for sustainable rural and forestry development has emerged from recognition that the needs of the

these resources. If forests management is to be effective, the role of IPs in managing the forest has to be recognized.

BUT if there is to be real participation by IPs in planning and implementing Forestry activities, a change is needed in the way policy-makers view the IPs and their use of NR. The strategy is to support the IPs in managing their NR in a sustainable way. NOT to keep them out of the forest.

While participation of the IPs is the Central concern of community forest participatory, Forest Management in many parts of the world is not just about local communities, there are other stakeholders, such as Governments, NGOs, CBOs and even private enterprises who should be involved.

The challenge is to be enabling the IPs to assume a strong partnership role in working with all of the other stakeholders in the forestry management.

FORESTRY AND FOOD SECURITY WITHIN THE INDIGENOUS PEOPLES

The part played by forestry in food security must be kept in perspective. Forests are just one element within the complex fabric of the indigenous community's life and food security depends on a whole range of factors quite apart from forests and forestry activities.

It is clearly wrong to suggest that forestry can replace Agriculture as a food production system to any significant extent; but the premise of their report however, is that Forests and Trees do have an important role to play in food security. Forests in many parts of the World are being cleared and the remaining trees on Farmland come under increasing pressure. The trend is undermining existing agricultural systems and jeopardizing their long term productivity.

Through better management of forests and by supporting Tree growing on farms, the contribution of forestry to food security can be both strengthened and enhanced. Forestry initiations have the potential for providing a range of benefits – augmenting food production, increasing the sustainability of food supplies, and improving access to food for the Landless and poor by providing subsistence products, income and employment.

THE LINK BETWEEN FORESTRY AND FOOD SECURITY

Some of the important links between Forestry and Food security are either environmental, production or socio-economic. It is clear that many links between forestry and food security are inter related.

1. Environmental links

- (i) Restoring soil productivity
- (ii) Genetic diversity
- (iii) At Global level – affects climate and rainfall patterns.
- (iv) Soil Erosion – Wind/ Water
- (v) Water availability downstream/ quality/ reduction of floods.

2. Production Links

- Food items produced by trees – fruits, nuts, leaves, roots and gums – Naturally, cultivated.
- Habitat for many animals, birds, and insects – hunted and consumed.

NB: - while these foods rarely provide staples, they do provide important supplements as well as seasonal emergency substitutes when food supplies dwindle.

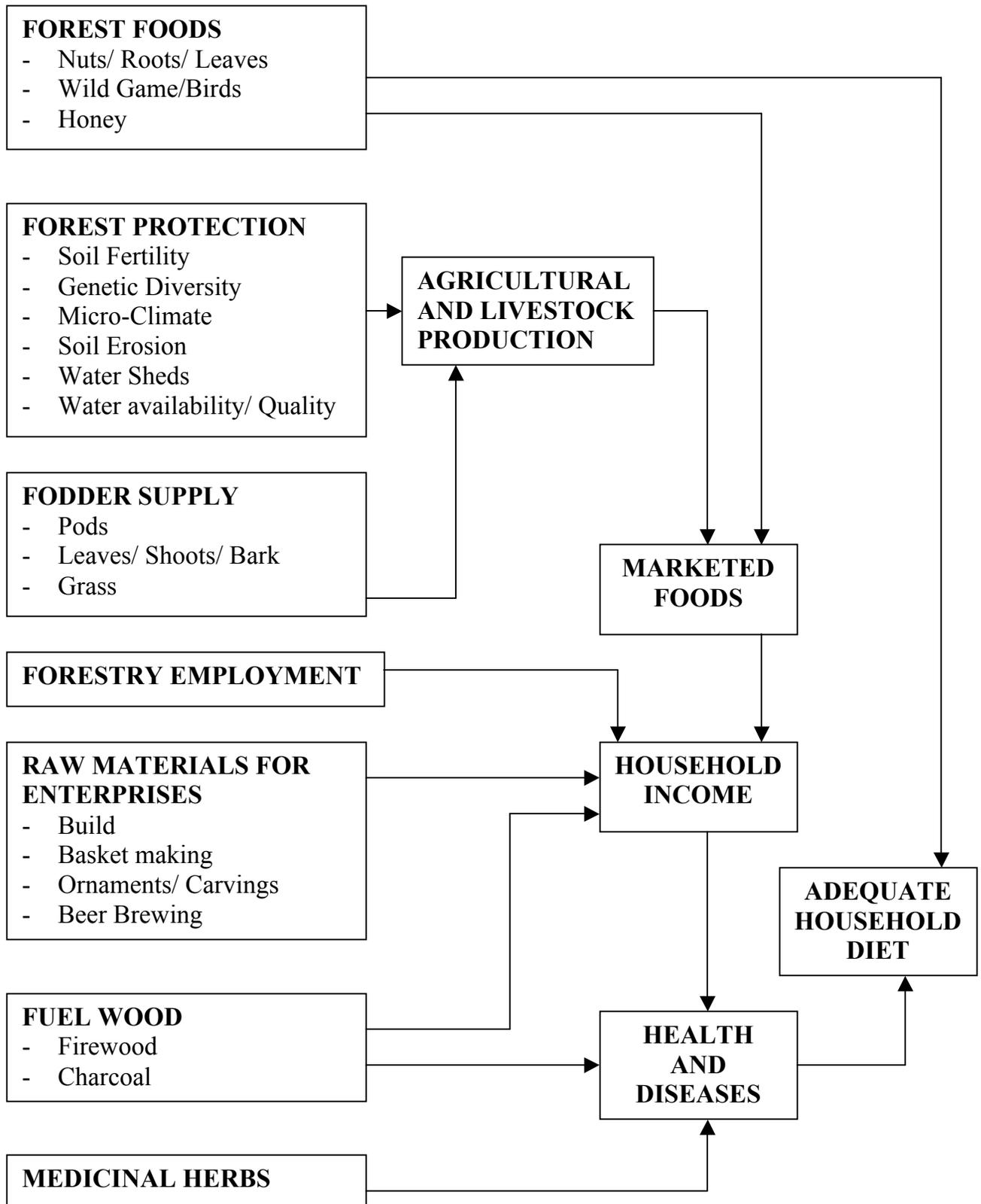
- Maintaining and improving soil fertility.
- Provision of essential livestock fodder – drought
- Habitat and breeding ground for many fish, crustacean and other marine animals that support coastal and off-shore fisheries.

3. Socio-Economic Links

Food security is fundamentally a social issue:

- For many families forests provide a source of income and employment.
- Food obtained from Trees/ Forests
 - Provide a tasty & nutrition supplement to blend staple foods.
- Trees grown on the farm are also used as savings that can be harvested and sold to meet large or emergency cash needs.

THE LINKS BETWEEN FORESTY AND HOUSEHOLD FOOD SECURITY



OPPORTUNITIES FOR ACTION

There is much that can be done by Forest Management to enhance household food security. Some of the most obvious opportunities for action include:

- Directing forest management objectives to people's food security needs.
- Broadening the range of products produced by forests – food and other items – and improving their supply to the community through new management approaches and access arrangements.
- Encouraging tree growing and Farms using species and management approaches that:-
 - Compliment crop and livestock production.
 - Help protect the environment.
 - Provide income to the peoples.
 - Assist the community to spread risks.
- Supporting small scale forest based enterprises by ensuring;
 - A sustainable supply of input materials.
 - Providing managerial and technological assistance.
 - Improving access to credit.
- Providing market support to help indigenous people get a better price for the forest products they sell and secure a more sustainable livelihood.

But Note – While a number of promising approaches of their kind can be identified, experienced in putting them into practice is till limited in our territories. Local circumstances will inevitably play a big part in determining their relevance and a great deal will depend on local people's needs, available

THE POLITICAL BASIS OF NATURAL RESOURCE MANAGEMENT

Politics determine the laws, structure and function of power in a society, each with serious implications for access of natural resources within the society.

In Kenya politics plays a very significant role in allocation of NR and is therefore a major cause of NR conflicts.

The colonial administrators trampled upon Traditional structures and systems of Governance, uprooted and resettled whole indigenous populations from their Natural habitats (**Anglo-Maasai Treaties, 1904 & 1911**) and interfered with the organization of the community.

Kenya at independence inherited political structures with specific resource management orientation. Then political dimension of NR in Kenya is most clearly manifested in the distributing of power between the Central Government and the Grass root institutions. The political systems have tended to concentrate political power at the centre, denying the legitimacy of Traditional Institutions. Thus, powers and agencies external to the IPs exercise resource management decision making without regard to IPs interests and priorities.

THE LEGAL BASIS OF NATURAL RESOURCES

In Kenya under the British and Post-independence governments the rule laws were passed to justify the expropriation of the best parcels of land from the IPs. The whole sale forcible removal of entire population (**Maasai 1904**) from their ancestral lands and the grant of these fertile lands to the colonists was carried out without consent/ any form of compensation.

The legislation framework have been founded on the prescription that the law is superior to the traditions that governed access and allocation of resources and resource rights. This policy and law tend to extinguish all traditions forms of management institution and systems; nevertheless, vast majority of people continue to relate with each other and their NR base on the basis of customary laws and norms.

ECONOMIC FACTORS IN NATURAL RESOURCE MANAGEMENT

The economic factors address the diversity of demands that are made on NR by different sectors of Society according to their major needs.

Kenya is endowed with a wealth of NR and little industrial capability. This means that the NR base remains the most significant source of wealth for the country. Both the Government and the Private Sector depend on these NR as the Capital upon which development process depends.

THE FORESTRY SECTOR

Forests are an important NR that have a bearing to livelihoods of millions of people. Timber, Fuel wood, medicinal herbs, biodiversity, wildlife habitats, carbon sinks and a host of other products and services are provided by Forests.

The Government view forests as National Resources which have to be used for the benefit of the entire Nation within the framework of the National Development agenda while the IPs interest at the other hand is served by the sustainable management tree and forest resources for the benefit of Local communities and the resources.

The clearing of forests promote industrialization for instance, does not serve local interests. On the contrary, it disrupts the lifestyles & livelihoods of the communities, uproots them from their Natural Environment and results often in the loss of their collective identities.

THE WATER SECTOR

Water is a major natural resource in Kenya. There are several rivers, lakes and even the Indian Ocean. These water bodies provide a steady supply of these resources in the region. Apart from domestic or household use, water is important for Livestock & Agricultural production, Hydroelectric power, for industrial and domestic affluent treatment, transportation e.t.c.

SOCIO-CULTURAL FACTOR

Success of community forestry depends on creating an appropriate legal framework that gives effective authority to the institutional structure at the grass root level and addresses Tenure problem to secure community interests in NR. Legal reforms must entail giving recognition management, so that they become part and parcel of the legally protected and enforceable rights and duties within the IPs.

Some of the socio-cultural changes that are taking place in the Traditional African security are inevitable. NR management systems have suffered; traditional systems have been portrayed as inimical to development. Thus, development has been conceptualized as involving moving away from traditional ways which are characterized at primitive and retrograde. This thinking is negated by the ideals of our