



A GUIDE TO ESTABLISHING
COMMUNITY CONSERVANCIES -
THE NRT MODEL

JANUARY 2015 - VERSION 1

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ACKNOWLEDGMENTS

Many people have contributed to the development of Community Conservancies in Northern Kenya and the evolution of the NRT model. At the start of NRT, the late James Munyugi and Matt Rice were instrumental in building the momentum and success of Conservancies. In this guide we have drawn on the experiences and knowledge of those who today are directly involved in conservancy formation and operations. Specifically we would like to thank the following: Mzee Golicha Jarsoo (NRT Board member and Peace Ambassador); Josephine Ekiru (former Chairlady Nakuprat-Gotu Conservancy, NRT Peace Coordinator); Gabriel Nyausi (NRT Community Development Manager); and Emmanuel Kochalle (NRT Conservancies Coordinator, Marsabit) who contributed specific case study details for this guide. The strong insight and knowledge of many NRT staff, Council of Elders and Board Members continues to build, strengthen and evolve the NRT Conservancy model; their deep commitment to Community Conservancies in Northern Kenya is evident in the success of NRT.

The Wildlife Conservation and Management Act 2013 for the first time recognizes wildlife conservation as a land-use and defines Conservancies as:

‘land set aside by individual landowner, body corporate, group of owners or a community for purposes of wildlife conservation’

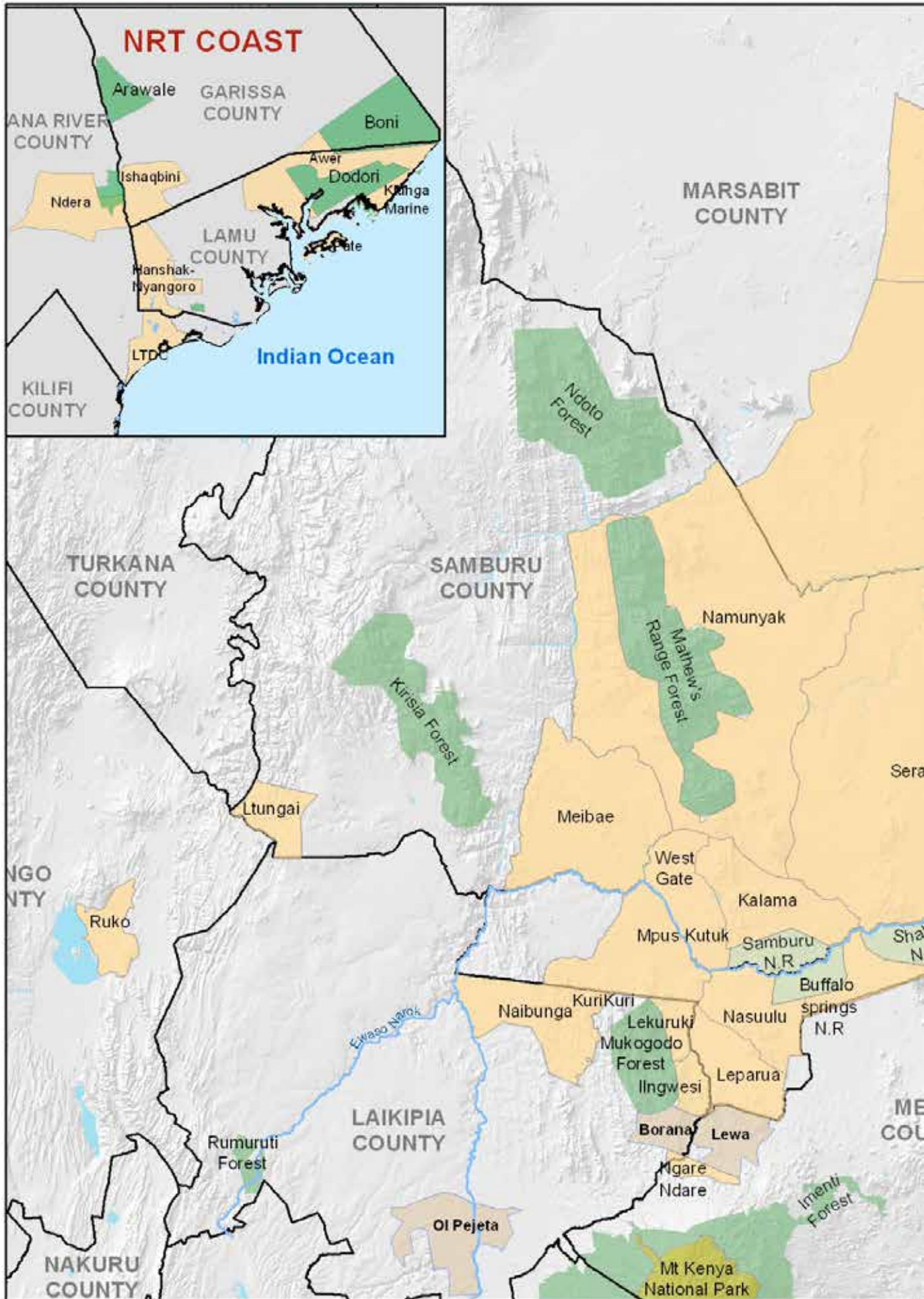
And has as one of its guiding principles the devolution of conservation and management of wildlife to landowners and managers in areas where wildlife occurs.

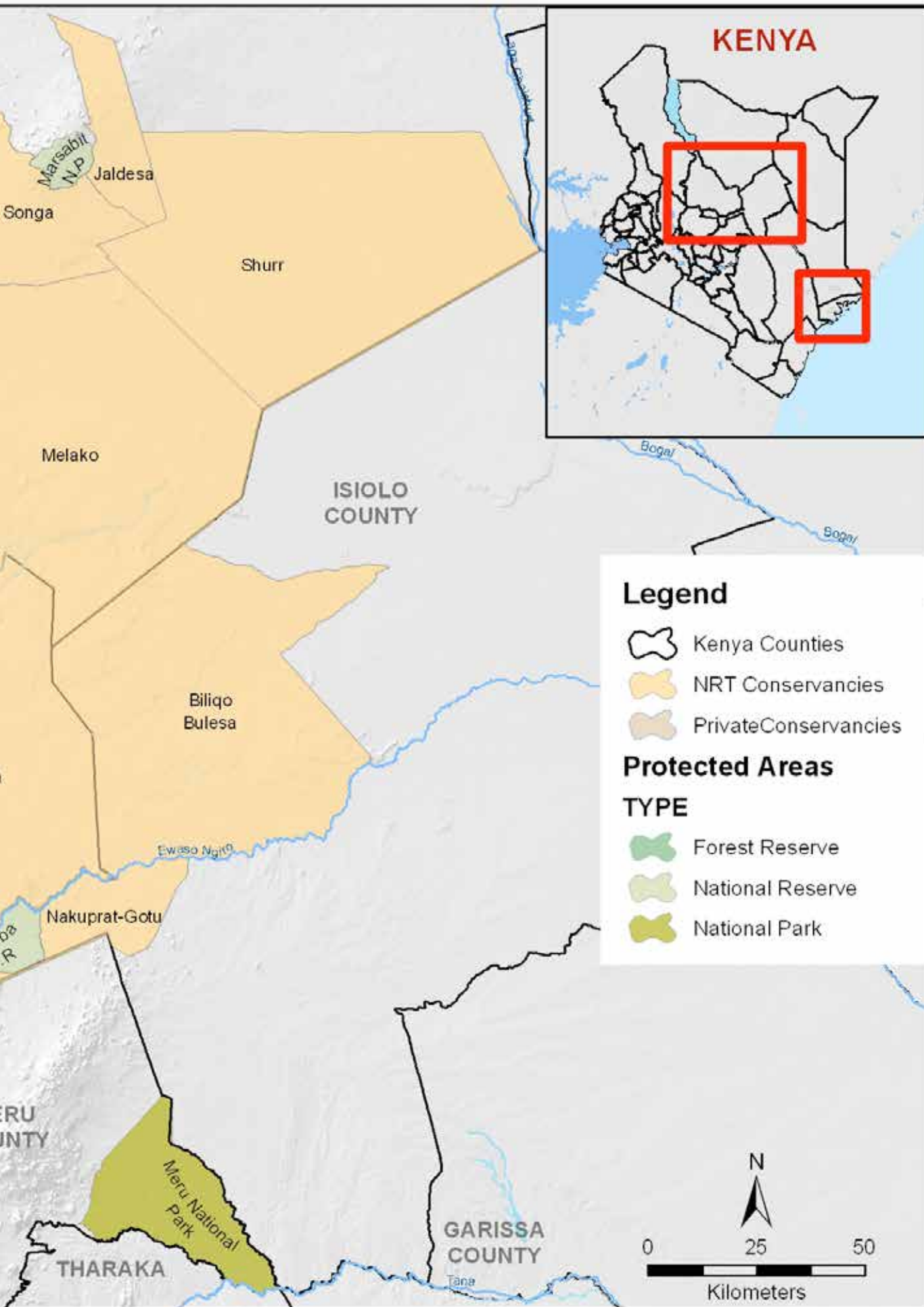
PURPOSE OF THIS MANUAL

Community Conservancies have been in operation in Northern Kenya since 1995, when the first conservancies Il Ngwesi and Namunyak, in Laikipia and Samburu Counties, were formed. However, it was not until early 2014, when Kenya's new Wildlife Act 2013 came into effect that Community Conservancies ***were legally recognized as a form of land-use***. The process of forming community conservancies and their mode of operating have therefore evolved over almost 20 years in the absence of a legal framework. This experience is invaluable in informing new legislation, which now needs to catch up with reality on the ground to ensure it provides an enabling environment for Conservancies to flourish. It must capture the diversity of conservancy models that have evolved across the country, promote sustainability and encourage good standards of management. As recognition of conservancies builds with increasing impetus to form new conservancies from Government, communities and NGOs, there is a need to provide guidance on ***the process of conservancy formation*** and the ingredients of ***what makes a successful conservancy***.

The aim of this Guide is to describe the process of establishing successful Community Conservancies in Kenya using the NRT model; to draw on NRT's experience and to document some examples of successes, challenges and best practice in different areas of conservancy development. The aim is to share what has evolved over 10 years and that may be applicable elsewhere in the world, where communal ownership of natural resources exists, and where communities can benefit from a better structured and planned approach to management of these resources. The guide is divided into two parts. Part 1 provides information on what a Community Conservancy is and what it does, and Part 2 is about how to build a strong conservancy and the role of NRT as an umbrella body.

The Northern Rangelands Trust (NRT) was established in 2004 as an umbrella organization to initiate Community Conservancies in northern Kenya. Its mission is to ***develop resilient community conservancies that transform lives, secure peace, and conserve natural resources***. It does this through the establishment of community institutions (Conservancies); the establishment of reliable communications between communities, Government and the private sector; enabling dialogue between historically conflicted communities; raising funds for Conservancies; providing advice and mentorship on management; supporting a wide range of training and acting as a fair broker on agreements between Conservancies and investors. It also monitors performance, providing donors and partners with a degree of feedback and quality assurance. By 2014, NRT membership had grown to 27 Community Conservancies in 9 Counties covering 3 million hectares of land in northern Kenya, representing more than 250,000 people.





EXECUTIVE SUMMARY

NRT defines a Community Conservancy as a **'community-owned and community-run institution which aims to improve biodiversity conservation, land management and the livelihoods of its constituents over a defined area of land traditionally owned, or used, by that constituent community'**. NRT believes that the long-term success of conservation on community land depends on building ***strong, well governed community-owned institutions*** that ensure rights and responsibilities of conservation by local land-owners and equitable benefits to communities from conservation. Community Conservancies develop programs for peace, livelihoods, conservation and business development; they provide a formal structure for partner engagement and an organized platform and voice for people to manage their common resources. Community Conservancies recognize the coexistence of people, their livelihoods and wildlife and the integration of all these in the management of the land, they do not create 'hard' boundaries which separate people from wildlife nor do they exclude other people from using the land. Typically a NRT Community Conservancy costs between US\$ 50-70,000 (Ksh 4-6 million) per year to operate.

There are four areas that must be addressed in the process of forming and developing a Community Conservancy:

1. Community

- The members of the conservancy are the customary or legal land-owners in a given area of land which is self-defined. Membership must recognize and reflect all people who have control or customary rights or use over a given geographical area, and may be made up of a single ethnic group or a combination of clans/multi-ethnicities.
- Awareness of the plans to start a conservancy should be inclusive, wide-reaching and transparent and give sufficient time to ensure the wider community is supportive and committed to the conservancy concept.
- Engaging community leaders is important and where traditional institutions exist, conservancies must recognize these and integrate them into the conservancy institution. Conservancy governance structures and land management practices are a mix of formal and customary.
- Managing communal resources requires collective decision-making which can only be achieved if there is social cohesion in the Community. Conservancy institutions can build social cohesion through communication, transparency, ensuring equitable benefits and developing trust.

2. Land

- Defining the area of land on which the conservancy operates comes initially from identifying who the 'conservancy community' is and what area of land they have under their control (through legal title or customary rights). In the NRT model, ***the Conservancy covers the entire area occupied or controlled by the community*** and is not confined to tourism/wildlife zones where human activities and settlement are restricted.

- The most secure and effective land tenure for Community Conservancies to date has been on ***community land with strong legal ownership***.
- In areas where conservancies overlap with protected areas (national reserves or forest reserves), co-management agreements have been used and may have greater potential in future.

3. Institutions

- The institutional structure of a Community Conservancy consists of ***a democratically elected Board which employs all conservancy staff*** under the day-to-day management of a Conservancy Manager, with clear reporting lines of other staff.
- The Conservancy Board is the executive body of the conservancy and responsible for managing its resources on behalf of the conservancy members. Board members serve a ***term of 3-years*** and are elected during the Annual General Meeting.
- The ***AGM*** is a critical meeting that must be held every year to reinforce ownership and relevance of the conservancy to its community members; it is an opportunity to communicate progress and ensure accountability of the Conservancy Board to its members.
- The conservancy develops a ***benefit distribution plan*** which is managed by the Board and must ensure transparent and equitable sharing of benefits across all settlement zones and ethnic groups. Typically in NRT conservancies the revenue generated by conservancies through tourism and livestock marketing is split 40/60, with 40% going to support conservancy operations and 60% to the community account which is used to support community development priorities.
- A Community Conservancy can be registered as a Community Based Organisation, Trust or ***Not For Profit Company*** (which is the most appropriate and legally secure entity).

3. Programs

Most conservancies have programs in:

- ***Peace and security*** – conservancy scouts/rangers, peace committees, moran/youth engagement
- ***Natural resource management*** - wildlife management (including anti-poaching and wildlife monitoring); grazing management; fisheries management; forest management
- ***Enterprise*** – as a means of generating revenue and creating direct household benefits which provide leverage for conservation and financial sustainability of the conservancy e.g. tourism, livestock marketing, microenterprises
- ***Community development*** – supported through the revenue from conservancy enterprises or partnerships with government and development agencies, and typically includes: student bursaries; medical support; emergency re-stocking of livestock; water, health and education infrastructure.
- ***Infrastructure & equipment*** – depending on area of coverage may include headquarters, security outposts, roads, airstrips, vehicles, radio communication etc.
- ***Management & administration*** – this is primarily the role of the Manager supported by the Board and senior management team, it includes e.g. development and implementation of a management plan (a requirement for conservancies under Wildlife Act 2013); monitoring; human resource management; financial management and budgeting; fundraising; and managing partnerships with other stakeholders.

For conservancies to be successful they must be strong institutions, recognized and endorsed by the wider community, which provide a stable foundation for economic development and conservation. There are five key principles for successful conservancies which are:

1. **Ownership** – ensuring formal and traditional rights and customary decision-making over communal resources are upheld by conservancies, and active participation by members.
2. **Capacity** – ensuring conservancies have the skills and resources for effective management.
3. **Governance** – transparency, equity and accountability of the Conservancy to the wider community; good governance is a measure of the effectiveness of the Conservancy and weak governance leads to low community participation and ultimately erodes trust in and support for the conservancy.
4. **Leverage for conservation** – conservancy benefits: direct and indirect, financial and non-financial; conservancies with a higher potential to generate benefits have a higher chance of success.
5. **Facilitation or mentorship** – a crucial role played by NRT, to empower and facilitate conservancies, ensuring that key principles are upheld through a consistent and long-term partnership.
6. NRT, as an umbrella organization for community conservancies, plays a unique role to facilitate, guide and enable conservancies ensuring communities benefit from their natural resources in a sustainable, structured and planned manner. NRT's approach requires a balance between **ensuring good governance and high standards of management whilst not undermining community ownership and autonomy** of the conservancy. NRT's institutional structure, with the Council of Elders as the highest governing body of the organization made up of the Chairmen of all member conservancies, allows it to play this role effectively. The way in which NRT works, empowering communities to manage their common resources, means that we are a trusted partner with a long-term relationship with our members.

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PART 1 - WHAT IS A COMMUNITY CONSERVANCY

In 2013, Conservancies were legally recognized under the Wildlife Conservation and Management Act 2013 as a form of land-use, and defined Conservancies as *'land set aside by individual landowner, body corporate, group of owners or a community for purposes of wildlife conservation'*; prior to this, Conservancies had no legal recognition and the evolution of Conservancies in Kenya has come about in the absence of a legal foundation. NRT defines a Community Conservancy as a *'community-owned and community-run institution which aims to improve biodiversity conservation, land management and the livelihoods of its constituents over a defined area of land traditionally owned, or used, by that constituent community'*. The difference in these definitions lies in the term 'land set-aside' which infers land has been specifically put aside, whereas, NRT Conservancies build on existing land-use and integrate livelihoods with conservation; they do not create hard boundaries or exclude people from using the land. NRT's focus is on the Conservancy as an institution that manages the land, rather than using the term Conservancy to describe the land itself. NRT believes that the long-term success of conservation on community land depends on building strong, well-governed community-owned institutions that ensure rights and responsibilities of conservation by local landowners and equitable benefits to communities from conservation. All NRT conservancies are in the process of being registered as per the Wildlife Act 2013.

Community Conservancies are autonomous institutions that represent constituent communities who either legally or traditionally own or use a defined area of community land. Community Conservancies are about bringing together people living on and using a given piece of land under a well structured corporate body with an aim of improving ***social wellbeing, land and resource management and environmental conservation***. Community Conservancies develop programs for peace, livelihoods, conservation and business development; they provide a formal structure for partner engagement and an organized platform and voice for people to manage their common resources.

Community Conservancies recognize the coexistence of people, their livelihoods and wildlife and the integration of all these in the management of the land. Community Conservancies differ from National Parks and Private Conservancies in that they do not create 'hard' boundaries which separate people from wildlife nor do they exclude other people from using the land. They establish like minded community institutions with the capacity to resolve local issues and hold the continuity to follow up over extended periods. In the landscape in which NRT conservancies exist, the seasonal use of the land by other communities for livestock grazing is an inherent part of the pastoralist system and conservancies recognize and manage for this.

As Community Conservancies have expanded, the word 'Conservancy' has entered local languages to mean much more than just a conservation-focused initiative; to pastoralist communities it means empowerment, employment, peace and development. NGOs, Government, tourism and development partners are beginning to recognize this shift and need to better understand conservancies as a vehicle for more than just wildlife conservation.

1. COMMUNITY

Who does the conservancy represent?

1.1 Membership

The members of the conservancy are the customary or legal land-owners or users in a given area which is self-defined; the Conservancy is the institution that represents them, and is established to address their development and conservation priorities. Defining the membership comes from identifying who makes up the community and who are the customary users of the land within a given *geographical* area. A 'community' may be identified based on ethnicity, culture or a group of people with a common interest (Constitution of Kenya 2010). It may be made up of a single ethnic group or a combination of clans/multi-ethnicities. The community membership for the conservancy must *recognize and reflect all people who have control or customary rights or use over a defined piece of land.*

Examples of Conservancies which represent a single ethnic group include many of the first conservancies to be established including Il Ngwesi (1995), Lekurruki (1999), Sera (2001) and Kalama (2002). Examples of multi-ethnic conservancies whose members came together as one 'conservancy community' with a common goal, in these cases there was historical conflict between the different tribes living in the areas now encompassed by the conservancy; creation of the conservancy has significantly reduced conflict among the resident communities:

- **Ruko Community Conservancy (2006)** – Pokot & Lchamus communities residing in Komolion and Rugus locations of Baringo County
- **Nakuprat-Gotu Community Conservancy (2010)** – Borana & Turkana communities residing in Ngare Mara and Gotu locations of Isiolo County
- **Nasuulu Community Conservancy (2011)** – Borana, Somali, Turkana & Samburu communities in Isiolo West location of Isiolo County

Critical to defining the membership is ensuring that it is inclusive of gender and age-sets, and does not marginalize sub-groups. Equally important is recognition from neighboring communities of who the 'conservancy community' is, to ensure they do not feel excluded and will recognize and support the conservancy as a legitimate community institution in future. This is achieved through awareness and inclusion of representatives from neighboring communities and Government administration in the process of conservancy formation.

1.2 Awareness

Awareness of the plans to start a conservancy is created in the process of identifying the community membership and should be inclusive, wide-reaching and transparent. At the early stages of forming a conservancy, awareness is most successful where the conservancy model can mitigate or resolve the most significant challenges within the member community. The drivers of conservancy development on community land have typically been peace and security, land-security (in areas where land-tenure is not formalized or clear), rangeland management underpinning pastoralist livelihoods, development of a community institution

for rural development and access to social services, creation of jobs and other livelihood alternatives. Wildlife conservation is rarely a primary driver; however there is recognition among communities, which are already aware of the conservancy concept, that conservancies bring development through wildlife conservation.

Once conservancies are registered, the greatest awareness is through peer process by visiting existing conservancies, where community members can interact with Boards and management and discuss challenges and opportunities of the conservancy model. Part of the process of registering a conservancy is determining the community readiness to the conservancy concept. Community *readiness* can be gauged by determining if the formation of the conservancy is *driven by the community themselves*, or if it is being externally driven e.g. by government, tourism partners or other investors. While initial drive may come from external bodies, it is critical that there is sufficient time given during the process of forming a conservancy to ensure the wider community is supportive and committed to the conservancy concept. Understanding the communities' motivation to either form a conservancy, or support the formation of a conservancy in cases where communities have little knowledge of the conservancy concept, and the benefits they expect to gain in future is also important. Community motivation and expectations at the inception will underpin the strength of community ownership of the conservancy in the future.

1.3 Leadership & Traditional Institutions

Engaging community leaders at the start is an important part of the process when creating awareness of the conservancy concept. Leaders include traditional leaders, administrative and County leaders (Chiefs, Members of the County Assembly), as well as strong individuals who are natural leaders in their community. Informally recognizing the role of these leaders and seeking their support, and if possible to champion the conservancy concept, is a critical part of the process of establishing the conservancy; failure to engage and recognize leaders is likely to undermine any attempts to form a conservancy.

In communities where traditional institutions (for governing resources) are strong and intact, conservancies must recognize these as the highest decision-making body and either formally or informally integrate them into the conservancy institution. Conservancies build on these traditional institutions and their governance structures and land management practices are a mix of formal and customary. In the case of Group Ranches, the most successful integration of Conservancies has been in cases where the Conservancy Boards either mirror that of the Group Ranch or, in areas where there are multiple Group Ranches, the Conservancy Board is drawn from the Group Ranch Chairmen/Board members (the same applies for Community Forest Associations and Beach Management Units). This streamlines community governance structures and ensures formal, administrative or customary institutions are represented on Conservancy Boards.

Examples where traditional or customary institutions have approved the formation of conservancies and are integrated into the conservancy governance structure:

Ndera Community Conservancy in Tana River County: the *Gaza* is the traditional council of elders for the Pokomo Community. Approval to form the Conservancy was sought first from the Gaza before the Conservancy Board was elected. The Chairman of the Gaza is co-opted onto the Conservancy Board to ensure that any decisions made by the Board are also communicated and approved by the Gaza.

Shurr Conservancy in Marsabit County - the *Gabbara* community has five **Council of Elders or 'Yaas'**. The Yaas are made up of respected elders who still play an important role in their communities, determining the calendars for ceremonies and cultural events and providing guidance to their communities over important issues. During the formation of Shurr Conservancy the Yaa were informed and closely involved, they are consulted prior to elections of the Board and continue to play a significant roll in conservancy management and with the Conservancy leadership, strengthening ownership among the wider community. The Chairman and several other Board members are also members of the Yaa.

1.4 Social Cohesion

Rangeland (and fisheries) resources are best managed by common consent, privatizing does not work as these resources are not viable as small business or ecological units. Managing common resources requires collective decisions to be made which can only be achieved if there is a strong social cohesion and common purpose. In traditional societies social cohesion was maintained through customary practices, laws and governance structures. However as communities become modernized social values change and individuals pursue disparate goals, weakening these traditional structures and the ability for collective decision-making.

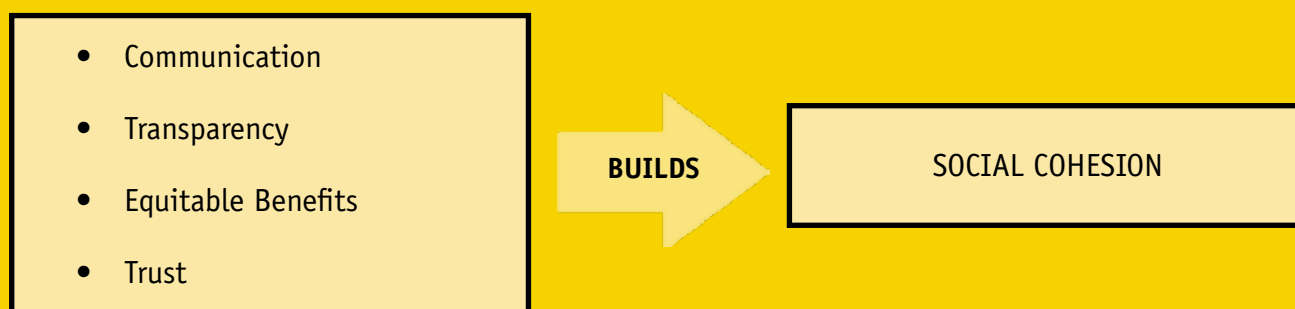
Building social cohesion among the conservancy community is important to enable the conservancy to make decisions for managing the land which are based on agreement from the wider community. Making collective decisions over managing common resources is difficult if the community is fractured and disparate; this ultimately weakens the conservancy as a legitimate voice of the community further undermining the sense of community ownership and representation. Conservancies themselves are a means of building social cohesion, encouraging dialogue at a community level and creating mechanisms whereby conservancy leaders are accountable to their constituent members. The mix of customary and formal systems adopted by conservancies is a means of reinforcing the traditional governance structures and ultimately building agreement and cohesion among the community.

The conservancy is a means by which to build social cohesion, however community cohesion should be visible early on in the formation of a conservancy, without this it is unlikely that the conservancy concept will take off.

The Conservancy Model Building Social Cohesion

Nakuprat-Gotu Conservancy in Isiolo County represents predominantly Turkana and Borana communities living in this area. Build up to the formation of the conservancy went through a series of false-starts. In 2008 discussions began on the formation of a conservancy in response to insecurity and Ngare-West Conservancy, representing only the Turkana community, was formed. However conflict over boundaries and representation led to the collapse of this conservancy. In 2009 the Ngare Mara community decided to form their own conservancy, however, very soon recognized that failure to include communities from Gotu (a critical conflict area between the Turkana and Borana communities during the dry season) this conservancy would suffer the same fate as its predecessor.

In 2010, leaders from both the Turkana and Borana communities from Ngare Mara and Gotu locations came together to discuss formation of a joint conservancy. A team of 10 leaders from these communities visited several NRT conservancies to understand the conservancy concept; this formative visit was critical in creating friendship and trust between individuals from historically warring communities. Simple tools like choosing a common language for communication when the team was together; mixing ethnicities in sharing hotel rooms and vehicles; and introducing your 'partner' to the rest of the group, were effective in breaking down barriers. The team collectively gave feedback to their communities, with peace being the fundamental objective of the conservancy. The hostility felt in some areas was palpable; however, every time community meetings were held there was a joint team from both communities, this was critical to gradually creating trust through leading by example. Since the formation of the conservancy all benefits have been shared equally between the two communities; employment, revenue, Board representation. Chairmanship of the Board was a contentious issue; which community would lead? Interestingly these communities chose a young woman. Her approach has been to be transparent, communicate, and always seek the opinion of the community, and to negotiate with the community openly over ideas and decisions; this has built her trust with the Board and wider community. Since Nakuprat-Gotu conservancy was formed there have been no incidents of violent ethnic conflict between these two communities.



2. LAND

Where does the conservancy operate?

2.1 Land area

Defining the area of land on which the conservancy operates comes initially from identifying who the 'conservancy community' is and what area of land they have under their control (through legal title or customary rights and use). In the NRT model, the Conservancy covers the entire area occupied or controlled by the community and is not confined to tourism/wildlife zones where human activities and settlement are restricted.

In defining the conservancy boundaries, as with determining who the conservancy community is, care must be taken to ensure neighboring communities are aware that *membership encompasses all communities and sub-groups who have customary rights to the land but who may not be the legal owners* (as opposed to communities who may occasionally use the land during seasonal migrations but who are resident elsewhere). Understanding the history of use of the land by different groups of people is an important component of defining the Conservancy area. If this is not done carefully, establishment of a conservancy may have an unintended consequence of fuelling conflict with marginal groups feeling excluded from land to which they have had customary rights and control. NRT's experience is that where multiple communities may use land on a seasonal basis then equal investment into these communities through the establishment of conservancies creates a forum to manage and mitigate conflicts (for example the greater Sera landscape encompassing Sera with Melako and Buliqo Bulesa Community Conservancies, representing the Samburu, Rendille and Borana communities that use this landscape).

Early formation of community conservancies in Northern Kenya in some cases did not carefully address the issue of traditional use of the land by groups of people who were not legal owners of the land. In the case of **Ltungai Community Conservancy** in Samburu West formed in 2002 the conservancy was solely owned and represented the Samburu community. Conflict between the Samburu and neighboring Pokot community existed historically and in 2004 conflict broke out once more. In some political arenas the formation of the conservancy was cited as a 'land-grab' which would prevent access to the land by the Pokot who had many years of continuous access to parts of this land. While the conservancy was not the cause of the conflict it was used by some to exacerbate the conflict and further polarize the two ethnic groups by creating a perception of exclusive use of land. In 2010 Ltungai conservancy changed its representation to include members of the neighbouring Pokot community, including them in the membership of the Board and recruiting 6 Pokot rangers. The land area of the Conservancy did not change and falls solely within Samburu County however, representation has been modified to acknowledge the customary use by the Pokot community who are now involved in decision making and management of this land.

Conservancy boundaries generally coincide with Administrative boundaries (locations, sub-locations or county wards). This has important benefits when working with County Governments as they can align their planning, funding and development support directly to conservancies if they encompass one or more wards.

2.2 Land-tenure

Land-tenure is defined under Kenya's Land Act 2012 with all land falling into three categories: **Public**, **Private** and **Community** land. In the case of NRT Community Conservancies, land-tenure is specific to either Community Land (Group Ranches or formerly Trust Land) or in a few cases Public land (formerly Government Land). Understanding the tenure of the community on that land is important as this can provide a stronger legal foundation for the formation of a conservancy. In the absence of secure land-tenure, conservancies have been used as a means to legally define and clarify land ownership; which in some cases has been contentious (see Section 2.1).

The most secure and effective land tenure for Community Conservancies to date has been on **community land with strong legal ownership**, such as registered Group Ranches with Title Deeds. The Community Land Bill is still in draft however it should seek to ensure community land rights are equal in weight and stature to conventional statutory land rights¹ (i.e. community land is as secure as private land); this should therefore increase the security of tenure for all forms of Community land including former Trust land.

Documenting and mapping any private titles within the conservancy area is an important step, identifying the owners and ensuring the wider community have agreement from these owners that their land falls within the conservancy.

Examples of the current range of land tenure of NRT Community Conservancies, and their land-tenure security ranking are shown the following table².

1 NRT Submission to Community Land Bill Task Force, April 2013

2 Doyle, K. M. & Nyaundi, K. M. 2013 Community Land Options Framework. Report to The Nature Conservancy and Northern Rangelands Trust

Conservancy	Land-Tenure	Land-tenure security ranking
Kalama Community Conservancy	Group Ranch with Title Deed	Highest
Il Ngwesi Community Trust	Group Ranch with Title Deed	Highest
West Gate Community Conservancy	Group Ranch adjudication completed, registration not finalised, no Title Deed	High
Meibae Community Conservancy	Group Ranch adjudication completed for 4/5 group ranches, registration not finalised, no Title Deed	High
Sera Conservancy Trust	Group Ranch adjudication in process with Ministry of Lands	Moderate
Namunyak Wildlife Conservation Trust	Group Ranch adjudication in process with Ministry of Lands for 4/6 group ranches	Moderate
Bilibo-Bulesa Community Conservancy	On former Trust Land, letter of support from County Council	Low
Ruko Community Wildlife Conservancy	On former Trust Land, letter of support from County Council	Low
Mpus Kutuk Community Conservancy	On Livestock Marketing Division land, no agreement with Ministry of Livestock	Lowest
Leparua Community Conservancy	On Livestock Marketing Division land and Kenyan military training area, no agreement with Ministry of Livestock or Kenya Defense Forces	Lowest

The challenge of establishing conservancies on Public Land (formerly Government Land) is evident in **Mpus Kutuk Conservancy** which was established in 2007 on Livestock Marketing Division (LMD) Land in Isiolo County. Decisions over land-use and developments are made by National and County Government with little reference to the resident community or conservancy resulting in potentially incompatible land-uses and low recognition of the biodiversity conservation value of the land (e.g. army training, livestock quarantine areas, Isiolo resort city, LAPSETT corridor, KETRACO power lines, Crocodile jaws dam). Communities in this area tend to be less cohesive, more recently settled, more transient, with frequently new families moving into the area from elsewhere; this makes communal decision-making and conservancy membership problematic and undermines the strength of conservancies in managing their resources and dealing with conflict and insecurity in their area.

Historically there was no investment in LMD land or any structured land-use or management, no formal or customary decision making structures were established, and thus this land was heavily degraded and conflicted. The Conservancy has gone a long way towards creating better governance and management of the land and reducing conflict

2.3 Overlap with Protected Areas

Several NRT Community Conservancies overlap with National Reserves and Forest Reserves. In some cases the National Reserves are non-functional and have never been effectively managed since being gazetted (e.g. Losai National Reserve in Marsabit County which overlaps with **Melako Community Conservancy**). County and KWS endorsement of the conservancy in such a case should be sufficient to ensure that there is no conflict with the National Reserve. Both **Namunyak Wildlife Conservation Trust** and **Ngare Ndare Forest Trust** are registered as Community Forest Associations (CFAs) and have formal co-management agreements with the Kenya Forest Service (KFS) for the management of the Mathews Forest and Ngare Ndare Forest respectively.

In **Ishaqbini** and **Ndera Community Conservancies** in Garissa and Tana River Counties, which overlap with the Tana River Primate Reserve, there was a need to more formally recognize the management arrangement between Kenya Wildlife Service (KWS) and the conservancies. ***In 2011 NRT brokered a 20-year agreement between KWS and the Conservancies*** 'to provide a framework for collaboration between KWS, Ishaqbini and Ndera Community Conservancies to open up the east bank of the Reserve to wildlife tourism and eco-tourism and generate funds for further development of the Conservancies'. The agreement essentially sets out the areas of collaboration and management arrangement of the Reserve by KWS and the conservancies on tourism investment; it states that all bed-night fees from tourism facilities established in the Eastern bank of the Reserve will go to the conservancies. A formal agreement with KWS (or County Governments) for the co-management of National Reserves should provide security of tenure for conservancies where they overlap and this model could be further developed and applied elsewhere (in much the same way as CFAs enter into Co-Management Agreements with the KFS in Forest Reserves).

3. INSTITUTION

What does the conservancy governance structure look like?

3.1 Institutional structure

The institutional structure of a Community Conservancy consists of a democratically elected Board that either mirrors the formal land-ownership governance structure (in the case of Group Ranches) or is endorsed by and includes membership from the traditional community governance structure (e.g. Gaza, Council of Elders, Gabbra Parliament etc.). The Board employs all conservancy staff which typically includes a Manager, Accountant/Book-keeper, conservancy Warden, Rangers and Driver.

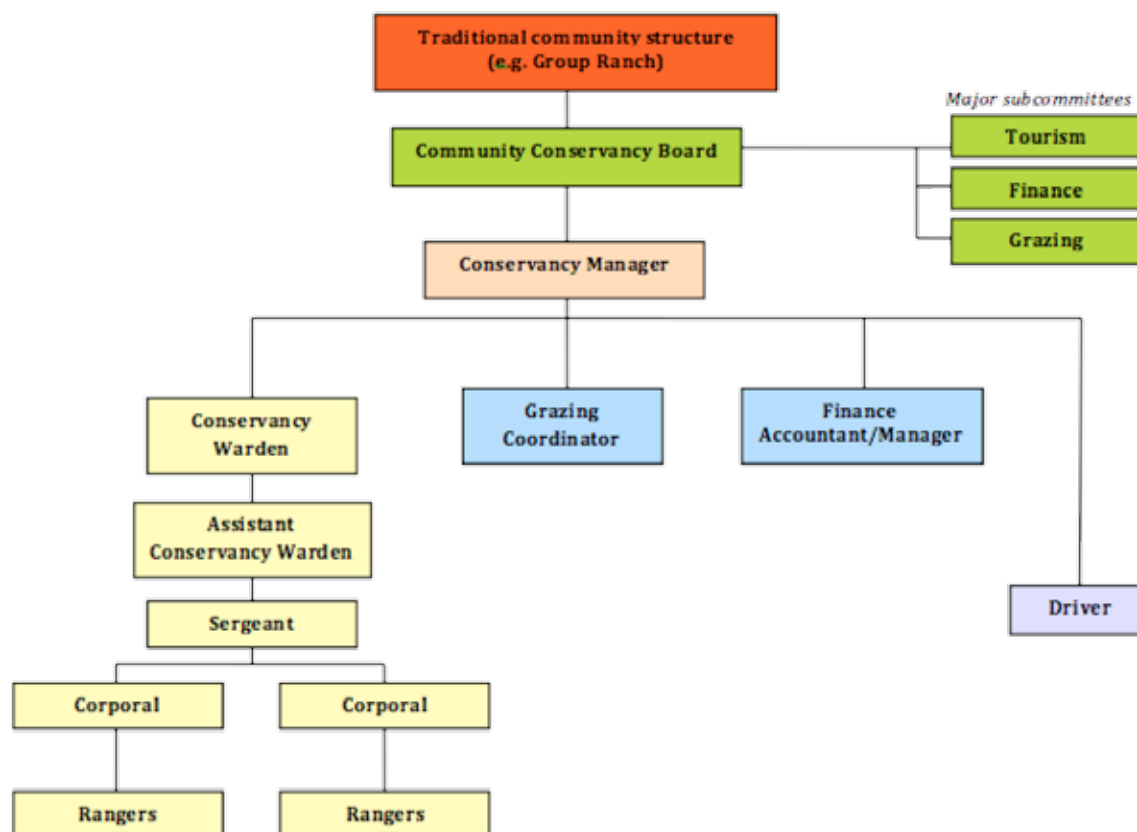
A Community Conservancy can be registered as:

- **Community Based Organisation (CBO)** or Self Help Group
- **Trust**
- **Not For Profit Company**

To cover all aspects of a conservancies' operations including legal agreements with investment partners as well as liability for employees and visitors, a not-for-profit company is the ***most appropriate and legally secure entity***. A not-for-profit company can set out in the memorandum and articles the requirement for rotation of leadership and establishes a legal firewall on litigation issues, avoiding Directors (or Board members) being personally responsible. The ***conservancy constitution*** (similar to a Trust Deed) details the objectives, powers, operating principles, benefit distribution plan, property, membership and responsibilities of the Board and is the basis for registration of the Company³.

The conservancy is run on the basis of; equality, democracy and fairness; transparency and accountability; equitable and non-discriminatory benefit sharing; teamwork, trust, respect for one another and co-operation; collective decision-making; and needs-based development.

³ NRT template for Conservancy Constitution, 2013



Typical Conservancy Management Structure

3.2 Conservancy board

The Conservancy Board is:

- Democratically elected by the community at the AGM
- Has equitable representation of settlement zones, ethnic groups, women and youth
- Board members have a 3-year term of office
- Has ex-officio representatives from Government, development, tourism and conservation partners
- Meets quarterly to review progress and financial status
- Responsible for effective, sustainable and transparent management of the Conservancy

The Conservancy Board is the executive body of the conservancy and responsible for managing its resources on behalf of the conservancy members. An interim Board is established at the inception of a new conservancy, however a formal election process of the Board should be held during the first Annual General Meeting (AGM). The Board is elected through a democratic process (election at the AGM from a list of people nominated by members) and should contain equitable representation from each settlement/zone, ethnic group and sub-groups within a conservancy, and must include women and youth representatives. Office bearers of the Board include the Chairman, Vice-Chairman, Treasurer/Finance Chairman and Secretary (who is the Con-

servancy Manager). As mentioned in section 3.1, it is essential that the Board either mirrors or draws representation from the formal/traditional land-ownership governance structure.

Board members are elected for a period of three years, and are eligible for re-election for a maximum of two terms. The Board consists of approximately 12 elected members as well as ex-officio members from Government (e.g. Member of the County Assembly, Chiefs, KWS or KFS Wardens), conservation and development partners working in the conservancy area, and tourism investors. The Board may also choose to co-opt members to the Board (who will have full voting rights) who may have specialist skills or education that would support and enhance the Board.

Board training is carried out to ensure members understand their role and responsibility and the objectives of the conservancy. The role of the Board is to ensure that the conservancy is being effectively, transparently and sustainably managed⁴. This includes:

- Appointing responsible and suitable managers and monitoring their performance and that of other staff
- Managing conservancy assets, equipment and infrastructure
- Developing and monitoring the conservancies programs and activities
- Keeping members informed of decisions, financial status and other matters of importance
- Overseeing management of conservancy revenue and expenditure and ensuring an annual audit is undertaken and shared in a public forum
- Ensuring equitable and fair benefit distribution to conservancy and community development programs (see box on Benefit Distribution Plan)

Leadership is a critical quality for Board members, especially in the office bearers, as well as ensuring Board members have sufficient time to assist in the governance of the conservancy and create partnerships with other stakeholders. To be effective ***the Board should have a strong belief in the conservancy's mission and clarity of collective vision for what the conservancy wants to achieve.*** The Board meets quarterly to ensure they are familiar with all aspects of the conservancy's operations and current challenges and opportunities. The Board may appoint sub-committees to focus on particular areas of a conservancy's work; these commonly are finance, grazing/peace and tourism but will vary depending on the scope of activities, community livelihoods and geographic area of a conservancy.

A conservancy **benefit distribution plan** is managed by the Board and is based on the following principles:

- Transparent and equitable sharing of benefits (including revenue, employment and communal benefits) across settlements/zones, ethnic groups and sub-groups
- Sets out the proportion of funds to be used for education bursaries, health and other development projects
- Individual benefits should be prioritized to the most vulnerable groups
- All payments to beneficiaries should be made by cheque, not cash
- Lists of beneficiaries and projects supported by the conservancy should be displayed in public places and declared at the AGM

Good governance of conservancy revenue and benefits to ensure equitable, transparent and accountable distribution provides a foundation for strong community support and ownership of the conservancy. Poor management of conservancy benefits will erode trust, create low community participation and undermine the legitimacy of the conservancy to its members.

3.3 Annual General Meeting

Effective communication to stakeholders is central to a community conservancy's success; the Annual General Meeting (AGM) provides the opportunity for two-way communication between the Board and Management of the conservancy and its members (the community). The AGM reviews progress over the last year and plans for the upcoming year. Board elections take place at the AGM and each member present is entitled to one vote. Other major decisions regarding operations, large investments or changes in policy are usually discussed and voted upon during an AGM; consequently large attendance is desirable and the AGM should be well publicized. The AGM provides an opportunity for the community to question performance of the Board and Management and to ensure accountability of the conservancy Board to its members (issues of mismanagement can be dealt with at the AGM by voting out officials they have no confidence in or insisting on disciplinary action of management staff). The AGM is a critical meeting that must be held every year to reinforce ownership and relevance of the conservancy to its community members.

A typical agenda for the Conservancy AGM is as follows:

Conservancy Chairman Report - brief progress of the overall year, challenges, staff performance, achievements and failures.

Conservancy Manager Report - provides more detail on:

- Wildlife status
- Grazing/natural resource management
- Status of Board elections and committees
- Financial reports including funding received, audits for both conservancy operating account and community account
- Endorsing any important resolutions or by-laws
- Decision on community revenue allocations for social projects and priorities
- Endorsement of plans for the following year according to the Management Plan
- Briefs on matters of policy (such as new legislation etc.)

3.4 Management and Staff

Employment is a key benefit for communities and as such recruitment of conservancy staff needs to be managed according to the principles of transparency and equity that are applied to other conservancy benefits. Employment should draw fairly from each settlement area, ethnic group or sub-group represented by the conservancy membership. Management positions (Manager, Accountant, Grazing Coordinator and Warden) should be recruited through a competitive process to ensure the conservancy recruits the most qualified and experienced person for the job; a conservancy may choose to recruit these positions from outside its own community. Interviews for management positions are carried out by a panel including the conservancy Chairman at least two other Board members, NRT representatives, and when appropriate KWS or other experts.

Clear reporting lines for all staff are essential and must be clear to the Board as well as employees (see Management Structure section 3.1). While the Board is responsible for the overall actions and performance of staff, they should not be involved in day-to-day management decisions or supervision.

The Board and Manager are central to driving the principles of conservation and sustainable management of natural resources; this also requires *communicating* these principles among the different communities. The success of any conservancy depends on *maintaining partnerships* with other organisations, as well as developing *social and economic benefits* for the community, in e.g., health, education, water or wildlife.

The conservancy Warden and Rangers provide a vital role in provision of security for people and wildlife. The task of the Ranger is to: safeguard wildlife and the environment; provide security for people and *reduce tribal mistrust* (through bringing communities together); create *awareness of conservation* and its importance within respective communities.

4. PROGRAMS

What does the Conservancy do?

Most community conservancies have broadly two major goals: 1) to improve the lives of their members and 2) to improve the status of natural resources on which their communities depend, including wildlife. In order to achieve this there must be effective management of human and physical resources. Most NRT conservancies have programs in the following areas:

4.1 Peace & Security

Improved security has been shown to be the *major benefit* of conservancies for communities in Northern Kenya. In fact security for people and their livestock is one of the primary drivers for communities establishing conservancies in Northern Kenya. It is very difficult to quantify the impact of improved security; peace and security is the foundation for all economic and social development, as well as planning and management of natural resources on community land. Without peace and security there is little opportunity for tourism investment, education and health care cannot be sustained and people are unable to plan how to manage their land.

Conservancies have been critical to building peace between Samburu, Rendille and Borana communities in the Greater Sera area. Prior to the establishment of **Sera, Melako** and **Biliqo-Bulesa Conservancies** the areas of Kom, Kauro and Koya had seen decades of fierce inter-tribal conflict. Many people were killed and settlements abandoned as each tribe retreated deeper into their own territories. Herders only moved into these areas with their livestock in the dry season as grass became scarce, all heavily armed and anticipating conflict as the three communities converged on the last remaining grass and water. In the wet season the area remained abandoned, only frequented by elephant poachers who took advantage of the absence of people.

Conservancies created a platform for dialogue, bringing the three different communities together and facilitating relationships, building trust between people who previously did not know each other. Rangers, chiefs, elders and herdsman from these communities now know each other and communicate when conflict occurs or they suspect livestock raids are being planned.

Today the pattern of movement remains largely the same, these centres are not yet permanently settled and few livestock are found here in the wet season, however, for the most part the area is peaceful. Conservancy rangers have established permanent outposts. In the late dry season Samburu and Borana share the same grazing areas and water points with a system of managing access to water on alternate days; through their conservancies, herders from different communities request access to grazing on their neighbours land; stolen livestock is followed by Conservancy rangers who remain neutral in following livestock whether stolen by their own community or their neighbours, and elders today ensure almost all livestock is returned which helps in preventing retaliatory attacks; and for the first time in over 40 years people are discussing moving back to re-settle these centres. Occasional conflicts do occur however not at the scale and extent of the past.

The approach to peace and security is multifaceted:

- **Conservancy rangers or scouts** are well trained, well equipped and follow a code of conduct set out in detailed Security Standard Operating Procedures⁵ that are adopted by all NRT Conservancies. SOPs are designed to ensure effective and high quality performance of security operations in community conservancies to provide security for both wildlife and people.
- **Conservancy Peace Committees and Peace Ambassadors**, individuals with known conflict resolution skills and respected elders provide a platform for dialogue with neighboring conservancies or communities. Frequent dialogue through meetings is critical to reducing tribal mistrust and anticipating conflict before it breaks out. Peace committees and Ambassadors may work at a conservancy or regional level and are called in to assist in resolving crises.
- **Engagement with 'warriors' or youth** - in pastoralist communities insecurity is largely driven by this age-group. Often this age-class in the community are not well represented in the conservancies and few are direct beneficiaries; in fact the focus on peace and security often directly challenges cultural practices by the warriors and brings the conservancy into direct conflict with them. Engagement includes dialogue through identified youth leaders, inter-conservancy peace meetings focusing on the youth which provide the opportunity for peer engagement, supporting peace sporting events, establishing opportunities for economic diversification through micro-finance and financial literacy training.
- **NRT Council of Elders** – NRT's Council of Elders, which is the highest governance body in NRT made up of the Chairman of each member conservancy, provides a unique role in intra- as well as inter-conservancy conflict resolution. Teams of CoE members are frequently called upon to assist in mediating peace or addressing poor governance and management in a particular conservancy; working with their conservancy peers they are able to act as independent mediators while having access to communities in a way that would otherwise not be possible for outsiders from other organizations.

4.2 Natural Resource Management

Conservancy communities are tied to the land, and dependent on its natural resources for their wealth and livelihoods. Livelihoods are directly related to the **health of the environment**; the more degraded the environment, the poorer people will become and more conflict will occur. Sustainable management of natural resources, (trees, water, grass, soil, wildlife, fish and biodiversity) is critical if communities are to benefit in the long-term from their own natural resources. These benefits include food and water for people and livestock as well as economic development through wildlife tourism.

⁵ NRT 2012 Community Conservancy Security Standard Operating Procedures – Guideline to Security Operations in Community Conservancies: May 2012

Specific natural resource management programs undertaken by NRT community conservancies include:

- **Wildlife Management** - the emphasis of wildlife management in community conservancies has been security and monitoring by conservancy rangers, with a particular focus on anti-poaching operations. Other activities include provision of water pans for wildlife and demarcation of core conservation areas for tourism where livestock grazing and settlements are restricted. Fenced sanctuaries for critically endangered species (e.g. Hirola antelope in Ishaqbini and Black rhino planned for Sera Conservancy) have been established with the aim of securing breeding populations of the species. Translocation of wildlife to conservancies in order to either reintroduce species or boost existing populations and improve the wildlife product for tourism has also been carried out (e.g. Rothschild's Giraffe in Ruko Conservancy). A devolved system for monitoring wildlife, developed by NRT (Wildlife-CoMMS) is carried out by Conservancies.
- **Grazing Management** - degraded rangelands have been identified by conservancy communities as the principal threat to both wildlife conservation and human livelihoods in Northern Kenya. Over the past five years NRT conservancies have increased investment into rangeland management; strengthened Grazing Committees and employment of Grazing Coordinators has enabled conservancies to use principles of holistic management as well as reinforce traditional pastoralist management practices. Community mobilization is critical to the success of grazing management as it ultimately requires behavioral and social change of entire communities to agree to plan and manage livestock collectively. Holistically planned grazing defines dry and wet season grazing blocks; animal impact including setting temporary bomas on highly degraded areas and bunched herding of cattle used in intensive grazing plans; manual clearing of invasive and non-palatable vegetation and re-seeding perennial grasses.
- **Fisheries Management** - there are currently two marine conservancies under the umbrella of NRT; Kiunga and Pate Marine Community Conservancies in Lamu County. These conservancies are beginning to address fisheries management through establishing community managed marine areas, areas of no-take fishery replenishment zones or where fishing gear types are restricted, as well as enforcement and monitoring of use of illegal fishing gear and poaching of protected marine species (e.g. turtles and dugongs).
- **Forest Management** – forest management has been a focus for several community conservancies including Namunyak, Ngare Ndare and more recently Ndera and Aweer. In the case of Ngare Ndare and Namunyak these conservancies are also registered as Community Forest Associations (CFAs) with co-management agreements with the Kenya Forest Service. Management plans set out the activities undertaken to conserve and protect forests and these include zonation of the forest including areas for total protection, rehabilitation, utilization (livestock grazing, utilization of forest products, tourism, etc.); establishing grazing plans in the forest; awareness of sustainable use of forest products and registering users; afforestation with indigenous species; protection of springs and streams; and promoting alternative fuels to reduce firewood collection for household use, such as bio-gas.

4.3 Enterprise

Soon after the establishment of a conservancy, and having resolved or begun addressing the challenge that may have been the initial driver for starting the conservancy, direct household benefits need to be created to strengthen community support of the Conservancy. In general these benefits are economic and based on enterprise. The importance of conservancies in establishing enterprises is two-fold: to create revenue streams to support conservancy operating costs and therefore improve **financial sustainability of the Conservancy**; and, to improve livelihoods and create **direct benefits to households and communities** through revenue and employment. In NRT conservancies enterprises have focused on tourism, livestock marketing and micro-enterprises with women's groups; development of other natural resource based enterprises including marketing of mangos and fish are in the latter stages of planning.

Leverage and support from communities for wildlife conservation comes from improved community attitudes towards conservation as a result of benefits people gain from conservancies, some of which are revenue and employment from conservancy enterprises. Conservancy enterprises must therefore have explicit links to the conservancy itself in order to create support for its conservation goals.

Tourism

Tourism includes establishing private-community partnerships for tourism investment and management. Tourism models in NRT conservancies include community-owned and managed facilities (e.g. Il Ngwesi Lodge), community-owned and private managed lodges (e.g. Sarara Camp and Tassia Lodge); lodges owned and managed by private companies on conservancy land (e.g. Saruni and Sasaab lodges). Tourism partnerships are brokered and mediated by NRT with the aim of maximizing returns to conservancies whilst accommodating needs of tourism partners. An 'honest broker' such as NRT is critical to ensuring transparency in negotiations and widespread community agreement of the partnership and investment. Agreements are entered into between the conservancy and tourism partner for up to 20 years. Tourism provides both revenue to conservancies and communities and employment, which is a major benefit in areas where there are few other job-opportunities.

Different tourism models may generate different levels of revenue and leverage other benefits. Examples are Il Ngwesi Lodge, which is both owned and managed by the community, where net financial returns are relatively low, however pride of ownership has leveraged additional benefits (guaranteed local employment and training, external donors, international awards etc.), compared with private management of a community owned lodge (e.g. Sarara) which generates almost ten times the net revenue, but where the community are not involved in tourism management decisions.

Livestock Marketing

Through NRT and Ol Pejeta Conservancy, community conservancies provide a market for cattle with access to this market dictated by good conservancy governance and performance. Conservancies are allocated a number of cattle to sell and these are spread across all settlement areas allowing all households opportunity to sell (following the principles set out in the benefit distribution plan). NRT has established a revolving

investment fund for livestock purchases with a plan to increase purchases to 10,000 cattle per year by 2016. Cattle are fattened on Ol Pejeta Conservancy and sold for slaughter up to 18 months after purchase. The buyer (NRT) and seller (community member) pay a levy (currently a total of Ksh 3,000) to the conservancy for each cow sold through this market; this revenue is increasingly becoming an important source of conservancy revenue.

Micro-enterprises

These have traditionally focused on women in conservancies by providing an organized and reliable market for good quality bead-work and crafts, and providing small loans. To date these enterprises provide only household benefits with no revenue coming to the conservancies themselves. NRT markets products internationally and locally, carries out quality control, product design and packaging, and provides oversight of loan repayments through registered women's groups in each conservancy. Conservancies and NRT have recently expanded micro-finance to include loans for warriors/youth groups which are primarily used for livestock trading.

4.4 Community Development

Support from conservancies to community development priorities largely comes from distribution of the **60% share of revenue from conservancy enterprises** (tourism and livestock marketing) – see [Benefit Distribution Plan section 3.2](#). As with conservancy enterprises, engagement of conservancies in community development creates leverage for conservation as well as directly improving livelihoods of conservancy members. The community share of conservancy revenue is primarily spent on the following:

- Student bursaries for secondary and tertiary students (either full or partial bursaries)
- Support to medical bills for conservancy members
- Emergency re-stocking in cases where households have lost large numbers of livestock to predation or drought
- Water infrastructure (rain water tanks or water storage tanks)
- Support to schools (construction of classrooms, support to teachers salaries, school equipment)

Support to community development priorities outside the conservancy's own revenue are generally in education, health and water infrastructure and this is achieved primarily through **partnerships** with development partners working in the conservancy area.

In most NRT conservancies revenue generated from tourism (and other income generating activities managed by the conservancy) is split 40/60. 40% supports conservancy operations and 60% supports community development priorities. These funds are held in separate bank accounts which are both subject to external audit and have multiple signatories (usually the Chairman, Manager, Finance Chairman and independent person appointed by the Board who may be e.g. an NRT staff member, tourism or conservation partner).

4.5 Infrastructure & Equipment

Conservancies invest in infrastructure and equipment that are needed for effective conservancy operations. Conservancy infrastructure also creates a formal 'face' for the Conservancy, creating pride and ownership among the staff and community, and establishes the conservancy as an institution that is here to stay. These typically include construction of:

- Headquarters including offices, radio-room, meeting room and accommodation for Managers, accountants and rangers
- Security outposts in outlying areas providing accommodation for rangers
- Airstrips to provide access for both tourism and support to security operations
- Roads network for tourism and security operations

The following equipment is generally required for effective conservancy operations where conservancies are covering a large area and insecurity and poaching are prevalent:

- VHF radio network including a base radio, mast and hand-held radios for patrol teams
- 4WD vehicle to support management of the conservancy and security operations, and assist community members during emergencies
- Motorbike for Grazing Coordinator and conservancy Warden
- Office equipment including laptop computers for the Manager, Warden and Accountant, printer and office furniture
- Security equipment may include firearms for National Police Reserve rangers, armory built according to Kenya Police requirements, equipment for mobile patrolling (tents, sleeping bags, rucksacks) GPS units, binoculars, first aid kits etc.

Investment in infrastructure and equipment is usually phased and may depend on the size and area of coverage of a conservancy and whether security is a particular focus. It is entirely dependent on external/donor funding with new conservancies having only the basic requirements, whilst older conservancies will have more established infrastructure.

4.6 Management & Administration

Management and administration of the conservancy is primarily the role of the Manager with the support from the Accountant and Warden, overseen by the Board. The Manager plays a crucial role in keeping records and minutes of meetings to ensure Board and management decisions have continuity.

Management Plan

Under the ***Wildlife Conservation and Management Act 2013***, there is a legal requirement for all conservancies to have a management plan (see details in Schedule five of the Act). A Management Plan must capture the ***long-term vision for development and conservation success*** of a conservancy. It is a tool to:

- Guide the conservancy management in their activities, ensuring they focus on priorities that have been determined by the wider community and conservancy staff and Boards.

- Provide continuity of management and hold managers and boards to account by their members; and
- Assist with fundraising, highlighting where additional resources are required.

A Management Plan should be a ***succinct document*** that identifies key features and values of the conservancy and sets out the primary issues a conservancy is seeking to address, with a broad vision and objectives. The specifics of how the conservancy will tackle these issues and detailed actions to be taken should be left to ***Annual Operational Plans*** developed by the Management and Board. The plan should capture the community development and conservation priorities, and a land-use plan with realistic and broad targets and objectives, and the key partners needed to achieve this; it needs to be ***a living document that is used, adapted and referred to continually.***

Conservancy Management and Community Development Plans are developed using the following process:

- **Background information** – field mapping of key features; collation of baseline statistics on human population, livelihoods and partners etc.
- **Board brainstorming session** – identifying main challenges and long term priorities which are condensed into a set of draft goals and objectives
- **Consultation with community and key partners** – in each settlement zone, discussing the challenges and realistic and specific priority actions in each zone and land-use; identifying key partners; participatory mapping of key resources and their use
- **Feedback** of draft plan including land-use map – to Board, Committees and wider community
- **Approval** by the Board and endorsement at the AGM

To be relevant to conservancy communities, management plans should be as visual and simple as possible, and should be displayed in the conservancy office and possibly other public places. Management Plans should be shared at a regional level, ensuring neighbouring conservancies do not have conflicting objectives and activities.

Monitoring

Monitoring is an essential part of good management, in order for the conservancy to determine whether it is having an impact and achieving its conservation and livelihood objectives. Monitoring is often overlooked or left to external agencies to carry out, who may have their own reasons for undertaking monitoring and therefore develop systems that are not directly linked to the management of the conservancy and have little ability to influence management decisions. Devolved monitoring is designed to be carried out entirely at a conservancy level with the conservancy involved in the design of the system, data collection, analysis, interpretation, and feedback for management and to the wider community.

NRT has developed the Conservancy Management Monitoring System (CoMMS) as a devolved system for monitoring wildlife and illegal activities, Wildlife-CoMMS www.nrt-kenya-comms.org; rangeland health, Vegetation-CoMMS; and is in the process of developing Social-CoMMS to monitor changes in community

well-being and attitudes as a result of the conservancy. NRT provides training to conservancy staff to undertake and manage these monitoring systems.

Monitoring is part of good management. It enables and empowers Conservancies to make better management decisions. But without regular analysis, reporting and feedback to guide and adapt management, the monitoring process is meaningless.

Human Resource Management

Effective management of staff and ensuring compliance to statutory requirements is an essential role of the conservancy Manager; the manager should ensure they are familiar with and have a copy of the current Employment Act. Statutory requirements include e.g., registration of all staff with NHIF (National Hospital Insurance Fund), PAYE (Pay as you earn) and NSSF (National Social Security Fund); all staff have contracts; and ensuring salaries adhere to minimum wages set out periodically in the Regulation of Wages subsidiary legislation to the Act. To avoid internal conflict and interference from community members, the conservancy should have clear guidelines for staff discipline and dismissal which should ultimately rest with the Board based on the recommendations of senior management.

However, effective management of staff goes far beyond adhering to statutory requirements. The conservancy Board and Management should undertake annual performance reviews of staff and seek ways to improve staff capacity. The Manager and senior staff should be a role model, leader and mentor for junior staff, building pride in their team. The behavior and professionalism of conservancy staff is closely scrutinized by the wider community and can have a strong impact on community perceptions of and support for the conservancy as a whole.

Financial Management

Transparent and efficient financial management is fundamental to effective conservancy operations. The basis for financial management flows from the annual budget in reference to the Management Plan. Financial management includes the following elements:

- Preparation of an annual budget by the Board and Management including forecasting of conservancy revenue and donations
- Establishment of proper accounting procedures
- Oversight of expenditure by the Finance Committee of the Board
- Regular financial reporting
- Annual external audit of accounts

Conservancies usually operate two bank accounts: the **Conservancy Account** for operational expenditure and the **Community Account** for community development which has the 60% share of conservancy revenue. Financial mismanagement or lack of adequate funding will undermine the success of a conservancy and community support.

Fund Raising & Donor Relations

Currently no NRT community conservancies are financially self-sufficient through revenue generated by conservancy enterprises. In 2013 the average cost of running an NRT Conservancy was US\$ 50-70,000 per year (Ksh 4-6 million). The majority of conservancies are entirely dependent on donor funding for their operational and infrastructure development costs. Sources of funding include county government, national and international NGOs, private philanthropists and bilateral government agencies. While many conservancies will not have the capacity to develop proposals for international funding agencies (this is primarily done by NRT), conservancies should pursue funding from County Government and national NGOs where possible. This should be done by both the Manager and the Board. Financial sustainability of conservancies in the long-term is looking towards more balanced revenue streams from donors, commerce and government.

Conservancies have a duty (and often a legal requirement) to report to their donors on both technical and financial progress, guidelines for grant reporting are clearly set out in grant agreements. However, developing and nurturing relationships with donors is a key aspect of fund raising and should not be overlooked. In this respect regular, informal communication from the Manager is critical and arranging site visits for donors can be invaluable in creating long-term relationships and funding opportunities.

Partnerships

A conservancy will not be able to achieve its conservation and livelihood objectives without partners. The success of a conservancy is closely tied to its ability to work closely with partners, to convince partners to invest in priorities established by the conservancy community and to use the conservancy as an entry point to the community. Community priorities should be set out in the Management Plan which can form the basis for developing partnerships with other organizations. Ideally a conservancy should develop and operate under an MoU with each of its enterprise, development and conservation partners. The conservancy Board and Management should identify which other organizations are working in the area and what their areas of focus are. It is advisable that, where appropriate, organizations in the area should work through the conservancy. However, this can only be achieved if these organizations are well informed of the conservancy's activities and supportive of the conservancy as a representative institution of the community.

PART 2 - HOW TO BUILD STRONG CONSERVANCIES

Part 1 described the processes involved in forming a community conservancy as a legitimate institution that is representative of its constituent community, some of the pitfalls to look out for and some of NRT's experience and best practice, as well as activities that conservancies do. Part 2 of this guide aims to highlight key principles for successful conservancies and the critical role played by NRT.

Throughout Part 1, reference to good governance and management was repeated, with these being critical to maintaining community ownership and support. In contrast, poor governance and mismanagement will erode trust and lead to low community participation thereby undermining the legitimacy of the conservancy to the community. Interestingly however, few conservancies or organizations that support conservancies, place the same level of emphasis or investment on good governance and management as they do for example on wildlife security or tourism development. Community conservancies must be viewed as more than just local organizations involved in wildlife conservation. For them to be successful they must be ***strong institutions, recognized and endorsed by the wider community, which provide a stable foundation for economic development and conservation*** – achieving this will ultimately create long-term sustainability of conservation on community land.

5. PRINCIPLES OF SUCCESS

What are the key principles for successful conservancies?

NRT identifies five key principles for successful community conservancies⁶ ; these are ***ownership, capacity, governance, leverage*** and ***facilitation & mentorship***.

5.1 Ownership

Ownership means investing the rights and responsibilities for management of the land and natural resources in the community, through the conservancy as a legitimate institution of the wider community. This includes ensuring formal and traditional rights, access to land and resources, and customary decision making over communal resources are upheld. The conservancy must ensure that communities continue to make decisions about rules governing resource use on their land and build upon traditional mechanisms. Ownership requires the Board and management ***investing time in talking to its members***, in responding to their needs and concerns, and ensuring their participation in decisions; this is often an area where Boards are weak.

6 Balint, P. (2006) Improving community-based conservation near protected areas: the importance of development variables. *Environmental Management* 38(1): 137-148

7 Elinor Ostrom – Nobel Prize 2009

Active participation of users in creating and enforcing rules appears to be *essential for managing communal resources*. Rules that are imposed from the outside or unilaterally dictated by powerful insiders have less legitimacy and are more likely to be violated. Likewise, monitoring and enforcement work better when conducted by insiders than by outsiders⁷.

5.2 Capacity

Ensuring conservancies have the capacity for effective management includes building the skills, competence and experience of the Board and staff, as well as ensuring the conservancy has the infrastructure and equipment it needs. Developing the infrastructure of a conservancy can be done in phases and is highly dependent on external funding; more established conservancies have significant infrastructure and younger conservancies may start with very little – this is not a constraint to a conservancy starting its operations.

Investing in people and building skills to *create a strong management team* who understand their roles, are confident and competent in their responsibilities and have the resources to carry out their duties, is key to success. This is achieved through training, and also through an empowering way of supporting managers and Boards to learn-by-doing, make mistakes and strive to constantly improve. NRT achieves this through sustained support and building a relationship of trust and mutual respect. Examples are mechanisms like NRT's Pooled Conservancy Fund and Conservancy Development Fund, where Managers are required to submit proposals to NRT for funds, help build proposal writing skills; and the management plan process supported by NRT helps Managers and Board build planning skills.

5.3 Governance

Good governance is a measure of the effectiveness of decision-making processes by the conservancy as an institution representing its community. Weak governance can lead to low community participation, expropriation of benefits by community leaders and will ultimately erode trust in and support for the conservancy. Good governance ensures transparency and accountability of the Board and management to the wider community, ensuring the community has access to information and there is regular communication to the members, the rule of law and control of corruption is upheld, accounts are audited annually and the Board rotates according to the conservancy's constitution.

Conservancy governance should seek to promote^{4,5}:

- Responsive and accountable conservancies
- Legitimate conservancies that are managed with integrity and transparency
- Recognition and protection of stakeholder rights
- An inclusive approach based on democratic ideals, legitimate representation, participation, and rotation of leadership

NRT's Council of Elders plays an important role in promoting good governance and accountability, through

peer-to-peer dialogue and when necessary policing its members.

5.4 Leverage

Leverage for conservation, or **conservancy benefits**, can come from **direct and indirect** benefits and **financial or non-financial** benefits. Conservancies which have higher potential to generate benefits for the community have a higher chance of success. This may include value of income generating opportunities (e.g. tourism, livestock markets, nature-based enterprises, access to micro-finance), employment, provision of security, access to health-care and education, improved condition of the land and natural resources upon which people depend.

An often overlooked benefit of conservancies is the powerful role they play in creating a **unified voice for the community**, a platform for dialogue, an institution that can manage use of common resources. Conservancies also provide an entry point for partners/NGOs to engage with the community working through a structured institution to deliver services. In particular the entry point that conservancies provide for Government has been a factor in addressing insecurity in the region.

5.5 Facilitation & Mentorship

This is a crucial role played by NRT and can be done by other external organisations; to facilitate, empower and mentor community conservancies ensuring that key principles are upheld and supported in all aspects of conservancy operations: ownership, capacity, governance and conservancy benefits. Experience from NRT highlights not only the importance of this role but also the way in which this support is delivered is key. Through an MoU between NRT and each of its conservancy members, the expectations and responsibilities of both parties are outlined. This provides a code of conduct for NRT member conservancies to ensure they uphold key principles and also ties NRT to a long-term partnership providing continuity and consistent external guidance to its members. To be effective such a partnership must be viewed as a long-term commitment that goes beyond the life of a 'project' cycle.

The unique role played by NRT and the strength of its institutional structure in supporting this role is described in Section 6 below.

6. THE ROLE OF NRT

What is the unique role played by NRT?

NRT was established in 2004. Its mission is *to develop resilient community conservancies which transform people's lives, secure peace and conserve natural resources.*

The key role of NRT is to *facilitate, guide* and *enable* communities to benefit from their natural resources in a sustainable, structured and planned manner, with conservancies as the vehicle for this. NRT bridges a gap between development agencies and donors wishing to invest in local people and resolve local issues, and marginalised communities striving to improve their lives but without the capacity or institutional structure to create the connection. Community conservancies are about national development with improved conservation being a by-product of the process.

NRT is an enabler of conservancies in a number of ways. It raises funds for the conservancies. It provides them with advice on how to manage their affairs. It supports a wide range of training and helps broker agreements between conservancies and investors. It also monitors performance, providing donors with a degree of oversight and quality assurance.

As described in section 5.5, external facilitation and mentorship has been shown to be a critical ingredient to success in community conservancies across Africa. This is the role played by NRT for its member conservancies. It requires a balance between *ensuring good governance and high standards of management are maintained whilst not undermining community ownership and autonomy of the conservancy.* NRT's role is not to supervise conservancy staff but to strive to constantly improve performance through facilitation, empowerment and nurturing; to provide support and training, and create opportunities for peer review process and sharing of information and ideas between conservancies. Building the longevity and sustainability of conservancies requires investing in people to build management capacity and leadership, promoting a culture of transparency and accountability, and developing systems that streamline management allowing conservancies to focus on their core objectives of conservation and community development.

The *way* in which NRT's support is provided is as important as the support itself, it requires mutual trust and respect. Through this, NRT helps recognize and build leadership in the community, respecting and reinforcing the role of traditional elders, and empowering communities to manage their common resources and ensure equity and good governance from their conservancy.

6.1 NRT's Institutional Structure

NRT's unique institutional structure allows it to play this role effectively; it is not an NGO in the traditional sense and operates only to support member conservancies, and draws its legitimacy from them. NRT's highest governing body is the Council of Elders (CoE) made up of the Chairmen of all member conservancies as well as institutional members representing County government, local wildlife forums, KWS and the private sector; the CoE also appoints eight of the 15-member Board of Directors, to whom the NRT Chief Executive Officer is answerable. As a result NRT is embedded in its member conservancies and the direction and priorities for NRT are drawn from the conservancies themselves. It also cements the long-term relationship between NRT and its member conservancies irrespective of funding or project cycles.

NRT has a MoU with each of its member conservancies which sets out the expectations of each party and the governance standards that are expected to be upheld by NRT conservancies. In cases where conservancies fail to meet these standards the CoE plays a unique role in policing its members; decisions on how to deal with poorly performing conservancies are made by the CoE. This provides an internal mechanism for enforcement of standards that is more effective than externally imposed rules.

6.2 NRT as a Trusted Partner

NRT creates ways to facilitate the *peaceful coexistence* between people, the pursuit of *resilient and sustainable livelihoods* and the *conservation of wildlife and natural resources*.

As an organization that is embedded in the conservancies, NRT is a trusted partner that is responsive to the communities' needs. It understands that building strong community institutions takes time and that this can only be achieved if people are empowered to take control of their own livelihoods. NRT helps member communities' move from:

- *Communities of individuals focused on their own immediate needs*
- *Conflict and mistrust between communities that are difficult to resolve*
- *Lack of resources and capabilities to create better lives*
- *Destruction of and disinterest in land and wildlife*
- *Seeing change as irrelevant*
- *Exclusive*



- *Community conservancies focused on healthy, sustainable lifestyles and transparent, democratic governance*
- *Creating peace and trust between and among communities through honesty and understanding*
- *Opportunities and help to improve lives*
- *Embracing the importance of healthy land and wildlife to a thriving community economy*
- *Understanding the importance of positive change and mastering the means to create it*
- *Inclusive*

ACKNOWLEDGMENTS



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