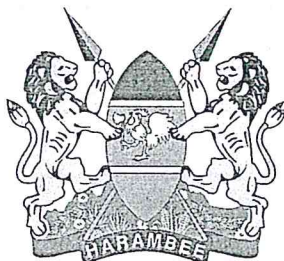


PARLIAMENT OF KENYA



*Rt. Hon. Speaker  
You may approve  
for tabling.  
11/10/18*

*Approved  
16/10/18*

TWELFTH PARLIAMENT

THE SENATE

THE STANDING COMMITTEE ON TOURISM TRADE AND INDUSTRIALIZATION

REPORT ON A FACT FINDING MISSION ON THE MANAGEMENT AND OPERATIONS OF NATIONAL PARKS IN TAITA TAVETA, ISIOLO AND SAMBURU COUNTIES; 18<sup>th</sup> -19<sup>th</sup> MAY & 10<sup>th</sup> -13<sup>th</sup> AUGUST 2018

PAPERS LAID	
DATE	12.10.2018
TABLED BY	Sen. G. Njiru Wainaina
COMMITTEE	Tourism
CLERK AT THE TABLE	J. Mwangi

Clerks Chambers,  
The Senate,  
Parliament Buildings,  
**NAIROBI**

SEPTEMBER 2018

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I Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup> -13<sup>th</sup> August 2018.

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## ABBREVIATIONS AND ACRONYMS

<b>CBO</b>	Community Based Organisations
<b>CEC</b>	County Executive Committee
<b>CRA</b>	Commission on Revenue Allocations
<b>CS</b>	Cabinet Secretary
<b>DC</b>	Deputy Commissioner
<b>KWS</b>	Kenya Wildlife Service
<hr/>	
<b>LAPPSET</b>	Lamu Port, South Sudan, Ethiopia Transport Corridor
<b>MCA</b>	Member of County Assembly
<b>NRT</b>	Northern Rangelands Trust
<b>SME</b>	Small and Medium Enterprise

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3 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup> -13<sup>th</sup> August 2018.*

## PREFACE

**Mr. Speaker Sir,**

The Standing Committee on Tourism, Trade and Industrialization is established pursuant to standing order 212 of the Senate Standing Orders and mandated *to consider all matters relating to trade, industrialization, tourism, cooperatives, investment and divestiture policies.*

### Membership of the Committee

The Committee is comprised of the following Members-

1. Sen. Kibiru Charles Reubenson	<b>Chairperson</b>
2. Sen. Anuar Loitytip	<b>Vice Chairperson</b>
3. Sen. Mwangi Paul Githiomi	Member
4. Sen. Langat Christopher Andrew	Member
5. Sen. Wario Golich Juma	Member
6. Sen. Mwaruma Johnes	Member
7. Sen. (Dr.) Agnes Zani	Member
8. Sen. Masitsa Naomi	Member
9. Sen. Mercy Chebeni	Member

**Mr. Speaker,**

The promulgation of the Constitution in 2010 ushered in a new governance system and greatly expanded the democratic space in the country. Kenya has moved from a highly centralized government system where power and resources were monopolized by a few to a people-centered form of governance whose overarching objective is to restore power to the people, that is, *the ability of communities to decide and manage their affairs at the local level.*

The fact finding mission on the management and operations of national parks in Taita Taveta, Isiolo and Samburu sought to interrogate the human-wildlife conflict, revenue collection from the parks and benefits to the counties, response by KWS to emergencies and claims on transfer of wildlife to various regions. This arose out of a statement sought by the Senator for Taita Taveta, Sen. Johnnes Mwaruma, in February 2018.

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4 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In Taita Taveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup>-13<sup>th</sup> August 2018.*

The Committee undertook county visits to the national parks located in Taita-Taveta, Isiolo and Samburu counties and met with various stakeholders to discuss the aforesaid issues. Based on the deliberations and stakeholder consultations, the Committee presents this detailed report on its findings and proposes recommendations that include putting in place a legislation to guide and improve the management and operations of these national parks for consideration by this House.

### **Acknowledgement**

The Committee wishes to thank the Offices of the Speaker and the Clerk of the Senate for the support extended to it in the conduct of the public hearings and in fulfilling its mandate.

Further it wishes to thank stakeholders who took time to meet with the committee during the visits among them, the Deputy Commissioner, County Executives and Members of Assembly of Taita Taveta, KWS officers, the community of Mwakitau ward, Taita Taveta County, Senators of Isiolo County, County Executives and Members of the Isiolo County Assembly, Westgate conservancy, amongst others.

**Mr Speaker Sir,**

It is now my pleasant duty, pursuant to Standing Order 137, to present a Report of the Senate Standing Committee on Tourism, Trade and Industrialization on fact finding mission on the management and operations of national parks in Taita Taveta, Isiolo and Samburu counties.

Signed: \_\_\_\_\_




Date: \_\_\_\_\_

11/10/2018

**SEN. KIBIRU CHARLES REUBENSON, MP, CHAIRPERSON**  
**SENATE STANDING COMMITTEE ON TRADE, TOURISM AND**  
**INDUSTRIALIZATION**

**ADOPTION OF THE REPORT OF THE SENATE STANDING COMMITTEE ON TOURISM TRADE AND INDUSTRIALIZATION ON A FACT FINDING MISSION ON THE MANAGEMENT AND OPERATIONS OF NATIONAL PARKS IN TAITA TAVETA, ISIOLO AND SAMBURU COUNTIES**

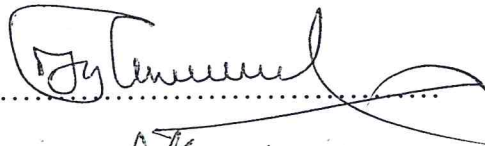
**We, the undersigned Members of the Tourism Trade and Industrialization Committee of the Senate, do hereby append our signatures to adopt the Report-**


Sen. Kiburu Charles, MP                      Chairperson                       .....

Sen. Anuar Loititip, MP                      Vice-Chairperson                      .....

Sen. Mwangi Githiomi, MP                      Member                      .....

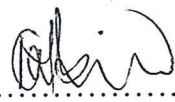
Sen. Andrew Langat, MP                      Member                      .....

Sen. Wario Golich, MP                      Member                       .....

Sen. (Dr.) Agnes Zani., MP                      Member                       .....

Sen. Mwaruma Johnes, MP                      Member                       .....

Sen. Masitsa Naomi, MP                      Member                       .....

Sen. Mercy Chebeni, MP                      Member                       .....

## EXECUTIVE SUMMARY

This Report is a culmination of a fact finding mission by the Committee on Tourism, Trade and Industrialization, on the management and operations of national parks in Taita Taveta, Isiolo and Samburu Counties conducted between 18<sup>th</sup> -19<sup>th</sup> May and 10<sup>th</sup> -13<sup>th</sup> August 2018 respectively.

This report is made up of **Four (4)** Chapters, detailing the activities of the Committee in Taita-Taveta County on 18-19<sup>th</sup> May 2018 and Isiolo and Samburu Counties on 10-13<sup>th</sup> August 2018.

The main objective of the county visits was to investigate:

- i. The human - wildlife conflicts in the county.
- ii. How or if the county is benefiting from the Revenue from parks within the county.
- iii. How fast the officers from KWS respond to emergency.
- iv. The claim that KWS transported elephants from Mt Kenya region to Taita Taveta County.

The Committee met with various stakeholders at Tsavo National Park on 18<sup>th</sup> and 19<sup>th</sup> May, 2018 in Taita Taveta County as well as at Samburu National Reserve in Samburu County and Isiolo National Reserves between 10<sup>th</sup> and 13<sup>th</sup> August 2018.

**Chapter Four** contains the observations and recommendations arising out of the visits.



## CHAPTER ONE

### INTRODUCTION

#### 1.0 BACKGROUND

This fact-finding mission emanates from a Statement sought pursuant the standing order 46 (2) (b) of the Senate Standing Orders by Sen. Johnes Mwaruma of Taita Taveta County on Wednesday, 15<sup>th</sup> February, 2018 from the Chairperson of the Senate Standing Committee on Tourism, Trade and Industrialization, He sought a Statement regarding the management and operations of the Tsavo National Park.

In the statement, Sen. Mwaruma sought to ascertain the following issues-

1. The average number of tourists who visit the Tsavo National Park in the last three years;
2. The total number of hotels in the park, their total capacity and the annual revenue collected by the national park and county governments respectively, from the tourists activities in the parks;
3. The number of employees working from the hotels in the park and the percentage of employees who are locals of Taita-Taveta County;
4. State whether the hotels are in any way involved in Corporate Social Responsibility; and
5. Explain the measure the measures the Government has put in place to find a lasting solution to the human-wildlife conflicts in and around the parks.

The Chairperson while responding to the issues above sought time to provide a comprehensive report. Consequently at its sitting held on 2<sup>nd</sup> May 2018, the Committee resolved to conduct a fact finding mission to Taita Taveta County from 18<sup>th</sup> to 19<sup>th</sup> May, 2018. The objective of the county visits was to investigate:

- v. The human - wildlife conflicts in the county.
- vi. How or if the county is benefiting from the Revenue from parks within the county.
- vii. How fast the officers from KWS respond to emergency.
- viii. The claim that KWS transported elephants from Mt Kenya region to TaitaTaveta County.

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7 | *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup>-13<sup>th</sup> August 2018.*

Following its findings at the Tsavo National Park, the Committee decided to make a comparative visit the Samburu National Reserve in Isiolo and Samburu Counties in order to inform and enrich its fact finding mission. The Committee undertook the said visits from 10<sup>th</sup> to 13<sup>th</sup> August, 2018.

### 1.1 Overview of the Tsavo National Park, Taita-Taveta County

Taita Taveta county of Kenya lies approximately 150 km northwest of Mombasa and 300 km southeast of Nairobi. The county headquarters are located in Mwatate town, which is the fourth largest town in the county after Voi, Wundanyi and Taveta in that order.

The population of the county 30 years ago was approximately 45,000 persons but this has shot up to well over 250,000 persons as at 2018 with population densities ranging from 3 persons per km<sup>2</sup> to more than 800 persons per km<sup>2</sup>. The County ranges in altitude from 500 m above sea level to 2,228 m at Vuria Peak, which is the County highest point.

In 2007, the Taita–Taveta County was split into two administrative districts: the Taita District and the Taveta District. The two were subsequently re-united to form Taita–Taveta County. The county covers an area of 17,083.9 km<sup>2</sup> of which the bulk (62%) is within the Tsavo. Tsavo national park is nearly 22,000 km<sup>2</sup>, being the largest national park in Kenya and one of the largest in the world. The park was split into two due to the railway going from Mombasa to the interior of Kenya. Tsavo East National Park which is 13,747 km<sup>2</sup> is one of the oldest parks in Kenya, located South East of Kenya near the Town of Voi in the Taita-Taveta County of former Coast Province. The Tsavo West National Park, which was opened in April 1948, is also located in Taita Taveta County of Kenya covers an area of 9,065 sq.km.

The slightly larger Tsavo East is generally flat, with dry plains across which the Galana River flows. Other features include the Yatta Plateau and Lugard Falls. Tsavo West National Park on the other hand is more mountainous and wetter than its counterpart as it contains swamps, Lake Jipe and the Mzima Springs. It is known for bird life and for its large mammal's e.g. black rhino, Cape buffalo, elephant, leopard, hippo and Maasai lion. There are also other smaller animals that can be spotted in the park, such as the bush baby, hartebeest, lesser kudu and Maasai giraffe.

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8 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup> -13<sup>th</sup> August 2018.*

## 1.2 Overview of Shaba National Park, Isiolo County

Isiolo County lies in the northern part of the former Eastern Province of Kenya and it covers an area of 25,336.1 square kilometres. The county headquarters are in Isiolo town and the county borders seven other counties: Samburu to the east, Garissa to the east, Tana River to the south east, Kitui and Meru to the south west, Marsabit to the North West and Wajir to the north east.

Shaba National Reserve is a protected area in northern Kenya and lies to the east of the Samburu and Buffalo Springs national reserves. Together, the three reserves form a large protected area. The Shaba National Reserve was gazetted in 1974, and the Isiolo County Government administers reserves. It is east of Samburu and 70 kilometres (43 miles) to the north of Mount Kenya. The Ewaso-Ngiro river runs for 34 kilometres (21 miles) along the northern boundary of the reserve.

The major ethnic groups within the country are the Samburu, Turkana, Borana, Gabbra, Somali and the Ameru who are intertwined and a cornerstone of the county's remarkable diversity.

Isiolo County is home to a number of game reserves, the major ones being the Sarova Shaba Game Reserve, the Buffalo Springs Game Reserve and the Bisanadi Game reserve. The Sarova Lodge, Simba Lodge and Bisinadi Lodge are part of tourist circuit that spans Masai Mara, Samburu-Isiolo, Lewa and Mt Kenya.

## 1.3 Overview of Samburu National Reserve

The Samburu National Reserve is situated at the south eastern corner of Samburu County in the former Rift Valley Province of Kenya. It is bordered to the south by Ewaso-Nyiro River, which separates it from the Buffalo Springs National Reserve. The reserve covers an area of 165 Km<sup>2</sup> and is located around 345Km from Nairobi.

The Reserve lies within ecological zone V- which is classified as arid and semi- arid with moisture index of 42 to 57, which indicate that evapo-transpiration is greater than available moisture. The days are extremely hot while the nights are cool. The annual mean temperatures range between 18°C and 30°C, while the mean annual rainfall is 354mm with peaks in November

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9 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup> -13<sup>th</sup> August 2018.*

and April. The dry season starts in late May, and goes up to early October during when large concentration of wildlife is found in the reserve due to availability of lush vegetation along the Ewaso Nyiro River, the main source of water to the Reserve and the nearby communities.

Samburu is ethnically diverse, with ethnic groups such as the Samburu, Turkana, Rendille, and Borana. All these groups engage in nomadic pastoralism as their main source of livelihood. Samburu's outline forms a triangle with the Ewaso Nyiro River as its base in the south, Lake Turkana at its northernmost tip, the Great Rift Valley as its western edge and the boundary with Marsabit and Isiolo Counties at its eastern side.

## CHAPTER TWO

### 2.0 VISIT TO THE TSAVO NATIONAL PARK, TAITA TAVETA COUNTY

#### Introduction

The Committee undertook an inspection/fact-finding visit to the Tsavo National Park on 18<sup>th</sup> and 19<sup>th</sup> May, 2018. During the visit, the committee met with a number of stakeholders. The deliberations of these meetings are captured below-

#### STAKEHOLDER SUBMISSIONS

##### 2.1 Submissions by the County Commissioner's Office

On behalf of the County Commissioner, Mr. Kennedy Kitonga, the Deputy County Commissioner, Taita Taveta County acknowledged that there were human – wildlife conflicts in parts of the county and made his submissions as follows-

##### *Challenges experienced with wildlife in the county*

- i. Elephants destroying farms
- ii. In January 2018, 15 – 20 goats were killed and eaten by lions.
- iii. Delays in compensation for injuries to people and property which takes up to three years or more.

##### *Mitigation measures in place by Kenya Wildlife Service*

The KWS submitted to the committee that the following mitigation measures had been put in place—

- i. Construction of electric fences project i.e. Mwakitau – Mwashuma – Alia phase is currently underway which when complete will significantly reduce current conflicts;
- ii. Intensified surveillance operation by KWS Officers;
- iii. KWS encourages local ranchers to diversify their activities to venture into tourism to promote eco-tourism which will benefit residents since ranches have a lot of resources; and
- iv. CBOs like Mwabu, purpose to sensitize/educate the local community on the importance of or benefits of coexistence with wildlife animals to our economy and for future generations.

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11 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In Taita Taveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup>-13<sup>th</sup> August 2018.*

### *Status on Eco-tourism*

The Director reported to the Committee that eco-tourism has not been embraced and that it needs a lot of sensitization to realize it. He further elucidated to the community on the current status of community conservancies as follows—

### *Status on Community Conservation Ranches*

#### **i. Lumo Sanctuary**

This communally owned sanctuary is fully operational and it has four of the big five except the rhino. The sanctuary is a key tourist attraction.

#### **ii. Isangaiwishi Community Conservancy**

The conservancy is fully operational and has partnered with the Sarova hotel to assist in management of the conservancy.

The local residents who have lost their goats to lions being held by private ranchers have made numerous complaints. However they are yet to be compensated and the victims are frustrated with the compensation process, which is tiresome. The response by the KWS in addressing the human- wildlife conflict is fast enough.

The electric fence is halfway constructed and works have stopped due to bordering issues with the community. However, the electric fence is a temporary solution to the land demarcation issues.

Taita Taveta County is one of the calmer counties with political goodwill from the leaders in the county. Only the border security is bit challenging and the frequent reported cases of human wildlife conflicts.

## **2.2 Submissions by the County Executives and the Members of County Assembly**

The Ag. County Secretary, Mr. Mganga Mnyasi, made his submissions to the committee as follows-

- The county does not get any revenue from the fees collected from the Parks;
- Over 62% of Taita-Taveta County is occupied by the conservation areas;
- There are more cases of human-wildlife conflicts especially with marauding elephants.
- He reiterated the need of addressing issues of revenue sharing since wildlife is the county's main economic resource.

### **2.2.1 The County Executive Committee (CEC) Tourism**

The CEC in charge of Tourism Ms. Gertrude Shuve stated that her department has been facing challenges and on 23<sup>rd</sup> Feb, 2018, the Governor of Taita Taveta wrote to Kenya Wildlife Services (KWS) County director to discuss various issues including-

- i. The revenue sharing - that, 62% of Tsavo National Park is within the county of Taita Taveta county.
- ii. Human-wildlife conflicts
- iii. Compensation of the affected community.

Taita Taveta County is not been marketed in the Magic Kenya campaign yet the Ministry of Tourism takes a lot of money from Tsavo Conservation.

### **2.2.2 Submissions by the Nominated MCA (Ms. Amb. Anastacia Wakesho)**

- Local tourism was devolved but it has not been funded further noting that it should be well and fully devolved.
- There is need for the county to be informed of the gate fees and the number of visitors coming to the Tsavo annually and the levies collected from hotels in the parks.
- It is important to educate the members of the county assembly on matters tourism.
- There is a slow response from the KWS officers in case of an emergency and KWS does not carry out checks on the electric fence to ensure it's not destroyed.

### **2.3 Submissions by the KWS County Office with the County Director KWS- Mr. George Osuri**

Mr. George Osuri made the following submissions-

- 13 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup> -13<sup>th</sup> August 2018.*

- Tsavo is composed of three parks which covers seven counties (Kitui, Taita-Taveta, Tana River, Samburu, Kilifi, Kajiado and Makueni)

*Revenue collected for the last 3 years*

*Tsavo West (Kajiado, Makueni and Taita-Taveta County) revenue of the last 3 years*

Years	Amount (KShs.)
2015	141 million
2016	164 million
2017	170 million

*Tsavo East (Tana River, Kitui, Taita-Taveta) revenue*

Years	Amount (K.Shs.)
2015	300 million
2016	360 million
2017	450 million

Tourists from Kilifi and Malindi visit Tsavo East Park hence huge revenue collected in Tsavo East than the Tsavo West. Further, KWS Act at section 76 states that a minimum of 5% revenue collected to be shared to the community.

The Gate entry fees and lease from Hotels are the only source of revenue for KWS. The revenue collected is used on the following:-

- Salaries
- Recurrent budget 50M for director's office
- Marketing
- Constructions Etc.

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14 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup>-13<sup>th</sup> August 2018.*



KWS uses automated system of payment, which reflects, directly to the bank once the tourists make payment. 90% of the cases have been deliberated and submitted to Nairobi Headquarters with Kshs 35 million debts having been paid to Taita County. The Outstanding compensation is at an estimated Kshs 291 million on crops and deaths. The director suggested that communal fences should be enhanced like Samburu County and the Commission on Revenue Allocations (CRA) equalization funds to be allocated to Taita Taveta especially the areas affected with human-wildlife conflicts.

### Challenges faced by the KWS

- i. KWS faces inadequate financial constraints i.e. low budget allocation;
- ii. They are few KWS personnel's; and
- iii. The community interferes with the wildlife corridor that's wildlife movement.

### Claims already compensated.

No	Animal Responsible	Detail of Claim	No.of cases Paid	Total Amount
1.	Elephants	Death	5	25 million
2.	Buffalo	Death	5	10.6 million
		<b>Total</b>	<b>10</b>	<b>35.6 million</b>

### Claims deliberated

No	Animal Responsible	Detail of claim	No of cases deliberated	No of cases Approved	Total amount
1.	Elephant	Death	6	6	30 million
2.	Snake	Death	4	4	20 million
3.	Buffalo	Death	1	1	5 million
	<b>Total</b>		<b>11</b>	<b>11</b>	<b>55 million</b>
1.	Buffalo	Injury	5	5	1.2 million
2.	Elephants	Injury	5	5	3.62 million

### Claims awaiting deliberation

No.	Type of claim	Year	No. of cases	Amount approved
1.	Death	2014	11	55 million
2.		2015	5	25 million
3.		2016	10	50 million
4.		2017	3	15 million
5.	Injury	2014	115	7,202,400
6.		2015	95	10,257,150
7.		2016	81	5.45 million
8.		2017	13	195 million
9.	Crops	2014	57	10,360,234
10.	Crops	2015	193	40,531,848
11.	Crops	2016	489	53,856,038
	<b>Total</b>			<b>272,797,408</b>
1.	Predation	2014	85	5.711 million
2.	Predation	2015	79	6,920,500
3.	Predation	2016	115	3,981,500
4.	Predation	2017	29	7,432,920
	<b>Total</b>		<b>308</b>	<b>24,045,920</b>
	<b>Grand Total</b>			<b>128,797,408</b>
	<b>OVERALL TOTAL DELIBERATED CLAIMS</b>		<b>1029</b>	<b>397,301,938</b>

#### *Fences done*

Name	Distance	Status	Remarks
Bura-Maktau fence	31 km	complete	Functional
Maktau-Ndii	75 km	complete	Functional
Ndii-Ndara fence	30 km	complete	Functional
Jipe-Rombo	52 km complete	36 km remaining	Require ksh.90 million.

Bura-Kamutonga sisal estate	30km	Construction progress	14 km done
PROPOSED			
Sisal Estate Sagalla-Maungu-Kasaigu	Approx. 120 km	proposed	250 Million

The Committee asked KWS to produce exact number of visitors they receive annually and the number of cases reported annually.

In addition the committee observed that, there is need for a benchmarking visit to other countries to learn how they successfully handle the issue of the conflict between human and wildlife.

#### **2.4 Submissions by the Chairperson of the Mwatate Wildlife Community Associational Maktau Location**

The Chairperson of the Mwatate Wildlife Community Association and MCA Bura Ward Hon Anthony Patel made the following submissions-

- i. KWS values wildlife more than human beings since when they response to emergency when wild animal has been attacked or killed is more fast than when wild animal has destroyed or killed human beings.
- ii. The Mlimawa Mngama and Alia to be left to the community
- iii. Issues of the board within the Conservation and the community to be solved immediately.

#### **2.5 Submissions by the Member of County Assembly for Bura Ward Hon. Anthony Patel**

He made his submissions to the Committee as follows:-

- i. The community's farms have been destroyed by the monkeys;
- ii. The electric fence is not working effectively;
- iii. The community should be allowed to do mining in the park as a source of income to their families;
- iv. The Mngama game sanctuary of 3000ha community project to be supported financially.

### **3.0 VISIT TO ISIOLO AND SAMBURU COUNTIES**

#### **Introduction**

The Committee undertook a visit to Isiolo and Samburu Counties on 10<sup>th</sup> to 13<sup>th</sup> August, 2018. During the visit, the committee toured the Samburu National Reserve and met with a number of stakeholders. The deliberations of these meetings are captured below-

#### **STAKEHOLDER SUBMISSIONS**

##### **3.1 Submissions by the Isiolo County Executive Committee Member for Tourism, Isiolo County**

- Isiolo County has 5 wildlife conservancies. The County Government has not yet operationalized theirs whereas the National Government has about three in operation.
- There are 2-3 private game reserves in the County. Following the promulgation of the constitution and the onset of devolution, the national game reserves have not been managed to desired extent which has resulted in loss of revenue. Despite this, these national reserves remain as the biggest revenue earners for Isiolo County.
- Compensation payments for attacks by wildlife was very slow
- The county government is trying to tighten up game reserves to ensure a return back to the revenues that it was receiving under the Isiolo County Council.
- There has been a lot of goodwill from the government and in particular, technical staff have been provided by KWS.
- A revenue collection agreement signed by the county government.
- The Northern Rangelands Trust supports the 5 conservancies in the county.
- Isiolo County does not receive adequate funds from the Exchequer. The County Government thus requires some budgetary assistance in order to effectively run the game reserves within the county.

##### **3.2 Submissions by Mr Richard Kasoo, representative from the Northern Rangelands Trust, (NRT)**

Mr Richard Kasoo, the area representative from the Northern Rangelands Trust (NRT) made his submission as follows-

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18 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup>-13<sup>th</sup> August 2018.*

- A lot of local communities have realized the need to manage wildlife as a resource. As a result, wildlife numbers have gone up and the challenge was now on the control and minimization of human-wildlife conflict. Conservancies ensure that wildlife is managed sustainably and are a resource to the county and country
- The National Government had established the County Compensation Committee that has yet to act on the issues raised. On the subject of the Northern Rangelands Trust, Mr Kasoo stated that it is an umbrella body that relies on donor funding as their main method of raising funds.
- Fencing of game reserves and agricultural areas was a necessity to avoid future human-wildlife conflicts.
- The national government should form a mechanism to allow local communities to manage wildlife. A special kitty should be set aside and the funds be channelled by the County Government to find a method of resolving wildlife issues.
- The County Compensation Committees cannot guarantee compensation given that the National Government is the body expected to make compensation payments for injury. So far, there have been 20 people killed by wildlife in the county since where? No compensation has been paid for injury to human life and property especially livestock. The County Government is understandably with limited resource in alleviating this situation.
- The process of assessment of damages is also an unclear matter that contributes to the delay in payment of compensation claims.
- Without funding allocations, the local conservancies will collapse especially if the NRT ceases to exist.

### **3.3 Submissions from the County KWS Officer, Mr. Mbote**

Mr Mbote, the County KWS officer made his submissions as follows-

- Outside of the 5 conservancies and the game reserves, there are still a lot of wild animals roaming outside of these areas in the county which pose a threat to the public and livestock;
- The local community has been empowered and are now at the forefront of preservation of wildlife;

- Funding for these reserves was and still is an issue;
- Lack of uniforms, weapons and vehicles has hampered the work of community conservancies;
- The KWS has trained the members of the local wildlife reserves management;
- The biggest challenge with local conservancies and game reserves is human-wildlife conflict. The incidences are increasing and the county compensation committees in the counties haven't been funded and are still hampered by funding;
- The committee has not been able to hold meetings as required due to financial and logistical reasons. For instance since the year 2017, less than 5 sittings were held by the Committee.
- The funds being remitted back to the county to pay persons injured by wildlife are inadequate. From 2013, only one person was paid Ksh 5 million for death. In 2018 only 2 people have been paid for injuries caused by wildlife. The County Compensation Committees cannot guarantee compensation as it is a mandate of the National Government.
- The Conservancies ensure that wildlife is managed sustainably and are a resource to the county and country. If there is no funding, the local conservancies will collapse especially if the NRT abandons the project.
- There is a fluctuation in the amounts of monies that the local community receives from the profits made in the local national parks. This has been caused by lack of transparency in distribution of the money and Government bureaucracies.

### **3.4 Submissions by the County Senator, Hon. Fatuma Dullo**

- There are three organizations handling wildlife in Isiolo-KWS, Isiolo County Government and the NRT;
- Some human rights violations had been committed by KWS in the course of carrying out their duties. All wildlife is under the mandate of KWS and thus KWS had the roles in the oversight of animals in the local conservancies;
- Prior to devolution, the then Isiolo County Council was profiting off wildlife reserves and this is no longer the case at present;
- There were incidences of conflict between communities, the County Government and the KWS on matters of wildlife;

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20 *Senate Committee on Tourism, Trade and Industrialization; Report On A Fact Finding Mission On The Management And Operations Of National Parks In TaitaTaveta, Isiolo And Samburu Counties; 18<sup>th</sup>-19<sup>th</sup> May & 10<sup>th</sup>-13<sup>th</sup> August 2018.*

- While the local conservancies are helping Isiolo County Government, there is a feeling that NRT is not opening themselves to the community;
- NRT support to community in the conservancies has improved security. There however has been a complaint that this has not been the case in Isiolo County. A lot of local politics have contributed to this situation;
- Wildlife in adjacent Meru National Park frequently strays out of the reserve and they cause injury and damage to property of the residents of Isiolo County.
- The private conservancies have created employment opportunities for the local communities;
- Need to investigate and find out how county government can resolve issues affecting the wildlife conservancies. Fencing is a key issue that should be addressed to minimize wildlife attacks on people and property; and
- Payments made from snakebite injuries had severely impacted KWS ability to pay compensation.

### **3.5 Submissions by the CEC Tourism of Isiolo County Government, Hon. Tiya Galgalo**

- The CEC of Tourism made a number of recommendations at the conclusion of the meeting held in the Governor's Office and Conservation areas of GOTU as follows-
  - i. There is a need to begin operationalization of the county reserves
  - ii. Demarcation of the areas for national reserves and the land for pastoralism should be undertaken
  - iii. The national government should give financial and technical support to National Reserves and Counties with national reserves;
  - iv. Compensation: There should be safeguards for persons who have been injured by wildlife; and
  - v. Empowerment of local communities involved in conservancies is necessary to ensure that they reap the maximum benefits from conservation.

### 3.6 Submissions by the Camp Coordinator -Ewaso Lions Camp

- Ewaso Lions Camp is a community conservancy that aims at protecting lions and creating a healthy co-existence with the local Samburu community;
- The presentation highlighted valuable points on the local community's conservation efforts, the ecological value of lions, the security needs of both wildlife and community, the cultural value of lions and the education programmes funded by monies received from tourism revenues and the employment opportunities created due to the utilization of wildlife;
- The Camp coordinator highlighted the importance of the conservation projects in the county, the benefits of tourism and the food chain system in that community conservancy;
- He stated that as much as some compensation may be needed for wildlife attacks, there was also need to mitigate for the loss of wild prey for lions;
- It was noted that there has been a 75% reduction of lion ranges in Africa. On the subject of the lion population in Kenya, it was stated that every year, 100 lions are lost in Kenya. Within 20 years, it is predicted that the lion will be extinct in Kenya unless drastic changes are undertaken in conservation. The presenter also cited the causes of lion population reductions, which were mentioned as being a loss of habitat, and retaliatory killings for livestock predation; and
- The methods of saving lions carried out by the conservancy included-
  - i. *Warrior watch*

This was defined as collaboration with the local government administration and the morans to maintain wildlife. Morans have been equipped with radios to maintain and monitor wildlife movements. The communications have helped in reducing livestock losses.
  - ii. *Mama Simba*

The local women have also been included in conservation efforts. Collaboration has ensured that the whole community is involved in maintaining wildlife. Education efforts particularly the fight against illiteracy have also been boosted thanks to the women's participation in education.
  - iii. *Lions Kids Camp*



This is a kids education program intended to educate the youth of the local community to understand and appreciate the value of wildlife in the county. There is a vehicle that is used to educate the children of the local community about the value of the wildlife within the reserve. The children in the program are also taught about the value of the ecological balance in the county. The importance of this program is to change the negative perceptions of the wildlife in order to enable both the community and the wild animals to coexist. The program is aiming to go national in order to educate the children of the country to appreciate the value of wildlife in Kenya.

*iv. Research Activities program*

The program monitors the lions on a daily basis. The lions are identified using special body markings and their ages are also monitored and recorded by the camp researchers.

The committee was later shown a map of the community conservancies in Samburu East Sub-county. These conservation areas are as follows—

- i. Sera for Black rhinos
- ii. Kalama
- iii. Namunyak
- iv. Westgate

Community based conservation is crucial for preservation of the wildlife in Samburu county

### **3.7 Submissions by the Local Community in West Gate Community Conservancy**

The Deputy County Commissioner, Mr Johnson Maina Mwirigi, stated that-

- The community appreciated the value of the wildlife and natural resources in the county;
- Compensation for wildlife attacks was important;
- There was need to address education issues in the sub-county; and
- The Lamu Port and Lamu Southern Sudan-Ethiopia Corridor (LAPSSET) corridor was a key hope for the community as it would mean that the area is opened up to trade, business and prosperity

### **3.8 Submissions by the Local Representative of Youth**

- Youth groups were doing everything possible to ensure that youths were involved in conservation.
- County government to get involved in conservation efforts in order to aid the conservation effort.

### **3.9 Submissions by the Local Representative of Women**

- Conservation efforts were important for the local community as the benefits accrued from tourism were used in building social amenities and education of children in the local community.

### **3.10 Submissions by the representative of the Samburu Morans**

- Conservancy emerged as an effort of the local people. It had more than 50 staff and its operating costs came from donor funds. This caused unease as the donor funds could be withdrawn at any time;
- There is an investor who is supporting them at Saasab lodge. However, the investor may withdraw the support leaving the conservancy in serious financial trouble;
- Parliament should enact a law to guide conservancies and one that enabled County Governments to take care of wildlife;
- The Community fully understood the issue of preserving wild animals and are keenly aware the effect of extirpation of the wild animals as being detrimental to the local community.
- The County Government should assist the local community in wildlife conservation.

### **3.11 Submissions by the Mr Yussuf Hassan, Manager Nakuprat-Gotu Conservancy at Shaba National Reserve, Isiolo County**

- The Reserve was started as a peace initiative for the hitherto warring communities of the area. The Reserve aims to provide sustainable employment through training of local community morans as rangers and creating capital pool for local women;
- The Committee to put in place a legislation or policy that would aid conservancies;

- The two biggest concerns being wildlife attacks and destruction of livestock;
- Charcoal burning is a threat to the park. Charcoal burning is caused by a need to find cooking fuel in poverty stricken households;
- There was a rise in incidences of cattle rustling in the community; and
- Resource based conflicts were a huge issue in the community. This in turn led to mistrust among the communities in the conservancy area. It was recognized that the Government could not resolve conflicts by itself but rather a broad based effort was needed with the support of the County Government and local leaders.

### **3.12 Submissions by the Chairman of the Conservancy Nakuprat-Gotu Conservancy at Shaba National Reserve, Isiolo County**

- The reserve was surrounded by two communities: Borana and Turkana. The other communities within the area were the Samburu and the Somali community;
- He called for unity between the KWS, County Government, NRT and the conservancy rangers. He stated that there was no need to continue with disputes as they had similar goals of wildlife conservation, environmental protection and communal unity;
- Security was mentioned as being a major issue and resolving this issue was hampered by the poor communication network;
- The number of livestock exceeded the amount of wildlife.
- The land was communally owned and no individual member had a title deed. This made the process of land alienation, a potential point of contention for the local community;
- Through the efforts of the Isiolo County Government and the county government, the community would get land allocated to it;
- Contrary to some reports, the NRT was a helpful organisation as they aided the community especially through the preservation of wildlife and tourism; and
- There was a need for a long-term plan for sustainable funding as the conservancy was heavily reliant on donor funds.

### **3.13 Submissions by the Majority Leader, Hon Abduba Fayo of Isiolo County Assembly and Chair County Assembly Committee on Tourism Mr Mohammed Jirmo**

- Public parks in Kenya were under a threat from private game ranches. Translocation of wildlife is a huge threat to the community conservancies;
- The important of the conservancies is in the ripple effects of increasing the wildlife diversity of animals and wildlife conservation, that is needed improvement;
- There was a real threat of losing community land and it needed to be addressed urgently; and
- The community was not empowered to carry out business from the profits of wild animals, as they did not get the full benefits from them.

### **3.14 Submissions by the Deputy Speaker, Hon. David Lematille Isiolo County Assembly**

- There was a decline in the tourist numbers that are visiting the county. One of the causes was insecurity in the county. Resource based conflict was a major cause of the insecurity;
- There was also a lack of marketing done in the county on the conservancies and parks;
- Most of the land in Isiolo County was trust land;
- The mismanagement of community conservancies resulted in private ranches taking advantage of the situation to the detriment of the community; and
- There was need to find measures to ensure that the wildlife corridors are kept free from interference.

### **3.15 Submissions from the Public Baraza at Gotu Town**

Key issues of concern as received from the people of Gotu Town were as follows:

- i. The issue of compensation for wildlife attacks was a problem for many of the affected villagers. This diminished the local community's appreciation of wildlife and was likely to exacerbate conflicts with wildlife.

- ii. The overreliance on donor funds was highlighted as cause for concern as there was apprehension on what would happen if the foreign donors pulled out of the wildlife conservation project; and
- iii. There was a dire need to improve the infrastructure around the area. The townspeople complained about the poor state of roads and communication facilities, which meant that they were effectively cut off from the outside world.

## CHAPTER FOUR

### COMMITTEE OBSERVATIONS& RECOMMENDATIONS

#### 4.1 OBSERVATIONS

The Committee's key **observations** following its visits to Taita Taveta, Isiolo and Samburu Counties are as follows—

- (i) There is a lack of a comprehensive legal framework in the matter of community conservancies;
- (ii) There are an undue delays in paying compensation currently running into millions of shillings to the victims of wildlife attacks;
- (iii) There is no standard way of resolving human-wildlife conflict; as witnessed in the case of Taita Taveta and Samburu counties;
- (iv) There is need to demarcate and fence land occupied by wildlife in order to reduce incidences of conflict;
- (v) There is need to resolve the land ownership issues that are creating hostility in community conservancies;
- (vi) Community based conservancies have created a lot of goodwill in the areas where they exist. Some of the noted benefits include: reduced poaching, creation of employment, improvement in security and reduction of ethnic hostilities particularly in Isiolo and Samburu counties;
- (vii) Infrastructure such as road transport networks around conservancies and game reserves are in need of urgent improvement;
- (viii) There are no water preservation mechanisms in areas with game reserves and national parks. The absence of these mechanisms increases resource based conflict between communities and wildlife;
- (ix) There are no innovative methods to keep wild animals from straying into farmers' properties and damaging crops; and
- (x) Funding of conservancies is a big challenge due to lack of sustainable services as it relies relies for the operations heavily on donors funding's.

## 4.2 RECOMMENDATIONS

The Committee **recommends** as follows—

- (i) That the Senate Committee on Devolution puts in place a **legislation to guide the management of community conservancies** and enhance the inclusion of County Governments in the management of game reserves;
- (ii) The National Treasury should create and provide **conditional grant to counties that have national parks and conservancies**, to improve their management and operations for the Financial Year 2019/20;
- (iii) That the Ministry of Tourism and Wildlife should **fast-track and concludes the pending cases of compensation for wildlife** attacks within the next three months;
- (iv) Pursuant to Article 63 (2) (d) (iii) of the Constitution of Kenya, the **County governments of Taita Taveta, Isiolo and Samburu, should expeditiously resolve the issue of land ownership** in community conservancies so as to forestall future conflicts;
- (v) That the Ministry of Tourism and Wildlife should within 90 days present a report to the House on **all the wild animals transferred to private sanctuaries**, the reasons for this and when they intend to be released back to the parks;
- (vi) The National Government and County Governments should **come up with mechanisms of preserving and harvesting water run-offs during floods to avoid the resource based conflicts** that frequently occur within the communities living near game reserves and conservancies. This will also reduce attacks from wildlife that are searching for water sources;
- (vii) The Ministry of Tourism and Wildlife should encourage farmers living near wildlife reserves and game parks to **engage in innovative measures to prevent wildlife from straying into their property**. For instance the adoption of keeping beehives along fences to ward off elephants from damaging crops;
- (viii) KWS should **ensure regular maintenance of electric fences** in Taita Taveta County and other similar locations and submit biannual reports to Parliament on the state of fencing around wildlife parks and reserves ;

- (ix) The National Government to work with county governments in **promoting and marketing counties with wildlife reserves** as a way of boosting community conservancies and thus increasing county revenue; and
- (x) The **Taita Taveta County Government and other counties with National Parks, National Reserves and Community Conservatives should submit a report to the Senate Committee** on the issue of human-wildlife conflicts and issues of revenue sharing on annual basis.