



## Land and natural resources in Kenya

Tenure security and equitable access to land other natural resources are central to rural poverty reduction in Kenya. They strongly influences the extent to which farmers are prepared invest in improvements in production and natural resource management and the adoption of new technologies; they shape decisions on whether smallholder farmers engage in commercial or subsistence; determine how benefit streams from agricultural activities are divided amongst different individuals and groups within households and communities; impact on people's access to credit; are a major factor in shaping social relations and contribute to social stability or rather, in situations of land tenure insecurity, contribute to social instability and conflict. In general poor people and marginalised groups have less access to land and weaker land rights and typically women do not enjoy the same land rights as men. This can have a major impact on household vulnerability and livelihoods. In recent years growing populations, declining soil fertility and increasing environmental degradation have all heightened demands and pressures on land and other natural resources; while dynamics such as the HIV/AIDS pandemic and new opportunities for agricultural commercialisation have placed new tensions on tenure systems, from which the rural poor are the first to suffer.

### Mapping of land and natural resources

Geographic Information System (GIS), Remote Sensing and mapping have been widely used under the Mount Kenya East Pilot Project (MKEPP) as tools for natural resources management and for monitoring the project's progress. This includes interpretation and analysis of natural resource data, for use in the development of the Resource Management Plans (RMP's). The use of these tools has helped project implementers and beneficiaries to gain a better understanding of the complex interrelationship between physical, biological, cultural, economic, and demographic considerations around a specific resource and to make more informed decisions in natural resource management.

### Impact of water infrastructure development on land rights

In the Central Kenya Dry Areas Project (CKDAP) the development of water infrastructure and facilities has had an impact on land rights with either private land owners having to voluntarily relinquish their land rights or permission having to be granted by the national or county authorities in the case of public land. The type of arrangements negotiated with land owners that are relinquishing their rights varied from situation to situation and also according to the type of infrastructure being developed. In the case of spring protections, the construction of earth dams and off-take weirs and the installation of irrigation pipelines, permission was first obtained from land owners, which usually required some form of compensation which is normally negotiated by the community. Land was then meant to be registered as public land. Way leaves were usually given in writing and were meant to be registered with the District



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Land Office although this was typically not done due to cost and lack of perceived benefit. In general compensation was given through preferential access to water or, to a lesser extent, by giving money. Very occasionally an owner refused permission to install irrigation pipes across their land, adding to the costs of the schemes. In the case of shallow wells, the well point remained as private land, but a way leave and rights of access were granted by the owner, usually in writing.

### **Co-management of land and natural resources**

MKEPP has strengthened community ownership/involvement in land and natural resource management, with a special focus on co-management and recognition of multiple resource users' rights. Working through community based organisations, the Project has engaged communities to enhance their capacity to effectively develop and implement community action plans aimed at improving the management of natural resources while improving their livelihoods. This included the mapping of community resources. At the river basin level the WRUAs have been established and/or assisted to develop their sub-catchment management plans (SCMPs) through participatory process involving all communities dependent on the natural resources of the catchment. Communities living along the margins of the forest reserves are engaged through CFAs with one CFA for each of the forest stations operated by the Kenya Forest Service (KFS). The CFAs comprise forest dependent communities living within about five kilometres of the forest reserve boundary. The CFAs are empowered through the development of participatory forest management plans which will include initiatives for forest protection, rehabilitation of degraded areas, reduction of human-wildlife conflict and alternative income generating activities.

### **Women's access to land**

The Southern Nyanza Community Development Project (SNCDP) has as a primary objective a gender balanced empowerment of rural communities through improved health and a more rational use of natural resources. Lack of knowledge on statutory and customary rights and the highly limited capacity of local institutions are identified as the major reasons for land disputes which affect disproportionately women. As a part of its community empowerment component, the project put an emphasis on women's rights and rapid settlement of land disputes. Another essential component is to make women and other vulnerable groups better informed about their rights under traditional customs to foster a more secure access to land resources.

### **Conclusions and next steps**

MKEPP's successful experience in dealing with land and natural resources is being documented and is feeding into the implementation of the Upper Tana Catchment Natural Resources Management Project (UTaNRMP) and the design of Kenya's new COSOP. Ex MKEPP/new UTaNRMP staff are being linked up with the Regional Centre for Mapping of Resources for Development (RCMRD) and with UN-HABITAT to explore the possibility of piloting GLTN's Social Tenure Domain Model (STDM).



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## **Land and Natural Resources Learning Initiative for East and Southern Africa**

IFAD and UN-Habitat, through the Global Land Tool Network (GLTN), have entered into a partnership to implement the 'Land and Natural Resources Learning Initiative for Eastern and Southern Africa (TSLI-ESA)'. The initiative aims to improve knowledge management strategies and approaches towards pro-poor and gender-sensitive land and natural resource tenure rights in selected East and Southern African countries.

TSLI-ESA focuses primarily, but not exclusively, on the following five themes:

- i. Using technically advanced geographic information technologies, such as aerial photography, remote sensing technology and Geographic Information Systems (GIS) for mapping land and natural resource rights, use and management.
- ii. Recognising and documenting small-scale farmers' land and water rights in irrigation schemes.
- iii. Recognising and documenting group rights, focusing on range and grazing lands, forests and artisanal fishing areas.
- iv. Strengthening women's access to land.
- v. Documenting best practices in securing land and natural resource rights through business partnerships between small-scale farmers and investors.