



## Readiness Fund REDD+ Country

### Kenya Progress Report July 2019 – June 2020

V. 2020



## FCPF Readiness Fund: Kenya REDD+ Annual Progress Report July 2019 – June 2020

### About this document

This template is for use by Readiness Fund (RF) REDD+ Country Participants to report their annual progress on REDD+ readiness activities in general, and on FCPF-supported activities in particular. The data provided through these reports represents a central information source for measuring progress against the FCPF's expected results and performance indicators, as articulated within the FCPF Monitoring and Evaluation (M&E) Framework.

### Report preparation

Reports cover progress through 30<sup>th</sup> June of each year.

When preparing the report, RF REDD+ Country Participants should draw upon the country M&E system for REDD+ (component 6 of the R-PP) and should consult members of the national REDD task force or equivalent body. Inputs from stakeholders including IPs and CSOs should be integrated, with any divergent views recorded as appropriate. Detailed, indicator-by-indicator definitions and reporting guidance are provided within the FCPF M&E Framework (<https://www.forestcarbonpartnership.org/monitoring-and-evaluation-0>).

### Reporting schedule

Completed reports should be submitted to the FCPF's Facility Management Team (FMT) by **15<sup>th</sup> July** every year.

## SECTION A: NARRATIVE SUMMARY

1. **In brief, what were the main REDD+ readiness-related activities and achievements delivered within your country during the last year?**
  - Activities - For example, strategy / policy drafting, stakeholder consultation events, capacity building / training, awareness raising initiatives
  - Achievements - For example, x number of individuals attended REDD+ consultations (sex disaggregated, if available), national REDD+ strategy was finalised, government formally adopted national REDD+ related policy/s, NFMS was established, partnership agreement with private sector association signed
  - Please be as specific as possible, e.g. name, date and number of participants in consultation events (sex disaggregated, if available), name of policy being drafted, institutions involved in policy drafting

The **REDD+ Readiness Grant (Project Number 00099178)** is funded through a grant of USD 3.88 million from the **Forest Carbon Partnership Facility (FCPF)** of the World Bank. The project runs from **01 June 2018** to **31 October 2020**<sup>1</sup> and is implemented by the United Nations Development Programme (UNDP) through the

<sup>1</sup> A no-cost extension is requested till December 2021.

Ministry of Environment and Forestry and working with a number of responsible parties in delivering key result areas. These partners include Kenya Forest Service (KFS), Kenya National Commission on Human Rights (KNCHR), Ethics and Anti-Corruption Commission (EACC), National Land Commission (NLC), National Gender and Equality Commission (NGEC) and the Council of Governors (CoG). The project also works with County Governments, academia, the private sector and directly with Indigenous Peoples and Local Communities (IPLCs).

### Summary Activities

- 410 members of communities (39% female, 61% male) from Elgeyo Marakwet County, with additional 4,000 members (28% female, 72% male) from Bungoma, Trans Nzoia, Elgeyo Marakwet, Baringo and Nakuru sensitized on REDD+, land tenure systems and sustainable conservation and management of forests. The community members were also sensitized on how to lodge claims of historical land injustices through the justice system. This will enhance harmony between communities, Kenya Forestry (KFS), National Land Commission (NLC) and other government institutions working on forest conservation and management.
- 35 community mobilizers (9 females, 26 male) trained and capacitated to raise awareness to over 300 forest dependent households on REDD+ and forest conservation and management. These mobilizers are reaching out to communities to enhance their participation in forest conservation and management, and in REDD+ readiness processes.
- Public awareness on REDD+ and forest conservation initiatives enhanced through a national stakeholder's forum targeting national stakeholders, civil society and opinion leaders on indigenous people's participation in forest conservation and management. This led to buy-in, active involvement and engagement in the REDD+ readiness process of the following stakeholders: Kenya Forestry Research Institute; Kenya Water Towers Agency; Ministry of Agriculture and Livestock; Kenya Forestry Research Institute; Kenya Forestry Service; Climate Change Directorate of the Ministry of Environment and Forestry; Wildlife Works; National Environment Management Authority; Department of Resource Surveys and Remote Sensing; Commission on Administrative of Justice; Indigenous Peoples and Local Communities and University of Nairobi – Wangari Maathai Institute for Environmental Studies.
- Expert Forum for Stakeholders was held and included national and international experts from National Government Institutions, communities, research institutions, and civil society organizations (including Forest Peoples Program, Amnesty International, Rights Resources Institute, Minority Rights Group and Centre for International Forestry Research) organized in partnership with the United Nations Office of the High Commissioner on Human Rights (OHCHR).
- Phase 1 of the REDD+ Gender Vulnerability Assessment completed in 8 counties: Narok County (Loita Forest), Nakuru County (Ogiek of Mau – Kuresoi), Baringo County (Endorois), Laikipia County (Yaaku-Mukogondo Forest), Elgeyo Marakwet County (Sengwer), West Pokot County (Sengwer of Embobut Forest), Trans Nzoia County (Ogiek of Mt. Elgon), Bungoma County (Ogiek of Mt. Elgon and Chepkitala). The report of the assessment will inform finalization of the REDD+ Gender Action Plan and Indigenous Peoples Action Plan. See more details in Annex 1.
- The National Land Commission led community dialogues focused on land tenure, historical land injustices and sustainable land forest governance with forest dependent communities from Laikipia

County focusing on the indigenous community of Yaaku in Mukogondo forest. The dialogues sought to understand their land tenure systems, identify their claims and recommend ideas for sustainable management of forest and forest resources amongst forest dwelling communities. The consultation forum, which was held in Nanyuki, brought together 50 representatives from the Yaaku Community (23 of whom were female). The dialogue sought to understand land tenure systems, sensitize the community on filing land-related claims and gather ideas for sustainable management of forest and forest resources amongst forest dwelling communities. These will be used to resolve land tenure claims and historical land injustices. See more details in Annex 2.

- 63 participants (29 female and 34 male) from the Ministry of Environment and Forestry, KFS, KNCHR, NGECC, NLC, EACC, NACOFA, Council of Governors, NETFUND, Academia, CSO, IPLCs, Private sector and the youth sensitized on REDD+ Readiness Process through a National REDD+ Academy. The Academy focused on i) REDD+ and the UNFCCC Forest, Carbon Sequestration and Climate Change; ii) Drivers of Deforestation and Degradation; iii) Devolved forestry functions (roles, challenges and opportunities); iv) REDD+ National Strategies or Action Plans; v) National Forest Monitoring Systems including Forest Reference Emission Levels (FREL); vi) Safeguards and Safeguard Information systems; vii) Importance of Stakeholder Engagement; viii) REDD+ Finance, and ix) Good Governance in relation to Forestry sector and REDD+.
- 55 senior county government officials (11 female and 44 male), comprising 42 County Chief Officers, members of Council of Governors' Tourism and Natural Resource Management Committee and representatives of forest dependent communities, Indigenous Peoples and Local Communities (IPLCs), sensitized on REDD+ and its linkage to forest governance, conservation and management at the County level. Specifically, the sensitization created awareness and understanding among the County Chief Officers on: i) REDD+ and the UNFCCC Forest, Carbon Sequestration and Climate Change; ii) Drivers of Deforestation and Degradation; iii) Devolved forestry functions (roles, challenges and opportunities); iv) REDD+ National Strategies or Action Plans; v) National Forest Monitoring Systems including Forest Reference Emission Levels (FREL); vi) Safeguards and Safeguard Information systems; vii) Importance of Stakeholder Engagement; viii) REDD+ Finance, and ix) Good Governance in relation to Forestry sector and REDD+.
- The Ministry of Environment and Forestry commissioned the review of the National Forestry Policy 2016. Development of a new Forestry policy has been necessitated by new developments and emerging issues in the forest sector that require further articulation including, among others, institutional alignment and reforms, forest governance, land and forest tenure, sustainable forest management, climate change, green economy policy requirements, devolution of key aspects of forest management in Kenya, entrenching public participation in forest management, enhancing private sector investment in the forest sector. The proposed National Forest Policy is expected to reflect Kenya's commitment and responsibility to achieve and maintain a 10% forest cover, emphasizing on productive, ecological and environmental services of forest to humanity. Through the REDD+ Readiness Process, the Ministry has engaged a consultant to review and finalize the National Forest Policy and support amendment of the Forest Management and Conservation Act, 2016. Two virtual stakeholder consultation meetings have been undertaken with (i) civil society organizations and (ii) the forestry and climate change community in Kenya. Further public consultations are underway, with stakeholders called upon through advertisements in local newspapers and Ministry of Environment and Forestry website, to provide

memoranda on the policy.

- REDD+ Strategy and investment plan development initiated, recruitment process of the consultants to undertake analytical studies on the strategy and investment plan have been initiated.

### Summary Achievements

- Fostering of better relationships between Government and communities regarding forest management enhanced due to the activities held above.
- More than 1200 community members (30% female) from Mau forest and areas inhabited by the Ogiek community engaged in discussions on human rights-based forest conservation and management through community consultative forums in various community stations. The consultations informed recommendations made by the National Taskforce for human rights-based conservation and management of forests. Two main deliverables from this Taskforce will contribute to the REDD+ Strategy as well as the safeguards information system. These are a) appropriate models for communities' participation in forest conservation and management and b) policy recommendations for sustainable management of community forests. The Taskforce incorporated these recommendations, completed its mandate and submitted the report to the government in January 2020. See more details in Annex 3.
- 1,650 community members (750 female, 900 male) from Nakuru, Narok, Baringo, Bogoria, Mt Elgon, Bomet, Kericho, Maji Mazuri, Sosio and Laikipia consulted to provide proposals for enhancing community-government partnership in forest conservation and management in forest areas inhabited by the Ogiek of Mau, Maasai, Lembus, Ogiek of Mt Elgon, Sengwer community, and Yaaku community. Partnerships will be led by formally constituted Community Forest Associations (CFAs) registered under the Societies Act and will include joint tree seedling production, tree planting, conservation of community shrines, protection of endangered tree species and general protection of forested areas. The REDD+ process can address a key opportunity to facilitate the strengthening of these CFAs to be a means by which local and community manage forests and derive the benefits from doing so whilst engaging with local and national government institutions.
- In concert with the CADEP<sup>2</sup> project, Kenya's Forest Reference Levels (FRL) was finalized and submitted to United Nations Framework Convention on Climate Change (UNFCCC) for review in January 2020.
- Elgeyo Marakwet County Sustainable Forest Management and Tree Growing Policy, Forest Conservation and Management Bill and related regulations completed. The policy, bill and regulations were presented to the County Assembly of Elgeyo Marakwet for enactment before being made into law. The policy, bill and regulations will be used as model county legislative framework for sustainable forest conservation and management. See Annex 4 for more details.
- County Chief Officers in charge of environment sensitized on REDD+ – A total of 55 participants, 11 of whom were female and 44 of whom were male. See Annex 5 for more information.

<sup>2</sup> The Capacity Development Project for the Sustainable Forest Management in the Republic of Kenya (CADEP-SFM) funded by the Government of Japan has the following outputs by 2021; policy support to the Ministry of Environment, implementation of sustainable forest management in two pilot countries; REDD+ readiness – support to the NFMS and FRL and Tree Breeding with the Kenya Forestry Research Institute.

- A multi-stakeholder forum held in December 2019 to identify the need to build the capacity of CSOs working on land, climate change and water and sensitize them on REDD+ and the readiness process in Kenya and how they can have meaningful engagement in the strategy development; identify the need to review the REDD+ corruption risk assessment, which was undertaken in 2013; review the progress of the project during 2019, and to propose activities for 2020. See Annex 6 for more information.

**2. What were the main REDD+ readiness-related challenges and/or problems during the last year?**

- For example, lack of engagement from key stakeholders, political barriers, limited funding

The Kenya REDD+ Readiness project has from its onset realised delay in implementation; a challenge that has all along been foreseen as a constraint towards timely realisation of the project deliverables. As such discussions have been on going with the project stakeholders, and the project no cost extension being prioritised. Conversely, recruitment and onboarding of the Project Manager, Technical Specialist, Safeguards and Stakeholder Engagement Specialist, Monitoring and Evaluation Specialist, Communications Officer and Project Officer were completed in September 2019. The personnel reported on duty in October 2019. The Project Associate reported on April 1, 2020. With members of the PMU now in place, it is expected that delivery will be accelerated to deliver the REDD+ Strategy and Investment Plan before October 2020. Based on the above, a detailed planning meeting with the Government and key partners were held to extend the workplan to December 2021. A project steering committee meeting will be held to approve the workplan and a revision of the project document conducted accordingly.

Above notwithstanding, the project implementation has been affected by Covid-19 Pandemic – With the onset of Covid-19 pandemic, the government-imposed travel restrictions, dusk-to-dawn curfews and ban on physical large gatherings and meetings of the public. This curtailed most stakeholders' consultations activities which were programmed to happen through physical meetings. This challenge was managed by undertaking virtual meetings through online platforms such as Zoom and Microsoft Teams for these activities. Engagement through virtual platforms presents further risks of leaving out forest dependent and indigenous communities most of whom have weak or no access to internet. The government has been gradually relaxing these some of these restrictions, by allowing some restricted meetings with limited number of attenders and observing safety guidelines as provided by the WHO and the Ministry of Health.

**3. What is the main REDD+ readiness-related activities that you hope to deliver, and achievements anticipated during the next year?**

- For example, hold x consultation events, submission of R-Package to the PC, finalisation of SIS, commission research into REDD+ strategy options

During the period July 2020 – June 2021 the following activities are planned for:

- Six (6) analytical studies to inform REDD+ strategy options, strategy and investment plan completed;
- Stakeholders consultations on the REDD+ strategy options;
- REDD+ Strategy and Investment plan completed;
- Finalise review process of the National Forest Policy and the Forest Act, 2016 and present draft Forest Policy to Parliament??
- One (1) additional County facilitated with forestry policy, bill and regulations development;

- Development of a human rights-based curriculum for forest conservation and management in partnership with Kenya Forest Service and Kenya National Commission on Human Rights;
- Strategic Environmental and Social Assessment (SESA) and the Environmental and Social Management Framework (ESMF) finalized alongside National REDD+ strategy options;
- Design of Safeguards Information System (SIS) for REDD+ initiated and completed. ;
- Feedback, Grievance and Redress Mechanism (FGRM) for REDD+ finalized;
- Capacity building for 47 Governors, 47 County Executive Committee (CEC) members in charge of environment, natural resource management and forestry, 47 County Chief Officers, 47 County Directors and 6 national institutions working on forests on devolved functions on forests with Counties;
- Two (2) project steering committee meetings held;
- Stakeholder engagement and outreach
- Two (2) knowledge exchange and learning missions undertaken through South-South Triangular Collaboration with Korea and Costa Rica;
- The description of the NFMS in the Technical Annex to the Biannual Update report submitted to the UNFCU.
- REDD+ Strategy and Investment plan completed.

## SECTION B: READINESS PROGRESS

### 4. Please provide your own assessment of national progress against all REDD+ readiness sub-components:

(Indicator OV.1.B: Number of FCPF supported countries that have in place a National REDD+ Strategy, FREL/FRL, NFMS and SIS; Output 1.3 indicators)

#### Progress rating key:

Complete	The sub-component has been completed
	Significant progress
	Progressing well, further development required
	Further development required
	Not yet demonstrating progress
N/A	The sub-component is not applicable to our process

Sub-component	Progress rating (mark 'X' as appropriate)	Narrative assessment (briefly explain your rating)
<b>R-PP Component 1: Readiness Organisation and Consultation</b>		
<b>Sub-component 1a:</b> National REDD+ Management Arrangements	Complete	A national REDD+ Coordinator has been designated by the Ministry of Environment and Forestry. The REDD+ Readiness Project Steering Committee has been operationalized. The REDD+ Readiness Project PMU has been established as per the Project Document vide recruitment of the Project Manager, Technical Specialist, Safeguards and Stakeholder Engagement Specialist, M&E Specialist, Communications and Knowledge Management Officer, Project Officer and Project Associate. A Technical Working Group (TWG) has been established to support the PMU in implementation of the project.
	N/A	

Sub-component	Progress rating (mark 'X' as appropriate)		Narrative assessment (briefly explain your rating)
Sub-component 1b: Consultation, Participation and Outreach	Complete		The year has seen extensive consultations as described in Section 1. These have involved communities on the ground in seven counties in Kenya. Extensive sensitization campaigns and REDD+ Academy were held. Consultations were held with academia, communities, government and NGOs. Two dialogues with communities on land rights and land tenure <sup>3</sup> claims were held. REDD+ Readiness Project Steering Committee strengthened to enhance project management and stakeholder engagement. National Government Institutions, 4 National Government CSOs, 3 County CSOs, 2 County Governments and representatives of IPLCs engaged in the implementation of the project.
		x	
	N/A		
R-PP Component 2: REDD+ Strategy Preparation			
Sub-component 2: REDD+ Strategy and Investment Plan	Complete		Terms of reference have been developed and procurement process for a team of consultants is ongoing. Strategy planned to be completed in the coming year. The strategy will be aligned to the National Strategy for the Attainment and Maintaining 10% Tree Cover <sup>4</sup> .
		x	
	N/A		
Sub-component 2a: Assessment of Land Use, Land Use Change Drivers, Forest Law, Policy and Governance	Complete		Much of the consultative processes have discussed policy and governance issues around forest management and a number of options are on the table for consideration. Consultants are being hired in order to complete the assessment of drivers and land use change conducted earlier. The work will also build on a review of Land and Environmental governance related to REDD+ implementation in Kenya was completed in 2014. Further an assessment of all REDD+ related laws was conducted in 2015, this process identified opportunities and gaps in legislations under review to align with the Constitution 2010. Review of the National Forestry Policy and Forest Act 2016 has been commissioned.
		x	
	N/A		
Sub-component 2b: REDD+ Strategy Options	Complete		Review of the National Forestry Policy and Forest Act 2016 has been initiated. A first draft of the Forest Policy has been produced and is available for public comment by July 15, 2020. A number of consultative forums were held (both organised by the project and by other stakeholders independently to garner comments on this important policy. Consultants to undertake five (5) analytical studies on (i) Natural Resource Management and Policy; (ii) Private Sector Engagement in REDD+ Implementation; (iii) Assessment of financing, incentives, and benefit sharing opportunities and options for REDD+ implementation at national and county levels in Kenya; (iv) Enhancing participation of the marginalized communities and forest dependent communities in the development and implementation of REDD+ in Kenya; and (v) REDD+ Strategy
		x	
	N/A		

<sup>3</sup> Land rights and tenure claims have been a key challenge in advancing the REDD+ readiness and other conservation in Kenya, hence the investment on the programme.

<sup>4</sup> Kenya has set the goal of increasing and maintaining the national tree cover to at least 10% by 2022.



Sub-component	Progress rating (mark 'X' as appropriate)		Narrative assessment (briefly explain your rating)
			development and Investment Plan have been commissioned. These studies will inform the development of the REDD+ Strategy and Investment Plan.
Sub-component 2c: Implementation Framework	Complete		Review of the National Forest Policy and Forest Act 2016 has been initiated. The strategy and the investment plan will support the implementation of the National Strategy for Attaining and Maintaining 10% Tree Cover. The project has participated in discussions on a nesting framework led by the Ministry of Environment and Forestry.
		x	
	N/A		
Sub-component 2d: Social and Environmental Impacts	Complete		A Strategic Environmental and Social Assessment (SESA) will be conducted, accompanying the development of the REDD+ National REDD+ Strategy options and incorporated in the National REDD+ Strategy in the form of social and environmental considerations for the different measures. Terms of reference have been developed and procurement has been initiated.
		x	
	N/A		
R-PP Component 3: Reference Emissions Level/Reference Levels			
Component 3: Reference Emissions Level/Reference Levels	Complete		A Forest Refence Level was finalized and submitted to UNFCCC in December 2019. The FRL was developed with support from JICA. This FRL was informed by extensive interaction with the Technical Assessment Teams, that included FCPF REDD+ Readiness Project, which identified key issues to be included in the FRL. Based on comments and feedback from UNFCCC, and further engagement at the national level, response was provided to UNFCCC in January 2020. The technical assessment will be received in August 2020. The various building blocks for establishing the FRL were comprehensively discussed and agreed by a Technical Working Group that was established to offer technical guidance for FRL development under the CADEP project. The REDD+ project supported some of the consultations The scale is national and the scope - Activities include Reducing emissions from deforestation, Reducing emissions from forest degradation, Sustainable management of forest and Enhancement of forest carbon stocks; Gases: covers only CO2 and Pools are Above Ground Biomass (AGB) and Below Ground Biomass (BGB).The Reference period is 2002-2018 the proposed reference level is 52,204,059 t CO2/year.
		x	
	N/A		
R-PP Component 4: Monitoring Systems for Forests and Safeguards			
Sub-component 4a: National Forest Monitoring System	Complete		The NFMS is being developed with support from JICA. A Forest Information Platform (FIP) is in place, however protocols are needed to populate the FIP with data. The REDD+ Readiness Project will collaborate with CADEP as part of the REDD+ implementation framework to determine the protocols the FIP. This may be carried out in conjunction with the SIS work.
		x	
	N/A		
Sub-component 4b:	Complete		Benefit Sharing Mechanism study was conducted in 2013 and

Sub-component	Progress rating (mark 'X' as appropriate)	Narrative assessment (briefly explain your rating)
Information System for Multiple Benefits, Other Impacts, Governance, and Safeguards		this will contribute to the SIS which is currently being developed. The Terms of Reference to inform design of a REDD+ SIS have been developed and procurement initiated.
	x	
	N/A	

## SECTION C: NON-CARBON BENEFITS

5. Does your national REDD+ Strategy or Action Plan include activities that directly aim to sustain and enhance livelihoods (e.g. one of your program objective/s is explicitly targeted at livelihoods; your approach to non-carbon benefits explicitly incorporates livelihoods)?

(Indicator 3.2.b: Number of RF REDD+ Country Participants whose REDD+ Strategies include activities that directly aim to sustain and enhance livelihoods)

**Yes** (delete as appropriate)

**If yes, please provide further detail, including attachments and/or references to the documentation that outlines your approach:**

REDD+ actions developed target enhancement of livelihood particularly of local and indigenous communities with a focus to vulnerable groups that include women, Youth and PWD. For example, one of the deliverables Ogiek Taskforce on enhancing participation of indigenous communities in forest conservation and management was "models for sustainable access and user rights of indigenous communities in forests may be improved in order to enhance community livelihoods and benefits sharing". The project supported this taskforce as part of its initiatives to sustain and enhance livelihoods.

6. Does your national REDD+ Strategy or Action Plan include activities that directly aim to conserve biodiversity (e.g. one of your program objective/s is explicitly targeted at biodiversity conservation; your approach to non-carbon benefits explicitly incorporates biodiversity conservation)?

(Indicator 3.3.b: Number of RF REDD+ Country Participants whose REDD+ Strategies include activities that directly aim to conserve biodiversity)

**Yes** (delete as appropriate)

**If yes, please provide further detail, including attachments and/or references to the documentation that outlines your approach**

The REDD+ Strategy and Investment Plan will support the country to deliver on the overall REDD+ goal referenced in the Project document: to improve livelihoods and wellbeing, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigate climate change for sustainable development.

## SECTION D: FINANCE

(Please complete in US\$ ONLY)

7. Please detail the amount of all finance received in support of development and delivery of your national REDD+ readiness process since the date that your R-PP was signed. Figures should only include secured finance (i.e. fully committed) – ex ante, (unconfirmed) finance or in-kind contributions should not be included:

(Indicator 1.B: Amount of finance received to support the REDD+ Readiness process (disaggregated by public, private, grants, loans))

Amount (US\$)	Source (e.g. FCPF, FIP, name of gov't department)	Date committed (MM/YY)	Public or private finance? (Delete as appropriate)	Grant, loan or other? (Delete as appropriate)
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\$500,000	FCPF Readiness Preparation Grant	10/2010	Public	Grant
\$966,585	UNREDD	2012-2014	Public	Grant
\$3,800,000	FCPF	05/2018	Public	Grant

8. Please detail any ex ante (unconfirmed) finance or in-kind contributions that you hope to secure in support of your national REDD+ readiness process:

Amount (US\$)	Source (e.g. FCPF, FIP, name of gov't department)	Public or private finance? (Delete as appropriate)	Grant, loan or other? (Delete as appropriate)
\$300,000	Government of Kenya	Public	Other (National Budget)

## SECTION E: FCPF PERFORMANCE

9. To help build an understanding of the FCPF strengths, weaknesses and contributions to REDD+, please indicate the extent to which you agree with the following statements:

(Indicator 4.B: Participant Countries' assessment of FCPF's role within and contribution to national REDD+ processes)

Mark 'X' as appropriate

	Completely disagree	Disagree	Neutral	Agree	Completely agree
The FCPF's support has had a <b>central influence</b> on the development of our national REDD+ systems and processes					X
The FCPF's support has <b>improved the quality</b> of our national REDD+ systems and processes					X
The FCPF's support has <b>improved national capacities</b> to develop and deliver REDD+ projects				X	
The FCPF's support has <b>helped to ensure substantive involvement of multiple stakeholders</b> (including women, IPs, CSOs and local communities in our national REDD+ systems and processes)					X

### Comments / clarifications, if appropriate:

The REDD+ process supported the development of national stakeholder's engagement guidelines and the free prior and informed consent guidelines in line with the FCPF and UNREDD guidelines. Implementation of these guidelines have

enhanced participation of all communities and particularly women, forest dependent communities. Through the support of the REDD+ process, revision of the National Forest Policy 2016 and the Forest Conservation and Management Act will consider inclusion of recommendations from various studies conducted under REDD+.

**10. To help assess the usefulness and application of FCPF knowledge products (publications, seminars, learning events, web resources), please indicate the extent to which you agree with the following statements:**

(Indicator 4.3.a: Extent to which FCPF learning, evidence and knowledge products are used by Participant countries)

Mark 'X' as appropriate

	Completely disagree	Disagree	Neutral	Agree	Completely agree
We <b>regularly</b> access FCPF knowledge products to obtain REDD+ related information				X	
FCPF knowledge products are <b>relevant</b> to our REDD+ related information requirements					X
FCPF knowledge products are <b>sufficient</b> to address all of our REDD+ related information requirements				X	
The FCPF <b>website</b> is a useful resource for accessing FCPF and REDD+ related information					X

**Comments / clarifications, if appropriate:**

## SECTION F: FINAL COMMENTS

**11. If appropriate, please provide any further comments or clarifications relating to your work on REDD+ Readiness during the last year:**

Discussions were held with various project stakeholders to address the delayed implementation of the project. These discussions culminated into a request for **a no cost extension of the project to December 2021**. At the onset of the COVID 19, implementation of planned activities that required stakeholder's engagement through physical meetings was hampered. However, this has been addressed through meetings being held virtually, following protocols that UNDP has developed. The project has initiated a discussion with the Regional and Global UNDP offices to request for a No Cost Extension. The project has developed a work plan for the period ending December 2021, for presentation to the Project Steering Committee.

## ANNEXES

### Annex 1 – Gender and Vulnerability Assessment for REDD+ conducted

The gender vulnerability assessment commenced with training of NGECC Commissioners, senior management and technical team personnel on REDD+. The objectives of the assessment were also discussed and agreed upon. A gender and vulnerability assessment exercise led by the National Gender and Equality Commission (NGEC) and a task team constituting representatives of the Independent Commissions, Ministry of Environment and Forestry, indigenous communities and other forest dependent communities was initiated. The training covered the REDD+ readiness with emphasis on the social inclusion requirements for REDD+. The trained team developed an assessment data collection tool in line with UNREDD gender and indigenous people's guidance.

The vulnerability assessment work is focused on the Forest Dependent Communities- Indigenous Peoples and local communities in eight Counties in Kenya. The approaches and tools used to collect the data ensure meaningful participation of the target group and engagement of women, marginalized communities and Internally Displaced Persons (IDPs) in forest governance. To cover the key areas in the country, the assessment was structured in two phases: phase one covering the North Rift and North Eastern region was completed during the reporting phase; but the second phase covering the Central, Eastern and Coast region will be carried out when movement restrictions due to COVID 19 are lifted.

The first phase of the assessment was undertaken by four teams comprising of technical experts from NGECC, National Alliance of Community Forest Associations (NACOMA), an Indigenous Peoples representative, a civil society organization representative – Pan African Climate Justice Alliance (PACJA), Kenyan National Commission on Human Rights (KNCHR) and National Land Commission (NLC). The teams were arranged to cover the following counties:

- i) Team 1: Narok (and Nakuru counties
- ii) Team 2: Baringo and Laikipia counties
- iii) Team 3: Elgeyo Marakwet and West Pokot counties
- iv) Team 4: Trans Nzoia and Bungoma counties

The assessment employed a mixed method approach. Secondary data was collected from existing literature to provide background information and enrich the assessment. Qualitative data was collected through key informant interviews, Focus Group Discussions (FGDs), case narratives and observations. Separate Focus Group Discussions disaggregated by gender were held in all the sites, which allowed understanding of different gender roles/responsibilities and perceptions in forest conservation and management. The FGDs employed a Participatory Learning Approach (PLA) to understand the perception of both males and females regarding forest resource and the importance assigned to the resources. PLA was chosen on the understanding that the communities have a rich knowledge base of forest resources. Case narratives were collected from elderly men and women in all the sites who were believed to have the knowledge of history and able to locate periods when changes were experienced in the use, access, conservation and management of forest resources. Key informant interviews were conducted with government officers in administration and forest management. They included County Commissioners, chiefs/assistant chiefs, village elders, Kenya Forest Service officers, Community Forest Associations Members and Community Based Organizations. Land scape observations were realised through transect walks to identify natural resources, communities' structure, and the ecosystem including animals, birds, water points, fruits, agricultural and grazing fields.

The assessment established that:

1. Communities have a wealth of knowledge on forest resources and its management. The communities, men and women, youth and the elderly explicitly reported that the forest resources were the source of their livelihood. It was clear that the community is fully aware and knowledgeable of forest resources, benefits, conservation efforts given the important role that the forest played in their lives. In some areas, they argued that both the communities and the forests have symbiotic relationship. However, the knowledge varies depending on gender and age group. For example, elderly men and women had a clear picture and understanding of the role of the forest in their lives and traditional ways of forest conservation. Compared to women, men had a deeper understanding of the forest resources and both traditional and contemporary conservation efforts. This was attributed to their (men) attendance at public education/sensitization forums which they are more likely to attend compared to the women. The team recommended that the Gender Action Plan for implementation of the REDD+ strategy should have deliberate efforts to develop programmes and activities to enhance participation of women in forest management and conservation efforts.
2. Both men and women were involved in various forest conservation and management activities however due to the patriarchal nature of the communities' women were rarely involved in the forest conservation and management. This was attributed to the women's low education and exposure levels. This was the case when triangulated using other secondary literature on participation of women in natural resources, which have shown that women are often excluded from decision making on access to and use of land and resources critical to their livelihoods.
3. Forests and tree resources are important sources of livelihoods for the local communities. All the respondents from eight sites ranked forests and forest resources as the most important resource to the community. The communities confirmed using the forest as their source of food (honey, mushrooms, wild fruits and wild meat), herbs, and firewood and construction materials. This is however changing due to policy changes and increased population leading pressure on the resource base in all sites visited. Some households have adapted to diverse portfolio of livelihood activities including farming, livestock keeping, small scale trading and growing of own farm trees, among others. The assessment revealed that women due to their household roles were more likely to diversify household sources of livelihood through farming, small scale trading and inclusion of farm trees compared to men. In all the study sites, resident communities agreed that the forests are also used for illegal logging.
4. Both men and women were affected by the vagaries of climate change due to forest degradation. However, women and elderly were more vulnerable to the impacts of forest degradation. This was attributed to the fact that most of the women were dependent on the forests for their livelihoods. They are often the ones charged to secure food, water, fuelwood, among others. Women identified the changing quality and quantity of water as a result of forest degradation and scarcity of fuelwood as some of the immediate challenges facing them. In some areas, cases of gender-based violence, especially to women and girls, were reported.
5. With limited engagement of women in forest management activities, However, the extent of vulnerability varies between different genders, age and abilities. Women and girls are more vulnerable as compared to men and middle-aged men. Men and women roles and relations affect access to forest resources and livelihood security more differently. Consequently, gender intervention access and use to forest resources may lead to different food security outcomes for women, men and children.

The assessment deduced that, gender considerations in forest conservation and management are critical, both as a strategy and practice. Based on these preliminary findings, the following recommendations were identified for action by specific duty-bearers for inclusion in the REDD+ strategy and for consideration during policy review processes:

Duty Bearer	Recommendation
<b>Ministry of Environment and Forestry</b>	<ul style="list-style-type: none"> <li>▪ Include participation of women and marginalised communities in the proposed review of forest conservation and management policies and laws</li> <li>▪ Involve all the stakeholders including indigenous peoples and local communities (forest dependent) in forest management and conservation.</li> </ul>

Duty Bearer	Recommendation
<b>Kenya Forestry Service</b>	<ul style="list-style-type: none"> <li>▪ Review and implement forest management plans and agreements to create a favourable working condition that facilitate participation of women in forest management and conservation.</li> <li>▪ Strengthen partnerships and collaborations with local community organizations in forest management and conservation.</li> <li>▪ Share benefits from forest conservation equitably among local communities and Indigenous People. Incentives should be tailor made to take into considerations the different gender groups.</li> <li>▪ Strengthen Community Forest Associations (CFA) collaborative engagement and support the establishment of (CFA) in forests where they have not been established. They require support to develop forest management plans that incorporate forest assessments identification of grazing areas and numbers of animals permitted, woodlot and plantation of trees, enhancement areas for indigenous trees regeneration, and enhancement of benefit sharing arrangements for different stakeholder groups.</li> <li>▪ Address issues that reduce opportunities for CFA's to benefit from forest management such as competition with private sector actors.</li> <li>▪ Collaborate with law enforcement agencies to heighten surveillance and monitoring to curb illegal activities and operations that perpetuate forest degradation and deforestation.</li> <li>▪ Enlist local communities and indigenous peoples to participate in forest-monitoring support to provide information and surveillance on illegal forest activities.</li> <li>▪ Support the indigenous peoples and the local communities to establish ecotourism to enhance forest conservation.</li> </ul>
<b>Community Forest Associations</b>	<ul style="list-style-type: none"> <li>▪ Establish partnerships for sustainable management of forest resources between local communities and County Government</li> <li>▪ Ensure active participation of the local people in the management of the forest through elected representatives at village level.</li> <li>▪ Increase awareness among men and women on the value of forests and sustainable forest management.</li> <li>▪ Enhance women's leadership and participation in community groups on forest resource management committees.</li> </ul>
<b>County Governments</b>	<ul style="list-style-type: none"> <li>▪ Involve the communities in forest conservation and management</li> <li>▪ Establish extension services to Indigenous Peoples and Local Communities.</li> <li>▪ Issue seedlings to the local communities and encourage own farm tree planting.</li> <li>▪ Develop incentive schemes to reward local communities and indigenous people involved in forest conservation and management.</li> <li>▪ investment in alternative sources of energy and integration of these options in the county integrated development plans.</li> <li>▪ Hold annual dialogues on forest conservation and management from the grassroots</li> <li>▪ Train female forest extension agents to play active role in forest management</li> </ul>
<b>NGEC</b>	<ul style="list-style-type: none"> <li>▪ Facilitate review and mainstreaming of gender equality and inclusion in forest related policies and laws</li> <li>▪ Monitor involvement of women and marginalised groups in forest management and conservation.</li> <li>▪ Monitor implementation of forest programmes to ensure they adhere to the</li> </ul>

Duty Bearer	Recommendation
	<p>principles of equality and inclusion.</p> <ul style="list-style-type: none"> <li>Facilitate development of public education programmes related to forest conservation and management.</li> <li>Audit forest governance structures on compliance with the principles of equality and inclusion of SIGs including CFAs.</li> </ul>

The 2<sup>nd</sup> phase of assessment will be undertaken once the movement cessation order issued by the Government due to Covid 19 is lifted, after which the final assessment report as well as the gender and the indigenous peoples action plans will be produced and included in the Strategy.

## Annex 2 – Community Dialogues on Land Tenure and Sustainable Forest Governance

The National Land Commission led community dialogues focused on land tenure, historical land injustices and sustainable land forest governance with forest dependent communities from Laikipia County focusing on the indigenous community of Yaaku in Mukogondo forest on December 16 – 18, 2019. The dialogues sought to understand their land tenure systems, identify their claims and recommend ideas for sustainable management of forest and forest resources amongst forest dwelling communities. The consultation forum, which was held in Nanyuki, brought together 50 representatives from the Yaaku Community (23 of whom were female).

During the dialogues, the stakeholders were sensitized on Historical Land Injustices (HLI): the process and admissibility criteria; forest conservation policies and laws; minority and marginalized communities and indigenous people; draft national forest policy; human rights-based approach (HRBA) to sustainable forest management; role of the National Coalition of Community Forest Association (NACOFA); and Ethics in Forest Conservation and Management.

During the dialogues, it came out that corruption is the biggest driver of forest degradation and excision. Further, EACC, KFS and Transparency International and other civil society organizations were encouraged to work with communities to ensure that activities happening in forest ecosystems are conducted at the highest levels of integrity.

As a way forward, the stakeholders in the dialogues agreed to a raft of actions, to be spearheaded by the National Land Commission, namely:

1. Translate and sensitize local communities on the relevant policies and legislation in the local language.
2. Constitute/establish a multi-agency team to lead the investigation into the present and historical land injustices and make appropriate recommendations to the various relevant organizations.
3. Analyze/conduct research on the existing reports, proposals and policies regarding the indigenous forests, land rights and sustainable forest management.
4. NLC to kick off the review of the HLI claims submitted previously including the establishment of a register for local communities and indigenous peoples.

## Annex 3 – Ogiek Taskforce on supported to undertake community consultations on forest conservation and management

The Cabinet Secretary Ministry of Environment and Forestry Ministry established a National Taskforce through the Kenya Gazette Notice Vol. CXX No 134, number 11215, dated 2nd November 2018. . This was in response to a decision of the African Court on Human and Peoples' Rights issued against the Government of Kenya in respect of the rights of the Ogiek community of Mau Forest and enhancing the participation of indigenous communities in the



sustainable management of forests. The Taskforce undertook stakeholder consultations with the indigenous communities living around Mau Forest Complex, Mt Elgon, Cherengany Hills, Mukogondo Forest and neighbouring forests blocks. This included field visits and public hearings that reached out to indigenous and local communities, religious and traditional leaders, local leadership as well as national and county government and independent commissions. The task force also held targeted stakeholders' consultations that brought different stakeholders separately and jointly to enable triangulation of information and submissions on claims and counterclaims received.

Through the REDD+ readiness process, the following activities were conducted:

- Public hearings and consultative forums, reaching 1200 community members.
- Community meetings in various community stations in Mau forest in areas inhabited by the Ogiek community as well as other communities
- Community meetings in Cherengany forest ecosystem – targeting the Sengwer community and communities living in Elgeyo Marakwet County – (4100 members of community reached). These community members further sensitized more than 4,000 Sengwer from Embobut and Kapolet.
- A public hearing with communities living in Embobut and Kapolet forests complex as well as other neighbouring forests
- National public forum targeting national stakeholders, civil society, communities and opinion leaders on indigenous people's participation in forest conservation and management in Nairobi. This enhanced public awareness of REDD+ and forest conservation initiatives; leading to buy-in, active involvement and engagement in the REDD+ readiness process of the following stakeholders: Kenya Forestry Research Institute; Kenya Water Towers Agency; Department of Resource Surveys and Remote Sensing; Ministry of Agriculture; Kenya Forestry Research Institute; Kenya Forestry Service; Climate Change Directorate; Wildlife Works; National Environment Management Authority; Department of Resource Surveys and Remote Sensing; Commission on Administrative Justice; Indigenous Peoples and Local Communities, and University of Nairobi – Wangari Maathai Institute for Environmental Studies.
- Community meetings in Nakuru, Narok, Baringo, Bogoria, Mt Elgon, Bomet, Kericho, Mazi Mazuri, Sosio and Laikipia. These hearings targeted the Ogiek of Mau, Maasai, Lembus, Ogiek of Mt Elgon, Sengwer community, Yaaku community as the indigenous communities living in the areas mentioned. These hearings and meetings provided an opportunity for 1,650 community members to share their views and proposals for enhancing community-government partnership in forest conservation and management.

Further in partnership with the United Nations Office of the High Commissioner on Human Rights (OHCHR) and Center for International Forestry Research (CIFOR), the Taskforce held an Expert Forum that brought together key stakeholders including the international civil society organizations working on indigenous peoples rights, including Forest Peoples Program, Amnesty International, Rights Resources Institute, minority rights organizations among others.

#### **Annex 4 – Development of Elgeyo Marakwet County (EMC) Forest Management and Conservation Bill, Policy and accompanying regulations**

Elgeyo Marakwet has the second highest forest cover in the country. The county reflects the various facets of forest conservation and management, including the presence of forest-dependent indigenous peoples and local communities, which are relevant to REDD+ process in Kenya. It is one of the pilot counties on sustainable forest governance, whilst enhancing sustainable forest conservation and protection.

The project supported the county to develop its Sustainable Forest Management and Tree Growing Policy; Forest Conservation and Management Bill 2019, and draft regulations through:

- Training of the county executive leaders. This included the Governor and the Deputy Governor, County Commissioner, County Secretary, all county executive committee members and the Department of Environment, Water, Natural Resources and Climate Change. (23 male and 4 female participants attended the training). The training covered the

national REDD+ process, roles of different stakeholders including the role of the county, and the role of indigenous communities and local communities in REDD+ processes. During this training the county undertook a process to identify all projects implemented by the county and highlighted opportunities to engage and target the marginalized communities in the county who include indigenous communities such as the Sengwer and the Kiptani community. This was a first of its kind for the County and was very well received by all stakeholders. In addition, the County Assembly Committee on Environment and Natural Resources, and Administration of Justice was also were trained on to how to engage indigenous communities and local communities in county legislative processes.

- Consultation meeting with the Sengwer community and the county leadership was held bringing together 10 leaders of the Sengwer community (7 males and 3 Females) and the county leadership. The main purpose of this meeting was to inform the community of the proposed policy process and seek consent and their participation in the policy process in line with the Free Prior and Informed Consent guidelines.
- Community consultation meetings targeting 232 community members (187 males and 45 females) from the four Elgeyo Marakwet regions (Marakwet East, Marakwet West, Keiyo South, Keiyo North). These meetings brought together representatives of all communities living in this county including the Sengwer, Marakwet, Keiyo, Kiptani and Cherengany communities. National institutions- Kenya Forest Service, National Environment Management Authority and the Kenya Water Towers Agency were represented.
- Engagement of a consultant to synthesize and incorporate feedback and proposals from the community consultations into the policy, bill and regulations.
- Establishment of a Technical Working Group (TWG) comprising of representatives of the County Executive, County Assembly, Indigenous Peoples, Local Communities, Kenya Forest Service and Ministry of Environment and Forestry to work with the consultant in refining the draft county forestry conservation and management policy and bill.
- Joint consultative meetings between County Executive Committee on Environment, County Assembly Committee on Physical Planning and Administration of Justice, County Assembly Committee on Environment, forest sector stakeholders and representatives of Ogiek, Kaptani, Sengwer, Cherangany and other local and indigenous communities. The consultative meetings served as a forum for awareness creation on key issues around Embobut and Cherangany forests and alleged violation of the rights of communities living in, residing around or depending on them, and formulation of a lasting solution to these violations. The meetings also served as a platform for:
  - providing feedback on issues raised during other consultation meetings.
  - capacity building of stakeholders within and outside the county on human rights-based approach in forest management and conservation.
  - sharing legislative opportunities for the county on forest conservation and transitional implementation plan in the forest sector, existing opportunities, key challenges and lessons from other counties.
  - deliberation on proposed approach in enhancing community engagement in forest conservation.

The finalized policy, bill and regulations were validated in three stages as follows:

1. An online meeting on 27th May 2020 for indigenous peoples and forest dependent communities led by representatives of the Sengwer in the forest policy, bill and regulation review process for Elgeyo Marakwet County. The meeting was convened by the County Department of Environment, Lands, Water and Natural Resources. This meeting provided an opportunity for Sengwer community representatives who did not participate during the first review of the policy, bill and regulation with TWG to share their views.
2. A Virtual Consultation Meeting on the reviewed forest policy, bill and regulation on 29th May 2020 for Elgeyo Marakwet County led by the Department of Environment, lands, water and Natural resources to find out if the reviewed policy, bill and regulation is addressing the issues raised by communities during the previous series of consultative/dialogue meeting. The virtual consultation was attended by 39 male and 9 female participants including the Governor, County Commissioner, County Assembly Committee on Environment, Committee on Physical Planning and Justice, County Executive Committee Members, KFS officials and representatives of Kenya Water Towers Agency.
3. An online meeting on 28th May 2020 for the 9 female and 22 female members of the Technical Working Group (TWG). The meeting was led by the County Department of Environment, Lands, Water and Natural Resources. It sought to find out if the drafted policy, bill and regulation addressed all the issues raised by communities and TWG during previous consultative/dialogue meetings.

The Sustainable Forest Management and Tree Growing Policy for Elgeyo Marakwet County was handed over officially to the County Government of Elgeyo Marakwet on June 26, 2020, by Mr. Walid Badawi, Resident Representative of UNDP in Kenya and Dr. Chris Kiptoo, Principal Secretary, Ministry of Environment and Forestry. The ceremony was graced by the Cabinet Secretary, Mr. Keriako Tobiko, Cabinet Secretary, Ministry of Environment and Forestry. In attendance were Ms. Esther Koimet, Principal Secretary, Broadcasting and Telecommunications, H.E Alex Tolgos, Governor Elgeyo Marakwet Country, H.E Jackson Mandago, Governor Uasin Gishu County and H.E. Simon Mordue, European Union Ambassador to Kenya.

The goal of this Policy is to provide for sustainable management of forests and trees; ensure respect, protection and fulfilment of human rights in all forestry and tree growing actions; support expansion of forestry on public, private and community land; enhance integration of forestry and tree growing into rural and urban land management; increase soil and biodiversity protection; promote the development of the socio-economic and environmental value of forests and trees; and contribute to the constitutional obligation for Kenya to maintain a minimum national tree cover of ten percent of the land area. The policy is founded on the following principles: right to a clean and healthy environment; sustainable development; mainstreaming of climate change considerations into forestry activities; affirmative action, equity, inclusivity and equality; decentralization of forestry activities to the lowest levels of county government; public consultation and awareness; transparency, accountability and good governance; effective public administration structures; human rights-based approach; integrated planning and resource management; precautionary principle; integrating disaster risk reduction, and good governance.

**Elgeyo Marakwet County**  
**Sustainable Forest Management and Tree Growing Policy**  
**Policy Statements**

1. The County Government will put in place and mainstream the implementation of sustainable land management practices across all land uses on public, private and community land in the County.
2. The County Government will implement measures and programmes to integrate expansion of forests and tree growing on public, private and community land in a sustainable manner.
3. The County Government will put in place and implement mechanisms for integrating water resources management, including water towers, with sustainable management of forests and trees.
4. The County Government will implement a programme for enhancing agriculture land use and soil protection through sustainable agroforestry practices.
5. The County Government will integrate sustainable forestry and tree growing into physical and land use planning and development control processes.
6. The County Government will ensure that mining activities integrate measures to protect and conserve forests, trees and biodiversity.
7. The County Government will ensure the mainstreaming of human rights into forestry and tree growing to ensure sustainability.
8. The County Government will implement the necessary enabling actions, including building resilience, low emissions development and mobilizing climate financing to ensure forestry and tree growing measures, plans and activities are sustainable.
9. The County Government put in place institutional mechanisms to steer sustainable forestry and tree growing, and for mainstreaming of forestry activities in relevant sectoral areas.
10. The County Government will put in place a strengthened implementation framework for effective and efficient deliver, monitoring, evaluation, and reporting on progress on the implementation of this policy.
11. Implement low emissions development programmes that will reduce deforestation and land degradation and contributing to Kenya's GHG reduction targets under NDC and in accordance with the REDD+ strategy.
12. The County Government will undertake a total economic valuation of forestry resources within the County to ensure proper valuation of the forestry resources in the county to ensure sustainable development in the county.

The Elgeyo Marakwet Forest Conservation and Management Bill, once enacted, will provide for a legal and institutional framework for the sustainable management of forest resources and trees outside forests. The Bill proposes measures to ensure respect for, protection and fulfilment of human rights in all forestry and tree growing actions. It provides a framework for the county to implement the provisions of the Constitution and national laws on environment, forest conservation, climate change and land use planning. The Bill will provide mechanisms for expansion of forestry and tree growing on public, private and community land. It will enhance integration of

forestry and tree growing into rural and urban land management, and support to increase soil and biodiversity protection; promote the development of socio-economic and environmental value of forests. Overall, the Bill will provide mechanisms for Elgeyo Marakwet County to contribute to the constitutional obligation for Kenya to maintain a minimum national tree cover of ten percent of the land area, while entrenching public participation in forest conservation and management.

### **Annex 5 – Training of County Executive Committees and Chief Officers on REDD+**

The Council of Governors has been working with the National Government to support Counties to develop and implement Forest Transition Implementation Plans (FTIPs) for the forest-related functions devolved to County Governments by the 4th Schedule to the Constitution of Kenya 2010. The FTIPs require guidelines for implementation and adequate capacity to implement and the Council of Governors requested the support of the REDD+ Project in this regard. These functions were further elaborated in the Gazette Notice No 1 of 2014.

One of the capacity building activities for the CoG was the training of County Directors and Chief Officers responsible for natural resources management and other environment and climate change related functions on REDD+ process in the country. This was to enable them to appreciate their role in disseminating this as a delivery in their respective counties through mainstreaming of REDD+ in their departmental actions plans. This activity was carried out on November 20 – 22, 2019. The overall objective of this activity was to train County Chief Officers on REDD+ and its linkage to forest governance, conservation and management at the County level. Specifically, the activity sought to create awareness and understanding among the County Chief Officers on: i) REDD+ and the UNFCCC Forest, Carbon Sequestration and Climate Change; ii) Drivers of Deforestation and Degradation; iii) Devolved forestry functions (roles, challenges and opportunities); iv) REDD+ National Strategies or Action Plans; v) National Forest Monitoring Systems including Forest Reference Emission Levels (FREL); vi) Safeguards and Safeguard Information systems; vii) Importance of Stakeholder Engagement; viii) REDD+ Finance, and ix) Good Governance in relation to Forestry sector and REDD+.

A total of 55 participants, 11 of whom were female and 44 of whom were male, attended the training. The participants were drawn from COG Secretariat, COG Tourism and Natural Resources Management Committee, 42 County Governments and representatives of Indigenous Peoples and Local Communities. The training was facilitated by representatives of Kenya Forest Service, Ethics and Anti-Corruption Commission, Kenya Forestry Research Institute (KEFRI), University of Nairobi, Karatina University, and the REDD+ technical team. During the training, IPLCs representatives shared and contributed on community perspectives in forest governance, and the need for community's engagement during the management and conservation of the resource.

Following the successful training, the participants agreed on the following next steps, to be led by the Council of Governors:

- Mainstream REDD+ in County planning and budgeting frameworks.
- Organize cascaded trainings on REDD+ for Governors, County Directors for Environment and Forestry, and COG Secretariat.
- Develop a model law on Forestry and REDD+, to serve as a guide for all Counties.
- Develop a REDD+ and forestry benefit sharing mechanism.
- Develop guidelines based on the Forest Act 2016, Forest Policy and National Charcoal Rules 2009.

### **Annex 6 – Multi-Stakeholder Review of the REDD+ Project**

A functional multi-stakeholder engagement is key for successful implementation of the project. During the reporting period, the project held a multi-stakeholder forum to review the project on December 4 – 5, 2019. The

forum was attended by REDD+ stakeholders from National and County governments, including the Ministry of Environment and Forestry, Ministry of Agriculture, Ethics and Anti-Corruption Commission (EACC), Kenya National Commission on Human Rights (KNCHR), National Land Commission (NLC), Kenya Forestry Service (KFS), Kenya Forestry Research Institute (KEFRI), Kenya Water Towers Agency (KwTA), Londiani School of Forestry, County Government of Elgeyo Marakwet, Academia, Civil Society Organization (CSOs) Youth groups representatives and representatives of Indigenous Peoples and Local Communities (IPLCs). During the forum, the stakeholders reviewed the implementation status of FCPF REDD+ Readiness Project implementation and provided feedback on proposed activities for implementation in the year 2020.

During this forum, the stakeholders:

- Identified the need to build the capacity of CSOs working on land, climate change and water and sensitize them on REDD+ and the readiness process in Kenya; and how they can have meaningful engagement in the strategy development.
- Identified the need to review the REDD+ corruption risk assessment which was undertaken in 2013.
- Observed the need to work with academia as part of the stakeholders to enhance competitiveness for REDD+.
- Identified the need to bring in young people (youth) through experiential learning, internship and mentorship to not only increase the demographic footprint of the project but to also infuse innovative, all-inclusive ways of forest conservation and management.
- Noted that the role of private sector is very critical and their visibility and engagement in the development and implementation of the National REDD+ Strategy and investment plan is paramount, and

Identified the need to strengthen community forest associations as platforms for safeguarding forest management in Kenya.

To support the development and implementation of the REDD+ Strategy and Investment Plan, the stakeholders meeting established various technical working groups (TWGs) with representation from the institutions and constituencies as proposed in the project document. The technical working groups formed include: Strategy & Investment Technical Working Group, Knowledge Management, Capacity Building & Stakeholder Engagement Technical Working Group, Safeguards Information System Technical Working Group, Integrity and Governance Team as was in the project document and Gender Technical working group.

As a way forward, the forum tasked the Project Management Unit (PMU) to, following the guidance provided, finalize the Annual Work Plan (AWP) for 2020 and present to the Project Steering Committee for approval. The AWP was approved by the PSC sitting on February 18, 2020.

## **Annex 7 – review of the National Forestry Policy 2016**

The Ministry of Environment and Forestry commissioned the review of the National Forestry Policy 2016. The objective of the assignment is to review National Forestry Policy and key strategic national policies and plans that impact forestry with particular focus on policy, legislative and institutional reforms within the forestry sector. This will entail looking at laws, policies and regulations dealing directly with forestry and those dealing with other sectors related to forests such as land, water, wildlife and climate change. Two virtual stakeholder consultation meetings have been undertaken: with civil society organizations and stakeholders working on climate change and forestry. Further public consultations are underway, with stakeholders called upon, through advertisements in local newspapers and Ministry of Environment and Forestry website, to provide memoranda on the policy.

Review of the National Forest Policy, 2016 is being undertaken through the following interrelated steps:

1. Analysis of the Constitution – This will involve analysis of the constitutional approaches to forestry sector policy formulation, including socio-economic rights, sustainable development, local community rights, transparency in decision making, land and forest tenure, forest governance, role of science, indigenous knowledge, education and research.

2. Review of International and Regional Treaties and Conventions – This will involve review of Kenya’s international and regional obligations relating to forest conservation and management drawn from international and regional agreements.
3. Review of National Laws and Policies – This will involve review of national laws and policies related to forests. More specifically, she will review the 2015 Draft National Forest Policy and other key strategic national policies and plans that impact forestry with particular focus on their implications for policy, legislative and institutional reforms within the forestry sector. Examples of these laws and policies include: The Forest Conservation and Management Act, 2016; the Climate Change Act, 2016; The Wildlife Conservation and Management Act 2013; the Physical Planning Act 2019; the Environment Management and Coordination Act 2015; the Water Act 2016; the National Land Use Policy; the Land Act; the Community Land Act; the National Climate Change Framework Policy, 2018.
4. Review Implications of Devolution on Forest Conservation and Management – This will involve looking at the implications of devolution on forestry sector management, and the need for coordination and enhanced collaboration in forestry governance. Article 1 of the Constitution provides that sovereignty belongs to the People of Kenya and is exercised at national and county level. The Fourth Schedule of the Constitution of Kenya delineates functions of each level of government by creating three types of jurisdiction: exclusive, residual and concurrent. Importantly, the two levels of government are distinct and interdependent and should conduct their mutual relations through consultation and cooperation. The national state agencies are required to devolve their services to the lowest possible units. This applies to national agencies in the forestry sector. Article 189 provides for the relationship of the two levels of governments and requires the two levels of government to respect the functional and institutional integrity, constitutional status and institutions of each of the government in exercising their functions. The governments should liaise with each other in exchange of information, policy implementation and administration. The governments may set up joint committees and authorities and cooperate in their respective function. The requirement to cooperate goes beyond the national government and county government and covers relationships between the counties. Where forests traverse counties, there is need for cooperation to ensure sustainable management.
5. Identify Policy Approaches to social, Economic and Environmental Benefits of Forests – This will involve consideration of policy approaches that optimize social, economic and environmental benefits and their application to the forestry sector
6. Assess the relationship between interventions to stem Climate Change and Sustainable Forest Management - This will involve assessment of climate change impacts, threats, vulnerabilities and review of how the national climate change law and policy frameworks impacts on forest conservation.
7. Identify Incentives and other Measures necessary for Private Sector Investment in the forestry Sector - This will involve exploration of incentives needed to attract significant private sector investment and catalyze and scale-up long-term private sector investment in forestry sector to close the gap in financing the national forest restoration program through.
8. Explore Feasibility and Operationalization of Public-Private Partnerships in the Forestry Sector – This will involve assessment of how public sector investments in forestry can generate larger benefits for private sector actors especially in commercial ventures through aligning the current institutional resources to serve private sector actors. This will be done alongside identification of public and private investment needs in the forestry sector including mechanisms and sources of financing the implementation of the policy.
9. Identify Incentive Mechanisms for Sustainable Forest Management – This will involve definition of benefit sharing, including conventional and innovative options such as payment for ecosystem services and climate financing to attract private sector investment in forestry and promote community participation in the management of public and community forests.
10. Identify Mechanisms for Sustainable Management of Protected Areas and Vulnerable Ecosystems – This will involve outlining specific policy requirements for the management of protected areas and vulnerable ecosystems in the context of the risk of conversion to other land uses and the overall aim of enhancing their contribution to provision of ecological services.
11. Explore Utility of Management Planning, Oversight and Monitoring for Sustainable Forest Management – This will involve examination of the utility of forest management planning, including the process of preparation, oversight, and monitoring and propose mechanisms for ensuring harmonization of forest management planning with physical planning and development planning of lands contiguous to, or adjacent to forests.



12. Review of decision-making structures, responsibilities and mechanisms – This will involve review of existing decision-making structures, responsibilities and mechanisms related to planning, implementing, and/or financing forestry and examine current institutional challenges for forest management with a view to identifying proposals for effective implementation of policy frameworks and measure for addressing them.
13. Review Current Conflict Management and Dispute Resolution Mechanisms in the Forestry Sector – This will involve review of existing conflict management and dispute resolution mechanisms and institutional arrangements in the forestry sector and propose applicable systems compatible with the Constitution.
14. Review systems of Public Access to Information held by Forestry Agencies – This will involve review of systems of public access to information held by forestry agencies and propose mechanisms for ensuring compliance with the Constitution.
15. Review Ongoing Research and Uptake of Forestry Research Results – This will involve propose mechanisms for enhancing the alignment between forestry research institutions, forestry management agencies and communities for better uptake of research results.
16. Align National Forest Policy with Green Economy and Sustainable Development Vision – This will involve working with national and subnational stakeholders to re-define the objectives and vision of the policy to align it with the Green Economy and Sustainable Development Goals.
17. Planning and Organizing National and Regional Consultation Workshops on the Draft Forest Policy – This will involve planning and organizing national and regional consultations with a view to capturing new and emerging issues that require policy articulation and getting concurrence on the policy.
18. Guide the Development of the National Forest Policy and amendment of the 2016 Act – This will involve guiding the development of the National Forest Policy and amendment of the Forest Conservation and Management Act 2016.

## Photo Gallery



*Plate 1: UNDP Kenya Resident Representative addressing community members during the launch of the Elgeyo Marakwet County Sustainable Forest Management and Tree Growing Policy, bill and regulations; Photo credit – REDD+ Readiness Project Communications*



*Plate 2: UNDP Kenya Resident Representative and Elgeyo Marakwet Governor during the launch of Elgeyo Marakwet County Sustainable Forest Management and Tree Growing Policy, bill and regulations; Photo credit – REDD+ Readiness Project Communications*



*Plate 3: Delegates working in groups during the REDD+ Academy; Photo credit – REDD+ Readiness Project Communications*





Plate 4: Inter-County Dialogue on awareness and implementation of the GCF Indigenous Peoples Policy; Photo credit – REDD+ Readiness Project Communications



Plate 5: National Land Commission and REDD+ Team debriefing meeting; Photo credit – REDD+ Readiness Project Communications