



REPUBLIC OF KENYA

MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES

THE NATIONAL WILDLIFE CONSERVATION AND MANAGEMENT POLICY

APRIL 2017

FOREWORD

The assent of Sessional Paper No. 3 on the “Statement on the Future of Wildlife Management Policy in Kenya” in 1975 was a major innovation in the sector. It brought policy changes that allowed for the integration of wildlife management; recognition of both community and private participation; centralization of the administrative machinery; and maximization of the economic value of wildlife resources in Kenya. However, subsequent challenges necessitated further policy adjustments to deal with chronic issues within the wildlife sector such as increase in human-wildlife conflicts, challenges in achieving an integrated wildlife management approach, and increased poaching and loss of wildlife species.

To address these challenges, continued efforts to develop a new policy and legal framework persisted. These efforts were given urgency by the promulgation of a new Constitution in 2010 leading to the enactment of the Wildlife Conservation and Management Act, 2013 that forms the background for the current review of the Wildlife Policy. The implementation of the Wildlife Conservation and Management Act, 2013 witnessed significant changes in the structure and form of the wildlife sector in Kenya. The Act recognizes the constitutional reality of three tenure systems. It also includes provisions dealing with conservancies both on community and private lands as well as provisions on benefit sharing. These two issues require further elaboration in a policy.

Other policy issues have arisen since including (i) the accelerating loss of wildlife populations, degradation and fragmentation of habitats, and loss of ecosystem functions; (ii) effects of climate change, the spread of invasive species, and outbreaks of epizootic diseases; advances in science of wildlife conservation; and (iii) lack of coordinated enactment of sectoral policies in natural resource governance.

Emerging opportunities exist in wildlife as a land use by promoting participatory land-use planning in wildlife corridors and dispersal areas in community and private land. Other opportunities include innovative benefit-sharing and conflict resolution mechanisms, and engaging in social contracts with communities to increase space for wildlife with shared liabilities.

This National Wildlife Conservation and Management Policy, 2017 is a reflection of the aspiration of all stakeholders, who were actively involved in the formulation and review processes. Considering the practical nature of this policy, support, partnerships, investments and technology innovations are required for its implementation, monitoring and evaluation.

We welcome and invite all actors at the community, county, national and international levels to join us in addressing all the policy issues and help achieve a sustainable conservation and management of wildlife in Kenya.

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List of acronyms and abbreviation

CAK: Conservation Alliance of Kenya
CBO: Community-Based Organisation
CBD: United Nations Convention on Biological Diversity
CMS: Convention on Migratory Species
CoG: Council of Governors
CITES: Convention on International Trade in Endangered Species of Wild Flora and Fauna
CWCCC: County Wildlife Conservation and Compensation Committee
DPP: Directorate of Public Prosecution
EIA: Environmental Impact assessment
FAO: Food and Agriculture Organization of the United Nations
HWC: Human Wildlife Conflict
IAS: Invasive Alien Species
ICZM: International Integrated Coastal Zone Management
IUCN: International Union for the Conservation of Nature and Natural Resources
KEMFRI: Kenya Marine & Fisheries Research Institute
KFS: Kenya Forest Service
KTB: Kenya Tourist Board
KWS: Kenya Wildlife Service
KWSTI: Kenya Wildlife Service Training Institute
KWCA: Kenya Wildlife Conservation Alliance
MEA: Multi-lateral Environmental Agreement
MoDP: Ministry of Devolution and Planning
MoENR: Ministry of Environment and Natural Resources
MPA: Marine Protected Area
MTP: Medium Term Plan
NEMA: National Environment Management Authority
NMK: National Museums of Kenya
PAs: Protected Areas System
PES: Payment for Ecosystem Services
SDG: Sustainable Development Goals
TRA: Tourism Regulation Authority
TTRA: Taita Taveta Ranchers Association
WRMA: Water Resources Management Authority

1. Introduction

1.1 Background

1.1.1 Wildlife is a public resource found in public, communal and private land. Kenya has some of the finest populations of wildlife and birdlife in Africa, from charismatic species such as elephants and rhinos to small antelopes, fish, insects and plants. Its habitats and ecosystems are equally varied and abundant. These natural endowments represent Kenya's biological diversity and play a significant role in the development and growth of the national economy through nature based tourism.

1.1.2 Combined with beaches of the Kenya coast, our rich biodiversity define Kenya's global competitiveness, especially in the tourism sector. One of the country's most important national goals therefore is to conserve its biodiversity – the entire range of indigenous animals, plants, microorganisms, habitats and ecosystems.

1.1.3 Wildlife habitats also serve as key watersheds and provide ecosystem goods and services in the country, such as carbon sequestration. Protected Areas are of particular importance as wildlife habitats, and constitute the cornerstone of Kenya's wildlife conservation strategy.

1.1.4 Wildlife in Kenya is a unique natural capital under severe threat and may be lost forever if we fail to purposefully address the drivers and pressures causing the decline. This is of great concern since the country has experienced losses in biodiversity based on land use change in natural habitats overtime. Understanding the drivers causing the losses as well as the threats and pressures is critical to development of interventions for reversing or halting negative changes and for managing impacts.

1.1.5 The Sustainable Development Goal (SDG) 15 is devoted to “protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss”. This provides us with a global platform for wildlife conservation policy in Kenya.

1.1.6 Whilst the Sessional Paper No. 3 of 1975 on Wildlife Policy focused on conservation and protection measures, it is imperative that future policies complement this by addressing drivers and pressures of wildlife loss.

1.1.7 Although Protected Areas (national parks, national reserves and national sanctuaries) set up around representative ecosystems and species has been the cornerstone of Kenya's conservation strategy; due to diminishing wildlife space, sustainable conservation and management of wildlife will require establishment of more sanctuaries and conservation areas on private and community lands. This would be possible if the contribution of wildlife resources to livelihoods, cultural and spiritual use is optimised.

1.2 Historical perspective

1.2.1 Wildlife conservation dates back to 1898 when the law controlling hunting was first enacted immediately after Kenya became a British Protectorate. These laws regulated hunting, hunting methods and trade in wildlife with some endangered species being fully protected.

1.2.2 In 1907 the British Government established the Game Department to administer the Game Reserves, enforce the hunting regulations and protect settler farmer communities' property and crops from wildlife.

1.2.3 The 1921 Game Ordinance outlawed lions and buffaloes, which were perceived by settler farmers as vermin, from European lands but not from native areas. Hunting license fees for settler farmers were also reduced.

1.2.4 The 1928 Game Ordinance made it illegal for landowners to conserve game if it was a nuisance to his neighbours. It also prohibited the capture of game or hunting on private land without the consent of the owner or occupier of such land. The colonial administration thus released the control of game on settler lands but not on native lands. In this way, colonial wildlife policies undermined native exercise of their rights to the land they occupied since cultivated pieces were prone to depredations by wildlife and the natives could not ward off these menaces legally.

1.2.5 The 1933 Game (Amendment) Ordinance sought to deal with the growing problem of poaching and smuggling of trophies by increasing game officials. Honorary game wardens who had been appointed as early as 1925 to assist primary game wardens were increased and assistant game rangers also appointed.

1.2.6 In 1937, amendments were made to the existing legislation on wildlife, aimed at tightening restriction on hunting, reducing poaching and to deal with the hunting of animals through the use of automobiles and airplanes. This legislation made the conditions for hunting by settlers of animals destroying their crops more stringent and increased regulation on capturing of animals.

1.2.7 The Royal National Parks of Kenya Ordinance, 1945 signalled a shift in colonial conservation policy from protection through hunting legislation to preservation through land protection as a response to increase in human and livestock populations. Further steps were taken *vide* the 1951 Wild Animals Protection Ordinance, which proscribed hunting without licenses permits. The 1951 Ordinance was amended in 1957. The new law made provision for increased penalties for poaching, the empowerment of local councils to pass by-laws to control games and the creation of controlled areas in African land units.

1.2.8 The advent of colonialism brought with it a change in the manner land and resources on land were managed. From a communal and sustainable utilisation approach, there was a drive towards private ownership and enhanced exploitation. While the demand for wild products started even before the advent of colonialism with the commencement of trade by the Arabs, Persians and Indians, imposition of colonial rule and arrival of European hunters exacerbated the demand. This called for the development of dedicated legal and policy framework governing wildlife resources.

1.2.9 The first wildlife policy in post colonial Kenya was the "Sessional Paper No. 3 of 1975 entitled *"A Statement on Future Wildlife Management Policy in Kenya."* The new changes in policy included the call for:

- (i) Integrated wildlife management;

- (ii) Recognition of both community and private participation in wildlife management;
- (iii) The centralization of the administrative machinery for wildlife management; and
- (iv) The maximization of the economic value of wildlife resources in Kenya.

Sessional Paper No. 3 was translated in 1976, into the Wildlife (Conservation and Management) Act, Cap 376 Laws of Kenya.

1.2.10 By the mid-eighties it had become clear that further policy adjustments were necessary to deal with chronic issues within the wildlife sector such as: (i) increase in wildlife-human conflicts (ii) the failure by the Government to achieve an integrated wildlife management approach; and (iii) increased poaching and loss of wildlife species within protected areas.

1.2.11 As a result, the Wildlife (Conservation and Management) Act, Cap 376 was amended in 1989, *vide* the Wildlife (Conservation and Management) (Amendment) Act, 16 of 1989, which established the Kenya Wildlife Service (KWS).

1.2.12 Constitution of Kenya, promulgated in 2010, and imperatives in wildlife management—in actualizing the provision, a new wildlife act was enacted in 2013, not based on a Sessional Paper.

1.2.13 Aside the regulatory framework on wildlife conservation and management as reviewed above, it is important to note that some Kenyan communities have lived amongst, and used, wildlife resources since time immemorial without formal policy and legislation. These communities ensured conservation of the wildlife resource through cultural and social bonds, and traditional practices. Sacred beliefs centred on certain wildlife species ensured that conservation principles became part of their way of life.

1.3 Policies and legislations with implications to wildlife conservation and management in Kenya

1.3.1 Kenya is a state party to several international Conventions. As per the constitution, they form part of Kenyan law once ratified. This policy draws from these international conventions. The key ones for wildlife management include:

- (i) the Convention of Biological Diversity with its protocols on Cartagena and Nagoya;
- (ii) The Ramsar Convention on Wetlands of international Importance especially as waterfowl habitats;
- (iii) Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- (iv) The Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora;
- (v) African Convention on Conservation of Nature and Natural Resources; and
- (vi) the EAC Treaty especially the provisions on wildlife Conservation.

1.3.2 The policy must compliment the National Land Policy, 2009 and the National Environmental Policy, 2013.

1.3.3 While the Wildlife Act remains the principal legislation; the other sectorial laws also have a bearing on wildlife management. These include:

- (i) Climate Change Act, 2016
- (ii) Community Land Act, 2016;
- (iii) Environmental Management and Coordination Act, 2009; and Environmental Management Coordination (Amendment) Act 2015;
- (iv) Land Act;
- (v) Fisheries Management and Development Act (2016);
- (vi) Forest (Conservation and Management,) Act, 2016;
- (vii) Mining Act, 2016;
- (viii) Natural Resources (Classes of Transactions Subject to Ratification), Act, 2016;
- (ix) Protection of Traditional Knowledge and Traditional Cultural Expressions Act, 2016; and
- (x) Water Act, 2016.

1.4 Policy formulation process

1.4.1 In developing this Policy, the Ministry of Environment and Natural Resources pursued a consultative approach that involved a series of interviews, discussion forums and workshops in order to reach consensus on issues, their manifestation, linkages and policy interventions. Some of the stakeholders consulted included the CAK, CoG, CWCCC, DPP, KTB, KWCA, KWS, MoDP, NEMA, NMK, TRA, TTRA and WRMA. Relevant documents reviewed included but not limited to Constitution of Kenya 2010; Kenya Vision 2030; Second Medium Term Plan (MTP II), Sustainable Development Goals (SDGs) framework 2015; Aichi Biodiversity Targets; National Land Policy, 2009; the National Environmental Policy, 2013; Climate change Act 2016, Community land Act, Forest (Conservation and Management,) Act, 2016; the Water Act, 2016; the Fisheries Management and Development Act (2016); the Mining Act, 2016; the Natural Resources (Classes of Transactions Subject to Ratification), Act, 2016; the Protection of Traditional Knowledge and Traditional Cultural Expressions Act, 2016; Wildlife Conservation and Management Act, 2013; Wildlife Conservation and Management Amendment Bill (2016); and National Climate Change Action Plan 2013-2017.

2. SITUATIONAL ANALYSIS

2.1 The country holds an incredibly rich and unique flora and fauna that forms the wealth of species that contributes to the wellbeing of the Kenyan people (Sustainable Development Goal (SDG) 3) while attracting visitors to the country hence contributing to the economic growth of the country (SDG 8).

2.2 Kenya has 12.4% of its land under Protected Area system and less than 0.1% of the coastal and marine area. There are 5 Important Bird and Biodiversity Areas (IBAs) in

danger with no protection. The country is therefore yet to meet the Aichi Biodiversity Target 11 of 17% of terrestrial and inland water areas, and 10% of coastal and marine areas to be under the protected area system.

2.3 The protected areas dedicated to wildlife protection in Kenya provide carbon storage of 241 Mt, a key contribution to the country's climate action (SDG 13).

2.3 Kenya's mega fauna has declined on average by 68% in the last 40 years alone, most decline occurring outside gazetted Protected Areas. 33 mammalian, 28 avian and 356 plant species in Kenya are under severe threat of extinction. This is of great concern since the country has experienced an estimated 14% loss in biodiversity based on land use change of intact natural habitats since the year 2000.

2.4 Habitat conversion and competition from livestock for pasture and water pose immense threat to wildlife in Kenya. This has led to habitat loss, fragmentation and degradation associated with the land use changes, hence has denied space for wildlife. Large areas previously available to wildlife have been subdivided and converted to settlements or to other land uses not compatible with wildlife such as agriculture. In addition; livestock grazing through the removal of biomass, trampling and destruction of root systems, and replacement of wild grazers; affects rangeland biodiversity.

2.5 Major infrastructure development fragments wildlife habitats, or may block corridors. The majority of wildlife population (over 70%) in the country occurs outside of protected area system (DRSRS, 2015). However, protected areas are also generally isolated and too small to supply the year-round requirements, or ensure the long-term viability of their current wildlife populations without seasonal or year- round access to the neighbouring rangelands.

2.6 Inland waters show extensive loss of wetlands, threatening sustainability of water dependent species. A major source of threat to these habitats is over-exploitation of resources through water abstraction, fisheries, timber and plant products utilization. Consequences include habitat degradation, biodiversity loss, loss of breeding space and hydrological changes.

2.7 Drainage and reclamation of wetlands for agricultural development, human settlement and industrial development is one of the biggest threats to wetland habitats, hence to conservation and management of wetland dependent species.

2.8 Coastal and marine ecosystems are threatened by rapid land use changes that include clearing and conversion to other land uses such as agriculture, aquaculture, urban development, tourism, salt production and large scale infrastructure development for ports and shipping activities. These lead to loss of breeding areas for a number of species including turtles, and habitats for fishes, birds and invertebrates of fisheries importance.

2.9 Climate change has huge consequences for both natural and social-ecological systems in Kenya. It is manifested in Kenya by declining rainfall and rise in the minimum maximum temperatures. The browning trends in vegetation condition in the rangelands have been partly attributed to climate change, and are a strong signal of progressive degradation and loss of these critical wildlife habitats.

2.10 In the seascape, nearshore habitats such as estuaries and coral reefs have been affected by climate change through sea-level rise and coastal erosion. This is due to the influence on precipitation and hydrology in coastal watershed that lead to increase in freshwater and sediment discharge into the ocean. The impacts are decrease in nearshore biodiversity, loss of protection and nursery function, coral bleaching and decline in turtle nesting, etc.

2.11 Wildlife insecurity in Kenya is characterized by (i) international trade in trophies and meat, (ii) commercial poaching for bushmeat, (iii) illegal trade in plants, and (iv) illegal bioprospecting and biopiracy. Illegal killing of elephants and rhinos for export trade in ivory and rhino horn represents one of the key threats to Kenya's wildlife. Commercial poaching for bushmeat has been reported to have escalated to level where it is posing danger to species survival as well as affecting tourism in key protected areas. This poaching type occurs both in protected and non-protected areas and has grown into a multi-million shilling industry

2.12 Incidences and severity of conflicts between human and wildlife have escalated in recent years. This may be attributed to increasing loss of wildlife space as regards corridors, migratory routes and competition for resources with livestock. Also, increase in unplanned settlements and expansion of crop cultivation into the rangelands has increased contacts between people and wildlife. Decline in large herbivores has led to a decline in prey species for many predators potentially contributing to livestock depredation.

2.13 Kenya's population is expected to double from 38.9 billion in 2009 to 77 billion people in 2030. The demographic, social and economic landscape is also changing with devolved system of governance accelerating urbanisation and development processes across the country. Urbanization is a major driver of socio-environment activities altering ecosystems. There will be increased demand for food, water and energy. Together will unplanned settlements; there will be an increase in resource overuse, further encroachment in wildlife areas, HWC incidences, and degradation of wildlife habitats. The impact on wildlife populations will be negative. Anticipated increase in consumption will lead to higher pollution loads affecting inland waters and marine ecosystems.

2.14 Cultural practices in some societies living with wildlife have exhibited values, beliefs and norms that preserve biodiversity and ecosystems. Moreover, local indigenous knowledge held by communities plays an important role in conservation. This has led to many communities living with wildlife to set up Community Wildlife Conservancies hence giving space to wildlife. Hence, tremendously increasing area under wildlife protection. However, cultural dilution and transformations is a threat to wildlife and their habitats.

3. GOALS, OBJECTIVES AND GUIDING PRINCIPLES

3.1 Policy Goals

The goals of this policy is the sustainable management of Kenya's wildlife resources

through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes in order to provide for the social, economic, ecological, cultural and spiritual needs of present and future generations; contribute to the sustainable development of the country; and enhance the quality of human life.

3.2 Policy Objectives

To achieve the above aims, the government will pursue the following mutually reinforcing objectives to:

3.2.1 develop a coordinated framework for wildlife management taking into account other sectoral policies and the roles of various agencies;

3.2.2 conserve wildlife resources in national parks, national reserves and national sanctuaries in an effective and equitable manner;

3.2.3 ensure maintenance and enhancement of ecological integrity of wildlife and their habitats through the integration of private and community lands into protected area systems;

3.2.4 harness the contribution of wildlife resources into the national economy and enhance the benefits to all; and

3.2.5 enhance policy implementation through participatory planning, research, knowledge management and capacity building.

3.3 Guiding Principles

3.3.1 Guiding principles and values

The overarching principles, which have informed the formulation of this policy statement and will guide its implementation, are:

- a. *Benefits sharing*: Where benefit accrues from wildlife conservation and management, the people of Kenya will share these equitably as per existing laws, regulations and guidelines.
- b. *Ecosystem approach*: Wildlife resources must be managed as a key component of complex ecological systems, with the maintenance of ecosystem functions and ecological processes as a critical objective. The ecosystem-based approach assumes that all management decisions will explicitly account for the impact of those interventions on ecological patterns and processes at the landscape scale.
- c. *Equity*: The management of wildlife resources will ensure equitable access to the resources for present and future generations.
- d. *Evidence-based management*: policy formulation and implementation must be based, to the maximum extent possible; on tangible evidence and information, including scientific data, results of scientific research, and popular or grassroots knowledge as the basis of decision-making.

- e. *Inter-and Intra-generational equity*: patterns of wildlife use and management will ensure that there is equitable access to wildlife goods and services, for the present and future generations.
- f. *International Cooperation*: MEAs and regional instruments will be domesticated and implemented cooperatively for better conservation and management of wildlife resources.
- g. *Policy Integration*: wildlife conservation and management, as of all other areas of human development and natural capital management, is a complex process that must recognise the multiple functions and uses of wildlife, and must ensure that all decision-making is integrated and multi-disciplinary. This will require the wildlife policy to be linked to, and harmonised as far as is possible with, other relevant policy areas and instruments.
- a. *Precautionary principle*: in cases where there is a lack of scientific certainty as to the likelihood, magnitude, or causation of a potentially negative environmental impact, the course, or courses, of action taken will avoid serious or irreversible potential harm and allow for other potential future options.
- b. *Public participation*: the costs, benefits and responsibility for wildlife management must be shared among all stakeholders, who share in the management of the resources and the right to participate in decision-making. The value systems, interests and priorities of all stakeholders must therefore be understood and respected.
- c. *Subsidiarity*: action should be taken, and responsibility should be delegated to, the most effective and appropriate level of governance (e.g. community, county, national). Consequently the policy seeks to ensure that the roles of county and community level institutions are recognized and promoted.
- d. *Sustainability and carrying capacity*: all forms of resource use and patterns of development must remain within the capacity of specific ecosystems, and of the country as a whole, to support and maintain these activities indefinitely.
- e. *Total economic value*: the tangible and intangible (cultural, spiritual) value of wildlife resources, and the goods and services they provide, are an important national and global heritage and must be recognised by all, and be taken into account in the design and implementation of management arrangements.
- f. *Wildlife as a land use*: Wildlife conservation and management shall be encouraged and recognized as a form of land use on public, community and private land. In exercising that form of land use, the land user in order to offset costs and to ensure the value, shall derive benefits and ensure management of wildlife do not lead to decline.

4.0 Justification and Rationale

The wildlife conservation and management policy is required to guide implementation of the national and international development focus such as the constitution, Vision

2030, Aichi Biodiversity Targets, and Sustainable Development Goals. It is necessary to address threats to wildlife decline and put measures for sustainable management of the resource for the benefit of the people of Kenya.

This policy is aimed at developing a solid foundation to secure wildlife and organise the wildlife sector. The main emphasis of this policy will be on finding means to secure optimum returns from the wildlife resource and to ensure equitable sharing of the accruing benefits, consistent with the aims of the Sustainable Development Goal 15, Convention on Biological Diversity and with the obligations of the Constitution.

5. POLICY ISSUES AND STATEMENTS

5.1 Institutional Architecture in Wildlife Conservation and Management

There are a number of institutions involved with wildlife management. These institutions face challenges in trying to manage and conserve wildlife given their different mandates and sectoral interests, leading to limited harmony in managing wildlife resources.

Policy statement

To address institutional challenges in wildlife conservation and management, the government shall:

- a. develop a coordinated framework for ensuring discharge of mandates of the various institutions;*
- b. provide a clear link between national and county governments in the management of wildlife resources;*
- c. establish a wildlife sector coordination unit in the Ministry responsible for wildlife conservation and management;*
- d. establish a National Government Agency to implement this policy;*
- e. establish an institution focussed on wildlife research and training;*
- f. develop a coordinated framework for collaboration with relevant government agencies and other stakeholders for management of wildlife resources in shared ecosystems;*
- g. harness the contribution of civil society, communities and private sector for management of the wildlife resources;*
- h. synchronise wildlife policy and obligations with other sectoral policies impacting on wildlife management;*
- i. review and amend the wildlife regulation mechanisms;*
- j. assign adequate and regular budgetary allocation to all institutions managing wildlife resources; and*
- k. develop or adopt appropriate mechanism to allow appropriate entities (e.g. NMK, universities) to function as CITES Scientific Authorities.*

5.2 Wildlife Conservation and Management in National Parks, National Reserves and National Sanctuaries

Wildlife has traditionally been managed through gazettement of national parks, national reserves and national sanctuaries. The Protected Areas are of particular importance for the protection of biodiversity and ecosystems, and constitute the cornerstone of Kenya's wildlife conservation strategy. Establishment of sanctuaries and conservation areas on private and community lands should be promoted as other effective area-based conservation measure in conformity with the Aichi Biodiversity Target 11. These areas are central to tourism industry and protection of biodiversity. However, protected areas are under increasing pressure from anthropogenic factors leading to loss of migratory routes and connectivity with dispersal areas. Ways must be found to better conserve and manage wildlife habitats that ensure the maintenance of genetic diversity, demographic connectivity natural colonisation and dispersal processes.

Policy statement

To address these challenges of protected areas (PAs), the government shall:

- a. develop an effective mechanism for sharing benefits including revenue between the national and county governments, and communities living adjacent to PAs;*
- b. prevent or mitigate against threats posed to native wildlife by planned and unplanned physical development in important wildlife habitats including in designated protected areas;*
- c. establish clear boundaries and titling of PAs;*
- d. ensure the highest level of protection possible to habitats containing viable representative populations of critically endangered, endangered, vulnerable, or near threatened species through their declaration as a Protected Area, as appropriate;*
- e. strengthen the landscape and seascape management approach to national parks, national reserves and national sanctuaries through innovative linking of the landscape such as gazettement of wildlife migratory corridors linking dispersal areas with protected areas;*
- f. determine and enforce carrying capacities of wildlife habitats in the protected areas to maintain viable and representative populations of wildlife species;*
- g. rehabilitate and restore wildlife habitats, including in threatened, sensitive or critical areas and degraded areas in the protected areas;*
- h. develop, gazette and implement approved PAs management plans, through participatory processes;*
- i. develop a Marine Protected Area (MPA) strategy in line with the national and international integrated coastal zone management (ICZM) strategy;*
- j. develop coastal and marine related disaster action plans; and*

- k. promote closer regional cooperation in the conservation and management of transboundary ecosystems and migratory species.*

5.3 Wildlife Conservation and Management on Private and Community Lands

Wildlife resources in Kenya are found in gazetted protected areas (national parks, national reserves and national sanctuaries) but also within private and community lands. This restrains wildlife space and causes human wildlife conflict. It also elicits issues of sharing of benefits and compensation. Further, landowners may lack knowledge on their rights to benefits from wildlife resources within their jurisdiction.

Policy statement

In order to address the above challenges, the government shall:

- a. integrate existing and proposed national and counties spatial plans to incorporate wildlife as a land use;*
- b. develop county land use maps which clearly demarcate wildlife habitats and migratory routes to mitigate potential encroachment into wildlife land use;*
- c. give priority to the establishment and protection of wildlife migratory corridors and routes that ensure critical wildlife habitats are conserved for the maintenance of wildlife populations, and which are explicitly designed to maintain genetic and ecological connectivity between these wildlife populations;*
- d. support landowners and communities to set aside wildlife conservation areas and sanctuaries within the framework of approved land use plan of the area;*
- e. support the development and implementation of approved management plans that incorporate multiple and compatible land use practises through participatory processes;*
- f. ensure that where habitats important for critically endangered, endangered, vulnerable, or near threatened species occur on community or private lands, that joint management plans are developed with landowners for the protection of these habitats, and where no agreement can be reached, as a last resort undertake compulsory acquisition of such habitats subject to payment of prompt and adequate compensation as required by the Constitution and legislation governing land;*
- g. provide adequate incentives to support landowners, local communities and other stakeholders to invest in wildlife conservation and management;*
- h. promote captive breeding and artificial propagation programmes for native wildlife, particularly for endemic species consistent with the regulatory system established for the possession of wildlife;*
- i. encourage wildlife farming of designated species, and development of a system of certification, monitoring, and regulation for wildlife farms and wildlife meat shops to ensure such farming does not lead to trafficking of wild caught game including the use of genetic testing to determine identity;*

- j. ensure sharing of revenue and non-revenue benefits accruing from wildlife resources among national and county governments, land owners, local communities and other stakeholders investing in wildlife conservation and management;*
- k. support conservation education, public awareness and capacity building, in order to foster wildlife conservation and change of attitudes amongst local communities, schools and other interested groups;*
- l. develop public awareness and long-term education programmes specifically relevant to wildlife species and their habitats, that aim to increase public knowledge, support and participation in the national wildlife conservation and management programme while providing inter-generational knowledge base;*
- m. prevent or mitigate against threats posed to native wildlife by planned and unplanned physical development in important wildlife habitats including areas important as wildlife corridors; and*
- n. develop mechanism to ensure that ecosystem valuation supplements future use of environmental tools such as Environmental Impact Assessments (EIAs) in wildlife habitats to provide more information before development approvals.*

5.4 Wildlife Contribution to the Economy

Wildlife resources contribute to substantial proportion of tourism earnings since most tourists come first and foremost to view wildlife, the country being host to some of the most charismatic and diverse native species. Traditionally, wildlife has been seen through the lens of tourism without considering other benefits associated with it. This has led to inadequate investments in the conservation, management and utilization of wildlife resources. Further, the law currently provide exchequer appropriation only for recurrent expenditures and contingent liabilities. Maintaining healthy wildlife populations, recovering endangered species, and restoring impaired ecosystems all require significant funding. Critically, the economic value of wildlife in Kenya remains unknown yet wildlife as a land use can favourably compete with other land uses and significantly contribute to the GDP of the country.

Policy statement

In order to harness contribution of wildlife to the national economy for national development, the government shall:

- a. designate wildlife as a strategic resource and allocate adequate funding from the national budget for sustainable conservation and management of this natural capital through the consolidated fund;*
- b. promote retention of benefits generated from wildlife utilization for the purpose of developing and management of conservation areas;*
- c. establish and manage a wildlife endowment fund to promote wildlife conservation and management;*
- d. Promote wildlife based public private partnerships to enhance income generation and improvement of livelihood in the rural areas;*

- e. Promote sustainable consumptive and non-consumptive utilization of wildlife resources;*
- f. Promote wildlife farming and ranching as an agricultural activity;*
- g. develop and harmonise mechanisms for determining conservation fees to be charged for protected area access;*
- h. develop economic modalities for appropriate economic instruments, including payment of ecosystem services (PES), to support the conservation of important wildlife areas (habitats, dispersal, migratory routes);*
- i. Promote the use of recreational resources including rock climbing, hiking and bird watching; and*
- j. ensure an economic valuation of all wildlife resources in Kenya for inclusion into the national income accounting for better planning and national development.*

5.5 Cross Cutting Issues Impacting Wildlife Conservation and Management

5.5.1 Climate Change

The impact of climate change is likely to amplify negative effects on wildlife populations due to land use and cover changes, and competition by livestock for diminishing resources in their habitats. In the seascape, the impacts include decrease in nearshore biodiversity, loss of protection and nursery function, coral bleaching and decline in turtle nesting, etc.

Policy Statement

In order to address wildlife management and conservation challenges due to climate change, the government shall:

- a. develop mechanism to ensure that management programmes for wildlife habitats and wildlife species are explicitly designed for maintenance of viable populations in the face of the impacts of climate change and widening variability; and*
- b. identify, protect and manage wildlife habitats providing key ecological services, including areas that are:*
 - i. critically important watersheds and freshwater habitats including riverine ecosystems;*
 - ii. important for soil conservation and prevention of land degradation (e.g. steep slopes);*
 - iii. protecting land vulnerable to natural disasters;*
 - iv. providing coastal protection (e.g. coastal mangroves, marshes and estuaries);*
 - v. providing protection for sensitive ecosystems (e.g. coastal wetlands protecting reefs, sea-grass beds and fish spawning grounds);*
 - vi. important in climate regulation.*

5.5.2 Wildlife Security (illegal trade and other wildlife crimes)

Wildlife insecurity in Kenya is characterized by international trade in trophies and meat, commercial poaching for bushmeat, illegal trade in plants, and illegal bioprospecting and biopiracy. Poaching and illegal wildlife trafficking (i) undermines the livelihoods of natural resource dependent communities; (ii) damages the health of the ecosystems they depend on, and (iii) the criminal activity and corruption associated with trafficking restricts the potential for sustainable investment and development needed in new economic activities and enterprises. Truly effective and efficient combating of wildlife crime can be achieved when personnel in the judiciary, prosecutorial, law enforcement, customs departments and wildlife authorities or agencies are well trained, objective, and professional.

Policy Statement

In order to address wildlife insecurity, the government shall:

- a. establish a legally designated national list of animals, plants, fungi and Monera species, whether resident or migratory, that are critically endangered, endangered, vulnerable, or near threatened, based on the definition and criteria set-out in the IUCN Red List, CITES or the Convention on Migratory Species (CMS), and using as far as possible, the best available local and international scientific information on the status of the populations of the species to be so designated;*
- b. prohibit the capture, taking, harassing, possession, offering for sale and export of all wildlife species, or parts and products of such species, whether resident or migratory, unless permission has been granted by the designated Cabinet Secretary through an appropriate permit;*
- c. establish penalties that reflect the national value of threatened species and that serve as an appropriate deterrent to wildlife crime for persons responsible for killing and/or causing harm to any designated critically endangered, endangered, vulnerable, or near threatened wildlife species, or their habitats;*
- d. strictly regulate through an appropriate legally enforced permit system the collection, possession, dealing or sale of all wild plant and fungi species not managed as timber or non-timber forest products under the existing Forest Act and their parts or products, originating from areas designated as protected areas;*
- e. formulate and adopt Codes of Practice for managers and wildlife resource users from government, civil society and the private sector on matters including ethical treatment of captive wild animals and wildlife rehabilitation;*
- f. strengthen capacity of the judiciary, prosecutorial, law enforcement, customs departments and wildlife authorities or agencies in the wildlife sector to combat the illegal wildlife trade;*
- g. build and modernize technological capacities of wildlife crime implementing agencies; and*
- h. strengthen the capabilities of border protection agencies including the Police, Customs, KWS, and Plant and Animal Quarantine to prevent the illegal transboundary movement of wildlife species.*

5.5.3 Human-Wildlife Conflict (HWC)

Incidences and severity of conflicts between human and wildlife has escalated in recent years. This may be attributed to increasing loss of wildlife space as regards dispersal areas, corridors, migratory routes and competition for resources with livestock. These are as a result of competing land uses and uncoordinated planning hence the increase in, unplanned settlements, fences and expansion of crop cultivation into the rangelands that increases contact between people and wildlife. Decline in herbivores has led to a decline in prey species for many predators potentially contributing to livestock depredation. There is need to develop and implement innovative mechanisms that mitigate Human Wildlife Conflict.

Policy Statement

In order to address challenges of human-wildlife conflicts, the government shall:

- a. promote and implement zoning in land use to minimize human-wildlife conflict;*
- b. develop mechanisms that provide measurable benefits to communities living with wildlife including wildlife-based enterprises and infrastructure development, and promoting wildlife user rights;*
- c. develop compensation mechanisms in cases where the management of any designated critically endangered, endangered, vulnerable, or near threatened wildlife species or their habitats negatively impacts lives and livelihoods;*
- d. develop a mechanism where liability for compensations is shared based on established benefit sharing mechanisms in place;*
- e. promote and adopt other conflict resolution mechanisms as part of a sustainable mechanism to address all cases of human-wildlife conflicts;*
- f. in accordance with section c above, revise the list of wildlife species with respect of which compensation may be paid; and*
- g. determine and enforce carrying capacities for livestock in critical wildlife habitats.*

5.5.4 Pollution

Effluents from agricultural, industrial, domestic and municipal waste water disposal have affected water quality and biodiversity in many inland waters as well as the coastal and marine ecosystems, thereby reducing their values and affecting wildlife. Eutrophication, nutrient loading, solid waste, oil spills and siltation have led to proliferation of invasive plant species, loss of biological, ecological, economic cultural values, increased salinity and threats to marine environments.

Policy Statement

In order to address challenges of pollution, the government shall:

- a. prevent or mitigate against threats posed to native wildlife by pollution; and*
- b. engage with the relevant agencies to formulate a strategy for dealing with waste waters affecting wildlife and their habitats.*

5.5.5 Invasive Alien Species

The introduction of invasive alien species (IAS) is a major threat to biodiversity and nature's contributions to people. There are 34 alien invasive species in the country comprising 11 arthropods, 10 microorganisms, nine plants and four vertebrates. Along coastal Kenya, the Indian house crow (*Acridotheres tritis*) is a major menace known to displace native bird species through nest predation curtailing breeding success. Major species of concern in key protected areas and in rangelands include *Prosopis juliflora* and the tick-berry *Lantana camara*. Water hyacinth (*Eichhornia crassipes*) and *Salvinia* species have severely affected numerous wetlands. In Lake Victoria, water hyacinth has led to disruption of water transport, higher cost of water treatment, fisheries and loss of aesthetic value.

Policy Statement

In order to address challenges of IAS, the government shall:

- a. prevent or mitigate against threats posed to native wildlife by Invasive Alien Species (IAS);*
- b. take all necessary steps to eradicate where possible, invasive alien species in cases where critically endangered, endangered, vulnerable, or near threatened species are at risk of extinction by an IAS;*
- c. strengthen monitoring and surveillance systems at ports of entry to prevent the introduction of IAS that could cause harm to native wildlife population; and*
- d. establish a scientifically robust monitoring programme on spread of colonizing IAS, which can provide data to inform management actions directed at such colonising species, where such management is necessary.*

5.5.6 Diseases

The interface among wild and domestic animals, humans, and the environment have an impact on ecosystem health and integrity. Diseases transmission may be a consequence of agriculture intensification, urbanization, human encroachment into the wildlife areas and climate change. Some contemporary diseases affecting wildlife populations are a direct or indirect consequence of human activities, including anthropogenic climate changes that modify the traditional ranges of wildlife and pathogens alike, and the fragmentation of wildlife habitats. Management approaches to disease epizootics must be based on scientific evidence.

Policy Statement

In order to address challenges of diseases, the government shall:

- a. prevent or mitigate against threats posed to native wildlife by introduction of diseases through wildlife trade or interaction with livestock;*
- b. strengthen monitoring and surveillance systems at ports of entry to prevent the introduction of diseases that could cause harm to native wildlife population; and*
- c. develop management strategies that are mindful of potential evolutionary consequences in the mitigation of the effects of wildlife diseases.*

5.5.7 Indigenous Knowledge and Cultural Practices

Cultural practices in some societies living with wildlife have exhibited values, beliefs and norms that preserve biodiversity and ecosystems. Moreover, local indigenous knowledge held by communities plays an important role in conservation. This has led many communities living with wildlife to set up Community Wildlife Conservancies hence giving space to wildlife. This has tremendously increased the area under wildlife protection. However, cultural dilution and transformations is a threat to wildlife and their habitats.

Policy Statement

In order to address challenges of ILK and cultural practices, the government shall:

- a. promote a positive cultural relationship between people and wildlife, through incorporation of indigenous and local knowledge systems; and*
- b. negotiate a social contract with communities living with wildlife to provide space for wildlife.*

5.5.8 Gender, Youth and people with disability in Wildlife Conservation and Management

Major issue identified are exclusion of women, the youth and people with disabilities from decision making and access to opportunities. This is because in many cultural systems and dynamics, the role of women are not recognized while the youth are considered uninterested, and capacities for people with disabilities ignored. Also, there is lack of adequate representation of marginalized communities who are deprived of their parcels of land for conservation vis-à-vis benefits to them. It is notable that recent legislations have attempted to address these discriminatory practices, e.g. Community Land Act No 27, 2016. Recent establishments of community resource centres have also involved women and youth participation.

Policy Statement

In order to address challenges of gender, youth and people with disabilities, the government shall:

- a. develop an awareness creation mechanism for their inclusion in conservation;*
- b. develop a mechanism for the empowerment of cultural practices that encourage youth, women and people with disabilities participation in conservation of fauna and flora; and*
- c. develop mechanisms for collaborative engagement between County governments with families and communities residing within conservation areas in their respective Counties.*

5.5.9 Research in Wildlife Conservation and Management

Good management requires good science with sound ethical reasoning and applications in complex circumstances. However, the role of science in policy and decision-making is to inform the decision process, rather than to prescribe a particular outcome. Internationally, bioprospecting activities have led to the development of many valuable products and applications. Examples include medicines, cosmetics,

industrial lubricants, adhesives, and the use of micro-organisms to make industrial processes cleaner and more efficient. There is a potential for the development of high-value products or emergence of new markets to transform the Kenyan economy and build economic prosperity for all Kenyans through bioprospecting.

Policy Statement

In order to address challenges of research in wildlife conservation and management, the government shall:

- a. promote scientific research on wildlife that provide demographic and distribution information that can be used to ensure the maintenance of viable wildlife populations;*
- b. develop and enforce a national wildlife demography and distribution monitoring programme;*
- c. develop a national wildlife data portal for archiving and use of all monitoring activities for decision making;*
- d. regulate through an appropriate legally enforced permit system, scientific research that could potentially cause harm to wildlife species;*
- e. develop mechanisms for sustainable bioprospecting that will ensure avoidance, remedy or mitigation of any potential environmental or ecological impacts resulting from bioprospecting activity;*
- f. develop management and recovery plans for critically endangered, endangered, vulnerable, or near threatened species to facilitate the restoration of populations of these species that may include ex-situ conservation where necessary and appropriate;*
- g. develop legislative, administrative and policy measures for access to and collection of genetic resources (specimens) for preservation, research, commercial use, education, and information dissemination;*
- h. develop legislative, administrative and policy measures to protect intellectual property rights arising from the utilisation of wildlife resources, e.g. from bioprospecting;*
- i. ensure that the results of research and development, including traditional knowledge, and the benefits arising from the commercial and other utilisation of wildlife resources are shared in a fair and equitable way, which benefits local and national stakeholders; and*
- j. utilise wildlife species especially keystone species such as amphibians, fishes and aquatic arthropods as an early warning system to detect the impacts of pollution, climate change, etc. on important wildlife habitats.*

6. IMPLEMENTATION MECHANISMS

To achieve the desired results, this policy should be implemented from an intersectoral approach. Implementation will require integration of existing and

proposed national land use and spatial planning, the establishment of enabling policies, laws, management arrangements (including mechanisms for participatory management and conflict management), technical and financial instruments, capacity building, knowledge management and knowledge sharing, livelihood development, research, education and awareness and cooperation at the county, regional and international levels. Specific actions are outlined below:

6.1 Management Arrangements

The wildlife sector coordination unit in the ministry responsible for wildlife management and conservation will be responsible for the coordination of the policy implementation plan. A National Government Agency to administer the implementation of the policy.

6.2 Protected Area System

The Government, in collaboration with all relevant stakeholders, will put in place strategies to achieve Aichi Biodiversity Target 11.

6.3 Participatory Management

The Government, in collaboration with all relevant stakeholders, shall develop and adopt appropriate enabling legislative framework and guidelines to:

- a. institutionalise co-management and other forms of participatory wildlife management;
- b. facilitate management of wildlife species on community and private lands; and
- c. enable delegation of appropriate management responsibilities to civil society, communities and the private sector (e.g. community-based patrols, honorary wardens, community wardens) where possible and desirable, and where such delegation will lead to improved wildlife management.

6.4 Conflict Management

The Government, and all relevant stakeholders, shall ensure that conflicts in the implementation of the National Wildlife Conservation and Management Policy are resolved in a manner that is in alignment with the principles and values articulated in this Policy and in compliance with other relevant legislation and the Constitution of Kenya.

6.5 Legislation

The revision, development and declaration of supporting legal instruments (laws and regulations) will be required to implement this National Wildlife Conservation and Management Policy and to achieve harmonisation with the existing legislative framework.

6.6 Harmonising Policies

The Government, and all relevant stakeholders, shall:

- a. address any areas of conflict with existing and proposed policies and strategic programmes through a multi-sectoral collaborative approach;
- b. integrate the provisions of this National Wildlife Conservation and Management Policy into existing and proposed sectoral policies affecting wildlife; and
- c. address gaps and areas of overlap with existing approved policies, plans and programmes to ensure coherence and complementarity.

6.7 Technical Instruments

The Government shall develop and implement various technical instruments to give effect to the goal, principles and objectives of this National Wildlife Conservation and Management Policy.

6.8 Financial mechanism

In order to ensure the development of mechanisms for the sustainable financing of wildlife management, the Government, and all relevant stakeholders, shall:

- a. create and use innovative tools and mechanisms to directly channel funds from users to wildlife and wildlife services, e.g. payments for ecosystem services that can provide incentives to private landowners to conserve wildlife and wildlife habitats;
- b. provide adequate annual budgetary allocations in relevant Ministries and agencies responsible for wildlife management;
- c. implement the Green Climate Fund in a manner that supports and strengthens civil society participation in wildlife management;
- d. facilitate revenue collection through application of appropriate fees for access to wildlife resources, taxes, and penalties and charges for offences and caution fees or bonds;
- e. use caution fees, bonds or other financial mechanisms to ensure restoration of critical wildlife habitats following potentially negative activities and development (including payments for damage to wildlife habitats as a result of development activities);
- f. provide fiscal incentives to private and community owners and managers of wildlife and wildlife habitats (e.g. waiver of land taxes for abandoned land that is allowed to revert to forests or is reforested, or for deliberate species recovery actions for threatened species by communities or a private landowner);
- g. provide adequate funding for wildlife research;
- h. ensure harmonisation of incentives for wildlife management and conservation with other fiscal policies;

- i. take advantage of opportunities offered by new global environmental markets (e.g. carbon trading), whenever they are relevant and potentially beneficial to wildlife conservation in Kenya;
- j. partner with the private sector to commercialise goods and services from wildlife resources, in particular biotechnological goods and services, where such commercialisation does not lead to negative impacts on wildlife species and their ecosystems;
- k. ensure that the benefits of commercialisation of goods and services arising from biotechnological exploitation of native wildlife, are equitably shared by all stakeholders; and
- l. partner with the private sector to support sponsorship of wildlife management, conservation and public education.

6.9 Capacity building

In order to facilitate effective participatory wildlife management, the Government, in collaboration with all relevant stakeholders, shall build the capacities of stakeholders from national and county governments, civil society, communities and the private sector in:

- a. skills both in technical aspects of wildlife management as well as best practices and broader management skills (e.g. habitat management, endangered species recovery, Invasive Alien Species management, communication, stakeholder mobilisation, facilitation, conflict management); and
- b. understanding multiple value systems, world views, beliefs, cultures and perceptions concerning how wildlife should be used and managed and how people should be involved.

6.10 Research

The Government, and all relevant stakeholders, shall facilitate effective research and monitoring to inform decisions regarding wildlife management.

6.11 Knowledge Sharing and Knowledge Management

The Government, and all relevant stakeholders, shall facilitate effective information access and exchange, information management, and use of indigenous and local knowledge for wildlife management.

6.12 Livelihood Development

The Government, and all relevant stakeholders, shall develop mechanism that ensures benefits from wildlife resources are equitably distributed to the people of Kenya.

6.13 Education and Awareness

The Government, and all relevant stakeholders, shall develop mechanisms to create awareness and understanding of the economic, social, cultural, scientific and recreational values, and the intrinsic value of wildlife resources, essential for

successful implementation of this National Wildlife Conservation and Management Policy.

6.14 Regional and International Programmes

The Government, and all relevant stakeholders, shall:

- a. cooperate with regional and international partners and participate in regional and international programmes for the implementation of this National Wildlife Conservation and Management Policy;
- b. provide support to enable enhancement of the participation of key stakeholders (universities, NGOs, CBOs, etc.) in all aspects of the implementation of relevant Multi-lateral Environmental Agreements (MEAs), including their incorporation on national delegations to international environmental negotiations.

7. Monitoring and Evaluation

Monitoring, evaluation, reporting and review will be integral parts of the policy implementation and management process, in order to ensure that the provisions of the National Wildlife Conservation and Management Policy remain relevant to current and emerging needs, that lessons gained from experience are applied, changes are made whenever necessary, and that there is full transparency and accountability in the management of the country's wildlife resources. To achieve this objective, the Government, and all relevant stakeholders, shall:

- a. develop and implement a monitoring and evaluation framework to assess the implementation progress of the policy;
- b. ensure that participatory monitoring and evaluation (M&E) of implementation of the National Wildlife Conservation and Management Policy is coordinated by an independent inter-sectoral committee;
- c. ensure that monitoring is based on relevant science, is continuous and informs adaptive management by the implementing agencies and organisations;
- d. conduct a comprehensive review of the National Wildlife Conservation and Management Policy every ten years;
- e. ensure that any minor revisions or adjustments needed to the policy are coordinated by the Ministry for the time being responsible for wildlife management, and are approved by the inter-sectoral committee;
- f. ensure that the review of the implementation of this National Wildlife Policy is linked to, and integrated into, other national M&E and reporting requirements (e.g. reporting obligations under international conventions); and
- g. ensure that all reports and results from the M&E process are made available to the public, in a timely fashion.

GLOSSARY OF TERMS

BIODIVERSITY: is the variability among living organisms; this includes diversity within species (genetic diversity), between species and of ecosystems.

BIOPROPECTING: is the collection of biological material and the analysis of its material properties, or its molecular, biochemical or genetic content, for the purpose of developing a commercial product.

CO-MANAGEMENT: is a process of management by which government shares power with stakeholders, with each given specific rights and responsibilities.

CONSERVATION: is an integrative approach that ensures the protection and management of biodiversity by using appropriate principles from biological, social science and economic fields.

DEFORESTATION: is the long-term or permanent loss of forest cover.

ECOSYSTEM: is a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

ECOLOGICAL CORRIDOR: is a route that allows movement of individual species from one area to another.

ECOLOGICAL PROCESS: is a continuous action or series of actions that is influenced by one or more ecosystems.

ECOSYSTEM SERVICES: include provisioning services such as food, water and energy; regulating services such as flood, air purification and disease control; cultural services such as spiritual, recreational; education, scientific and cultural benefits, and supporting services such as nutrient cycling and soil generation.

ENDANGERED ECOSYSTEM: An ecosystem of exceptional biodiversity value or a habitat of endangered or endemic species which has undergone severe degradation.

ENDANGERED SPECIES: Any wildlife specified in the Fourth Schedule of this Act or declared as such by any other written law or any wildlife specified in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

ENDEMIC SPECIES: Species of plants or animals that are found only in Kenya or in only one locality in Kenya, and not in any other place.

ENVIRONMENT IMPACT ASSESSMENT: The meaning assigned to it is under the Environmental Management and Co-ordination Act, 1999.

ex-situ CONSERVATION: Is conservation outside the natural ecosystem and habitat of the biological organism.

ENVIRONMENT: is all land, area beneath the land surface, atmosphere, climate, surface water, groundwater, seas, marine and coastal areas, seabed, wetlands and “natural resources”.

FAUNA: all animals that occur in Kenya.

FLORA: all plants that occur in Kenya.

FORESTRY: is the science, art and practice of understanding, managing and wisely using the natural resources associated with, and derived from forests.

FORESTS: are ecosystems occurring on areas of land with existing or potential tree canopy of at least 50% that cover a minimum land area of 0.4 ha.

FOREST DEGRADATION: changes within the forest, which negatively affect the

structure or function of the stand or site.

FOREST PRODUCTS: are physical goods of biological derivation, which originate from forests.

HABITAT: the place where an organism or population naturally occurs.

***in-situ* CONSERVATION:** means conservation within the natural ecosystem and habitat of the biological organism.

LIVELIHOODS: comprises the capabilities, assets and activities required for a means of living.

MONERA: A Kingdom of unicellular organisms with no true nuclear membrane (prokaryotes), e.g. bacteria.

NATIONAL PARK: An area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means.

NATIONAL RESERVE: An area of community land declared to be a national reserve under the Wildlife Conservation and Management Act, 2013 or under any other applicable written law and dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means.

NATIVE SPECIES: plants, animals, fungi, and micro-organisms that occur naturally in a given area or region.

NATURAL RESOURCES: living plants, animals, organisms and other biological factors within the environment, the geological formations, mineral deposits, renewable and non-renewable assets, and the habitat of the living plants, animals, organisms and other biological factors within the jurisdiction of Kenya.

NATURALLY COLONISING SPECIES: are species that reach Kenya from foreign lands via natural processes of wind and water dispersal (e.g. in air or sea currents).

NON-TIMBER FOREST PRODUCTS: are products of biological origin other than wood derived from forests.

PARTICIPATION: is a process through which stakeholders influence and share control over the decisions and resources which affect them.

PLANTS: all undomesticated members of the plant kingdom, Bryophyta, Pteridophyta and Spermatophyta, the fungi (including unicellular protozoa, unicellular and multicellular algae) and Monera (including true bacteria and cyanobacteria). This also includes their pollen, spores, seeds and various vegetative forms (both gametophyte and sporophyte forms).

POACHING: Illegal hunting, illegal capturing and illegal harvesting of any wildlife but does not include the control of species widely and commonly regarded as pests or vermin, as listed in a schedule of this Act.

PROTECTED AREA: A clearly defined geographical space, recognized, dedicated and managed through legal or other effective means, to achieve long- term conservation of nature with associated ecosystem services and cultural values.

PRIVATE LAND: land other than public or community land.

SANCTUARY: An area of land or of land and water set aside and maintained by government, community, individual or private entity for the conservation and protection of one or more species of wildlife.

SUSTAINABLE USE: is the use of biological diversity in a way and at a rate that does

not lead to its long-term decline.

SUSTAINABLE DEVELOPMENT: development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

TIMBER: includes trees when they have fallen or been felled, and all wood whether cut up or fashioned for any purpose or not.

TREE: is a woody perennial with a single main stem, or in the case of coppice with several stems (including bamboos, plants, stumps, brushwood and canes), having a more or less definite crown.

UNSUSTAINABLE HARVEST: harvesting of a renewable wildlife resource at a rate greater than the natural rate of replenishment, or that leads to a decline in the population of the harvested species.

VULNERABLE SPECIES: As listed in the IUCN Red Data Book.

WATERSHED: is the specific land area that drains water into a river system or other body of water.

WILDLIFE: any wild and indigenous animal, plant or microorganism or parts, thereof within its constituent habitat or ecosystem on land or in water, as well as species that have been introduced into or established in Kenya.

WILDLIFE CONSERVATION: