

**FOREST COVER AND FOREST RESERVES IN KENYA:
POLICY AND PRACTICE**

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Revised by:

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SUMMARY

This report is an update of the 1996 IUCN report on issues related to forests in Kenya. It brings up to date developments on the status of forests, including official excisions and additions to gazetted forests for the period of 1995-1999. The 1996 report has been revised to include legislation that was excluded. In addition, proposed legislation has been discussed.

The report, based on official documentation publicly available, raises serious concerns about the management of Kenya's forests and their need to be addressed. Data has been collected, reviewed and analysed with a view to coming up with another source of available information for discussion on the forestry sector. Information pertaining to excisions and forest degradation have been derived from the Kenya Gazette, the Kenya Gazette Supplements, government institutions and departments.

Although Kenya's policy and legal framework provides for a firm foundation for sustainable forest management, there are shortfalls in implementation. Excision and degradation of forests in Kenya continue, with little regard to the laws and the quality and importance of the forests.

The last section of this publication discusses issues related to forest management including difficulties in obtaining accurate and timely data on forests, the implementation of policy and legislation, the management and co-ordination of implementing agencies, forest excisions and degradation and community participation in forest management.

The report is laid out in the following manner. A series of sections describe, but do not analyze, the present forest situation in the country. These are present under the heading of:

- Forests in Kenya
- Policy and legislation
- Legislation and land tenure
- Policy and Legislation on Natural Resources
- Management and Planning Institutions
- Proposed Legislation: Environmental Bill
- Other Policy Statements
- Issues in Forest Management

Section 9 raises a series of issues of forestry and forest conservation and contemporary Kenya. The data of the Kenya Gazette and other reports presented.

Annexes I - XI are as follows:

Annex I	Government Ministries and Institutions Relevant to Forest Management in Kenya
Annex II	Glossary of Terms
Annex III	Proposed Criteria for Assessing Individual Forests
Annex IV	Forest Department Plantations per District
Annex V	Kenya Wildlife Service: Summary of National Parks and Reserves
Annex VI	Forests Under the KWS/FD MoU
Annex VII	Excisions from the Gazetted Forest Area
Annex VIII	Additions to Gazetted Forest Area
Annex IX	Evaluation of Excised Forests
Annex X	Evaluation of Added Forests
Annex XI	Permanent Presidential Commission on Soil Conservation Survey: Excisions

1. INTRODUCTION

The World Conservation Union (IUCN) was founded in 1948 and has over 800 members, comprising States, government agencies and a diverse range of non-governmental organisations in 129 countries. IUCN seeks to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature to ensure that any use of natural resources is equitable and ecologically sustainable (IUCN, 1996)

Following concerns expressed by NGOs and individuals about the increased number of excisions and degradation of forests in Kenya, IUCN conducted a review of the state of the forests. The 1996 IUCN report provided information on forest cover and values, including biodiversity, a summary of existing policies and legislation on forests as well as trends in additions and excisions of forest reserves (1963-1994). It also forwarded recommendations regarding current practices as they relate to the overall goals of Kenya's policies and legislation.

Since 1996, there have been several proposed changes to policies and legislation in order to make them more responsive to the needs of conservation efforts and natural resource management in Kenya. This IUCN publication places an emphasis on legislation and their direct inferences on forests. An update of the Kenya gazette and Kenya gazette supplementary notices on proposed and declared excisions and (de) gazettement (1994-1999) has been provided. A review of legal and policy documents focusing on the forestry sector has been included and information on official excisions and additions to forests compiled. The on-going Constitutional review process and its implications for natural resource management have been discussed. In addition, the status of several forests based surveys by the Permanent Presidential Commission on Soil Conservation has been presented. Topical forest related issues, as interpreted and discussed within the local media are also included. The conclusion section discusses some pertinent issues in forest management.

2. FORESTS IN KENYA

A forest is an ecological system dominated by trees and other woody vegetation. Forest communities are characterized by complex interactions between woody and herbaceous flora, fauna, soils and other physical factors (Barnes et. al., 1980). IUCN defines forests as tree dominated landscapes.

Kenya's woody vegetation includes forests, woodlands, bushland and wooded grasslands. Wass (1995) defines forests as continuous stands of trees at least 10 meters tall, with interlocking crowns; woodlands as open stands of trees, at least 8 meters tall, with a canopy cover of 40% or more with the field layer usually dominated by grasses; bushlands as open stands of bushes and climbers, usually between 3 and 7 meters tall with a canopy cover of 40% or more and wooded grasslands as land covered with grasses and other herbs, with woody plants covering between 10% and 40% of the ground.

2.1 Forest Cover

Data is available on the land area covered by different vegetation types in Kenya.

Table 1: Vegetation and Land-Use Cover

Type of Vegetation	% of total area of Kenya
Indigenous Forests	2.1%
Plantation	3%
Woodland	3.7%
Bushland	42.9%
Wooded Grassland	18.5%
Mangrove	1%
Grassland	2.1%
Desert	13.7%
Farmland and Urban Development	16.5%
Total	100%

Source: Wass, 1995.

Wass (1995) presents the comparative area of each vegetation type. Woodlands, bushlands and wooded grasslands occupy 65.1% of the total land area of Kenya. However, available information on conservation and management is mainly restricted to closed canopy forests.

2.2 Closed Canopy Forests

Kenya's closed canopy forests are currently estimated to cover 2% of the country. According to Wass (1995), these are forests that are climatically restricted to the Central Highlands and the Nyanza Plateau, in areas below an altitude of 3,000 meters. The exceptions to this geographically limited area are forests occurring as islands on top of inselberg structures in the lower parts of the country, riverine forests and forests in the narrow coastal belt with rainfall over 1,000 mm. Over 88% (representing 1.24 million ha.) of Kenya's forest cover is indigenous forests (Wass, 1995)

Table 2: Forest Types

Forest type	Area (ha.)	% of total closed canopy forests
Indigenous forests	1.24 million ha.	88.57%
Plantation forests	1.06 million ha	11.43%
Subtotal	1.40 million ha.	100%

Source: Wass, 1995.

2.3 Forest Reserves

Forest Reserves are land areas that have been surveyed, demarcated and gazetted. They can be gazetted either from Trust land or from unalienated Government land. Forests Reserves on government land are managed by the Forest Department, while those on Trust Land are managed by local authorities. In 1994, gazetted Forest Reserves on Government land amounted to 1,359,254 ha, while gazetted Forest Reserves on Trust lands totalled 328,136 ha. Therefore, about 20% of the total area gazetted as Forest Reserves. (IUCN, 1996).

Most of the area of Forest Reserves (64%), is covered by indigenous forests. A significant 25% of the area in Forest Reserves is covered by non-forest vegetation while 9% is plantation forests. Approximately 64.63% of indigenous forests are found in gazetted Forest Reserves. Plantation forests represent just over 9.76% of the total cover in Kenya (Wass, 1995).

Table 3: Distribution of Indigenous Forests

Indigenous forest		% of total indigenous forests
In Forest Reserves	1.06 million ha	85.5%
Outside Forest Reserves	0.18 million ha	14.5%
Subtotal	1.24 million ha.	100%

Source: Wass, 1995.

Table 4: Forest Reserves

Type of Vegetation	Area (ha.)	% of area in Forest Reserves
Indigenous forests in Gazetted Forest Reserves	1.06 million ha.	64.63%
Plantations	0.16 million ha.	9.76%
Non-forests vegetation in Forest Reserves	0.42 million ha.	25.61%
Total area in forest reserves	1.64 million ha.	100%

Source: Wass, 1995.

3. POLICY AND LEGISLATION

Policy and legislation on land tenure and natural resource management impact directly and indirectly on the management of forests. The legal provisions for protection and management of environment and forests are scattered in 77 statutes (UNDP, 1998). The existing legislation on natural resource management, including forests, is structured around a governance system that is defined by the Constitution, which sets out the structure and roles of the three arms of government, i.e. the Executive, Legislature and Judiciary.

3.1 The Constitution of Kenya

The present Constitution of Kenya does not make any direct reference to the environment or forests. However, specific sections on land tenure and the protection of personal property have a direct impact on the management of forests. In addition, broader issues of political governance systems and the role of African customary law have indirect impacts on environment and forest issues.

3.1.1 *The Constitution: Chapter IX: Section 114-120: Trust Land*

Chapter IX is devoted to Trust Land, the only land category specifically dealt with in the Constitution. The Constitutional provision for setting aside of Trust Land is intended to provide a mechanism for the direct involvement of the people in managing their resources. This Chapter stipulates, that trust land shall be vested in local authorities for the benefit of communities resident in the area.

Chapter IX of the Constitution also outlines the conditions and procedures under which Trust Land may be set aside for other purposes, through an Act of Parliament or through a request from the President. This setting aside may be for the purposes of public utility, for prospecting for minerals, or any other purpose that a county council may deem to be of benefit to the people resident in its area of jurisdiction.

Trust Land represents the largest land area in Kenya and as of December, 1995, the total area classified as trust land was estimated to be 457,449 sq. km representing approximately 78% of the total land area of Kenya (Republic of Kenya, 1996).

Some areas of Trust Land are set aside as National Reserves under the Wildlife (Conservation) and Management Act (Cap.376) and managed by the local authorities. An estimated 100,000 ha. of closed canopy forest is currently found on Trust Land outside these National Reserves. This is approximately 7% of the total closed canopy forest area in Kenya. (Wass, 1995)

3.1.2 *The Constitution: Chapter V: Section 75: Protection from Deprivation of Property*

The Constitution of Kenya recognises and provides protection from deprivation of private property. This section specifies the conditions under which the rights to private property can be forfeited, such as, by compulsory acquisition by the government. This provision can be used to protect forest catchment areas and can also provide for measures intended to protect and preserve the environment from abuse, pollution and degradation and to manage the environment for sustainable development.

3.1.3 *The Constitution: Section 115 (2): African Customary Law*

In this section, the Constitution gives effect to such rights, interests or other benefits in respect of Trust Land as may, under African customary law for the time being in force and applicable thereto, be vested in any tribe, group, family or individual, provided these rights or interests are not repugnant to any written law.

African customary law, although recognised as one of the sources of law in Kenya (section 3 of the Judicature Act, Cap. 8), has limited official application with regard to the management of forests. Customary tenure occupies a secondary position to statutory and, according to Jackson (1970 p. 20), "statute will always take precedence over customary law". However, in the Magistrates Courts Act (Cap. 10), Section 2 sets out the claims the magistrate may entertain under African Customary Law as including those with regard to land held under customary tenure.

3.1.4 The Constitutional Review Act

The Constitutional Review Act, 1998 is an Act of Parliament to facilitate the comprehensive review of the Constitution by the people of Kenya, and its eventual alteration by Parliament. The Act also provides for the establishment, powers and functions of Commission, District Constitution Forums and a National Constitutional Consultative Forum and for connected purposes.

In the composition of the Commission, the Act stipulates that there be representation from civil society. The Kenya Pastoralist Forum, the NGO Council and the Women's Political Caucus are specifically mentioned.

The process through which Kenyans will provide input into the Constitution review process is stipulated in section 11 (1) (a). The Commission shall receive memoranda and hold public or private hearings throughout Kenya and in any other manner collect, and collate the views and opinions of Kenyans whether resident in or outside Kenya.

Section 13A (2) of the Act legislates that civic education be provided to members of the public by the allocation of free airtime on both national radio and television. In addition, the reports compiled by the Commission will be accessible to the public who can provide input.

Under section 10 (d) (vii) of this Act, one of the functions of the Commission shall be "to examine and review the place of property and land rights, including private, Government and Trust land, in the Constitutional framework and the law of Kenya and to recommend improvement that will secure the fullest enjoyment of land and other property rights".

A new or reviewed Constitution may have far-reaching implications on existing legislation and the institutions mandated with the management of natural resources in the country and the level and extent to which local communities can participate in these activities.

At present, the Constitutional Review process has stalled due to lack of consensus among the different nominating bodies on the composition of the Commission to collect and collate views from the public.

4. LEGISLATION ON LAND TENURE

Currently, there are numerous statutes that specifically deal with rights of ownership and control of land. These include Government Lands Act (Cap. 280); Registration of Titles Act (Cap. 281), Land Titles Act (Cap. 282), Land Consolidation Act (Cap. 283), Land Adjudication Act (Cap. 284), Land (Perpetual Succession) Act (Cap. 286), Land (Group Representatives) Act (Cap. 287), Trust Land Act (Cap. 288), Mazrui Lands Trust Act (Cap. 289), Trusts of Land Act (Cap. 290), Land Acquisition Act (Cap. 295), Registered Land Act (Cap. 300) Land Control Act (Cap. 302) and the Land Planning Act (Cap. 303).

These statutes make provisions for the conferring and vesting of interests in land. Presently, land in Kenya falls under the three tenure categories;

- Government land
- Trust Land
- Private land

Government land includes both alienated and unalienated land. Alienated land is land that has been set aside for a specific purpose. Unalienated land is legally owned by the government but has not been set aside for a specific purpose.

Table 5: Land Classification

Land Classification	Area in km ²	Approx. % of Total Area
Trust Land	457,449km ²	78.5 %
Government Land		
-Forest Reserves	9,116km ²	
-Other GoK reserves	1,970km ²	
-Township	2,831km ²	
-alienated	38,546km ²	
-unalienated	28,598km ²	
-National parks	24,067km ²	
-Open water	10,960km ²	
Total Government Land	116,088km ²	20.0%
Private Land	8,731 km ²	1.5%
Total area	582,646 km²	100%

Source: Central Bureau of Statistics, 1996

4.1 Government Lands Act, Cap. 280, (revised 1984)

This Act deals with government land which includes forest reserves, other government reserves, townships, alienated and unalienated government land and national parks. In this Act, Section 3 gives the President powers, subject to any other written law, to "make grants or dispositions of any estates, interests or rights in or over alienated Government land." The powers of the President over government land also extends to forest reserves, because these are administered under the government land tenure.

4.2 Trust Lands Act Cap. 288 of 1962 (revised 1970)

At independence, all land that was not in private or government ownership became Trust Land, under the control of County Councils to be used for the benefit of the residents of the area (MENR, 1994a). Currently, approximately 78.5% of the total land area in Kenya is Trust Land.

The Trust Land Act makes provision for rights in Trust Land and controls the occupation of land. The Act also sets out the procedures for the setting aside of land for a variety of purposes likely to benefit the persons ordinarily resident in that area or for transfer to the Government. The Government may, by written notice to a council, state that a parcel of land is required to be set apart; compensation shall be paid for this land.

Of particular relevance to forestry is the fact that the Act makes provisions for general conservation, protection and controlled utilisation of trees and other forest products on land, other than gazetted Forest Reserves.

4.3 Local Government Act, Cap. 265 (revised 1986)

This Act allows Local Authorities to alienate, own and sell land within their jurisdiction under the Trust Lands Act or to purchase land within the jurisdiction of other local authorities.

In 1995, the President appointed a Commission of Inquiry, into the future structure, powers, legal framework, functions and staffing of local authorities countrywide (Gazette Notice Nos. 2939 and 2940 of 26th May, 1995).

The findings of this Commission are yet to be made public. However, the exercise provided an opportunity for a broad cross-section of the public, including politicians, academicians and civil society to make recommendations on ways the structure of local authorities could be improved to make it more participatory and improve the management of the resources within their jurisdiction.

4.4 The Land Adjudication Act, Cap. 284 of 1968 (revised 1977)

This Act provides for the ascertainment and recording of rights and interests in Trust land. Land that is adjudicated under this Act is then registered under the Registered Lands Act or the Land (Group Representatives) Act. The Department of Land Adjudication and Settlement of the Ministry of Lands and Settlements is responsible for implementing this Act.

This Act has potential implications in the management of forests in that the adjudication officer in declaring specific sections for adjudication is empowered to exclude areas of ecological importance, such as watershed areas and hilltops from being converted into private ownership.

4.5 The Land Adjudication (Amendment) Bill of 1999

This Bill, that was published on 21st May, 1999, has as its main object to amend the Land Adjudication Act in order to cancel certain title deeds to land which were irregularly registered in the Mosiro and Iloodoariak Land Adjudication Sections in Kajiado Districts.

The Bill gives a definition of "customary law" as "the law or custom relating to the tenure or user of land observed by the indigenous inhabitants ordinarily resident in the area where the land is situated and of which the person or group of persons concerned form a part".

This Bill makes an attempt to recognise customary law and give it legal recognition. This recognition could have implications for forest management in that customary knowledge and institutions could potentially play a greater role in forest management within land held under customary law.

4.6 The Land (Group Representatives) Act (Cap. 287) of 1968 (revised 1970)

This Act provides for the registration of communal rights and interests in land. Lands registered under this Act are referred to as Group Ranches. Subdivision of these ranches has taken place mainly in Narok and Kajiado Districts (Republic of Kenya, 1994-1996). Although there are small pockets of closed canopy forests in some Group Ranches, they have not been surveyed or demarcated.

4.7 Registered Lands Act, Cap. 300 of 1963 (revised 1989)

Land that is adjudicated or set apart under section 117 and 118 of the Constitution is registered under this Act. This Act confers freehold title to land and protects land that is registered. In the provisions of section 4 it states that, "except as otherwise provided in this Act, no other written law and no practice or procedure relating to land shall apply to land registered under this Act so far as it is inconsistent with this Act".

4.8 Land Planning Act, Cap. 303

The Land Planning Act and the Physical Planning Act are intended to ensure co-ordinated economic land-use for development projects. These Acts provide a broad framework for accommodating competing land-use demands.

The powers vested by these Acts in the relevant agencies are wide enough to cover land-use planning and zoning for the whole country. However, in practice they are primarily concerned with planning of urban centres and the development of physical facilities such as roads, buildings and factory location.

5. POLICY AND LEGISLATION ON NATURAL RESOURCES

5.1 Forest Act

The Forests Act, Cap. 385 of 1962 (revised 1982 and 1992) states that a “forest area means an area of land declared under section 4 to be a forest area”. The Act addresses preservation, protection, management, enforcement and utilization of forests and forest resources on Government land. The Forests Act is applicable to Forest Reserves and specifically covers:

Section 4: Gazettement, alteration of boundaries, and de-gazettement of Forest Reserves

Section 5: Declaration of Nature Reserves within Forest Reserves, and regulation of activities within Nature Reserves. A Nature Reserve is an area deemed to require extra protection for the purpose of preserving its natural amenities and wherein the exploitation of forest products is prohibited, except with the permission of the Director of Forestry in consultation with the Chief Game Warden.

Section 7: Issuance of licenses for activities within Forest Reserves

Section 8: Prohibition of activities in Forest Reserves (removal of forest produce, grazing, cultivation, hunting, etc.) and in forests on unalienated Government land (removal of trees, collection of honey, lighting of fires) except under license from the Director of Forestry

Sections 9-14: Enforcement of the provisions of the Act, penalties and powers afforded to enforcing officers

Section 15: Power of the Minister to make rules with respect to sale and disposal of forest products, use and occupation of land, licensing and entry into forests. These Forests (General) Rules set forth rules for sale of forest produce and specifies royalty rates for these products.

The Forest (General) Order Rules were last updated in July 1998. Under these Rules, community utilisation of forests for subsistence are included under “Miscellaneous Forest Products” which include fuel wood, grazing, medicinal plants, etc. These products can be exploited by acquiring a permit from the local forester for minimal fees.

Commercial logging, quarrying and leaseholds in forest reserves are acquired through licensing with the approval from the Divisional Forest Licensing Committee, the District and Provincial Environment Committees, up to the Ministry level.

Section 4 of the Forest Act allows for the (de) gazettement of forest reserves. This section states:

The Minister may from time to time by notice in the Gazette:

- declare any unalienated Government land to be a forest area;
- declare the boundaries of a forest and from time to time alter those boundaries
- declare that a forest area shall cease to be a forest area.
- Before a declaration is made under paragraph (b) or paragraph (c) of sub-section (1), twenty-eight days’ notice of the intention to make the declaration shall be published by the Minister in the gazette.

Before a gazettement or degazettement of a forest, within the Act, there are no prerequisites for environmental assessments. The Kenya Gazette is the main mode of announcement for alterations or additions. In the Gazette notices (de) gazetting forests, there is no indication of the type of forest proposed for (de) gazettement. The notices typically provide the gazette notice number, the subject (e.g. intention to alter boundaries) and some details on the forest (such as the name of the forest and the district in which it occurs). It also gives the area in hectares and the signatory (e.g. the Minister concerned).

5.2 Proposed Forest Bill

Some of the issues resulting from the application of the Forests Act stem from the fact that the Act does not define a forest *per se*. In the proposed Forest Bill, a slightly more specific definition has been proposed whereby a "Forest refers to any land containing a vegetation association dominated by trees of any size, exploitable or not, capable of producing wood or other products, potentially capable of ameliorating climate, exercising an influence on the soil, water regime, and providing habitat for wildlife." This definition shows the intention of the proposed Bill to address the management and conservation of both closed canopy forests and other types of woody vegetation.

The proposed Forest Bill has made attempts at addressing issues with regard to the excision and (de) gazettment processes and the recognition of the needs of local communities adjacent to forests.

5.3 Forest Policy

The current Forest Policy received Cabinet approval in 1994 and replaced the one effected by Sessional Paper No. 1 of 1968. The 1994 policy aims to provide continuous guidelines to Kenyans on sustainable management of forests and potential forest land. It takes into cognisance existing policies relating to land-use, wildlife, environment, agriculture, energy, industry, regional development, among others. The need to conserve soil, water, biodiversity, and other forest resources on gazetted forests, other protected forest lands, on farms and in arid and semi-arid lands, are also discussed in the policy.

The objectives of the proposed forest policy are to:

- Increase the forest and tree cover of the country to ensure an increasing supply of forest products and services for meeting the basic needs of present and future generations and for enhancing the role of forestry in socio-economic development.
- Conserve the remaining natural habitats and the wildlife therein, rehabilitate them and conserve their biodiversity.
- Contribute to sustainable agriculture by conserving the soil and water resources by tree planting and appropriate forest management.
- Support the Government policy of alleviating poverty and promoting rural development, by income based on forest and tree resources, by providing employment, and by promoting equity and participation by local communities.
- Fulfil the agreed national obligations under international environmental and other forest-related conventions and principles.
- Manage the forest resource assigned for productive use efficiently for the maximum sustainable benefit, taking into account all direct and indirect economic and environmental impacts; also review the ways in which forests and trees are valued, in order to facilitate management decisions.
- Recognise and maximise the benefits of a viable and efficient forest industry for the national economy and development.

The policy seeks to separate the management of forest plantations from that of indigenous forests. It advocates for commercialised forest management to monitor and guide the forestry activities of the public, private and farm-forestry sub-sector.

The Forest Policy addresses research, as it is an essential component of forestry development. The Kenya Forestry Research Institute (KEFRI) is listed as the principal institution mandated to conduct forestry research.

Ecotourism is also addressed as one of the factors that could have negative effects on the ecosystem if not well planned. The policy calls for the harmonisation of traditional forms of forestry management and ecotourism.

5.4 The Wildlife (Conservation and Management) Act, Cap. 376 of 1976 (amended 1989)

The Wildlife Act and Wildlife Policy are presently under review. The existing Act allows for the establishment of National Parks (section 6), National Reserves (Section 18) and Local Sanctuaries (section 19), for alteration of National Park boundaries and for the cessation of an area as a National Park, National Reserve and Local Sanctuary (section 7).

The Kenya Wildlife Service, a parastatal created in 1990 from the former Department of Wildlife Conservation and Management, is the main agency charged with the management of National Parks and National Reserves in collaboration with local authorities.

Table 6: Indigenous Forests in National Parks and Reserves

Category of Gazettment	Total Number	Total area (ha.)	Area under indigenous forest (ha.)	% of area under indigenous forests
National Parks	22	2,904,690	63,000	2.17%
National Reserves	28	1,537,174	14,000	0.91%
*Marine Parks and Reserves (Mangroves)	8 (4 Parks and 4 Reserves)	51,000	14,000	27.45%
Total		4,492,864	91,000	2.03%

Source: KWS: Summary of National Parks and Reserves and Wass (1995).

* assumed to include both Parks and Reserves based on Wass, 1995, who has only used the category of Marine Reserves.

5.5 Antiquities & Monuments Act, Cap. 215 of 1984

Under this Act, an area of land of cultural significance may be set aside as a protected area. This provides for the gazettment of national monuments. Monuments gazetted under this Act fall under the management of the National Museums of Kenya. Several of these monuments include forests cultural and biodiversity significance.

Examples of are the Gede Ruins, *kaya* Sacred Forests at the Coast Province, and the *Njuri Ncheke* and *Mukure - Wa - Nyagathanga* in Meru and Muranga, respectively.

5.6 Agriculture Act, Cap. 318 of 1980 (revised 1986)

The Agriculture Act has the stated objectives to promote and sustain agricultural production, provide for the conservation of the soil and its fertility, and stimulate the development of agricultural land in accordance with the accepted practices of good land management and good husbandry. Authorised officers are empowered to prohibit the clearing of vegetation and the grazing of livestock and to require the planting of trees to protect the soil from erosion and impose penalties under the Act.

5.7 Water Act, Cap. 372 of 1951 (revised 1972)

This Act makes provisions, for the conservation, control, allocation and use of water in Kenya. The Act vests all the water resources in the Government. However, commercialisation of water resources has been allowed in Kericho, Eldoret and Nyeri, with the formation of companies and contracts under the Local Government Act (UNCHS, 1998).

In Section 13(1) of the Act, the Minister is empowered to drain swamps which could have adverse effects on forests. Section 14 of the Act gives the Minister power to gazette water catchments in the country.

The Water Act is presently under review.

5.8 Water Policy, 1999

Kenya's first national Water Policy was passed by Parliament in April 1999.

The main objective of this water policy is the supply and distribution of water resources throughout the country in a sustainable, rational and economical way. This policy has implications for the forestry

sector in its objective with regard to environmental protection. It recognises the fact that increased human activities, especially in water catchment areas has resulted in the reduction and deterioration of forest cover area and constitutes a threat to the country's water resources.

The policy proposes to address these issues through the protection of water catchments, river basin management and practices that take into account the role forests and soil conservation measures play in conservation of water resources. Furthermore, it states that water catchments need to be identified and delineated, and water catchment preservation and protection programmes instituted in collaboration with the relevant Ministry in charge of forests.

5.9 Fisheries Act, Cap. 378 of 1989

This Act contains two provisions relevant to forestry: it regulates trout fishing in forests, and protects fish breeding areas. The latter provision is relevant to mangrove management.

The execution of this Act falls under the Fisheries Department of the Ministry of Natural Resources which has signed a Memorandum of Understanding with the Forest Department for the management of mangrove forests gazetted as Forest Reserves.

5.10 Timber Act, Cap. 386 of 1972

This Act provides for control of the sale and export of timber by means of grading, inspection and marking, and provides for the control of timber in transit. The export of unprocessed indigenous timber is banned at present by Presidential Decree.

Timber graders are also gazetted under this Act. According to Kenya Gazette notices, a total of 284 timber graders were gazetted between 1995 and 1996.

5.11 Chief's Authority Act, Cap. 128 of 1970 (revised 1988)

This Act empowers Chiefs to enforce various environmental conservation provisions within the limits of their jurisdiction, including control of the use of tree resources on private land. There are powers relevant to forest:

- prohibiting the destruction of vegetation
- regulating the cutting of timber and prohibiting the wasteful destruction of trees
- control of grass fires
- ordering the execution of work or services for the conservation of natural resources
- empowering the Minister to remove member(s) of a tribal community who have land reserved for them, if they unlawfully occupy or cultivate any land other than the reserved land.

The Chief's Authority Act is one of the principal statutes through which the Provincial Administration implements government policies and development priorities. This Act has been criticised because of the broad powers it confers which can be abused.

5.12 Trespass Act, Cap 294 of 1963 (revised 1982)

This Act confers protection to land owned or occupied by virtue of freehold title, cultivated or enclosed land, or any forest area. It is relevant to the control of squatters in forest reserves. The effectiveness of this Act is limited by the low penalties imposed for infringement (MENR, 1994).

5.13 Mining Act, Cap. 306 of 1940 (revised 1987)

The Mining Act vests all unextracted minerals, (other than common minerals) under or upon any land, in the Government, which may grant such rights and interests in any other person. The Act also stipulates that on abandonment of an area that has been mined, the licence holder shall fill up or secure the area, to the satisfaction of the Commissioner for Mines and Geology, in such a manner as to prevent persons or stock other than dogs or poultry inadvertently entering the shafts, pits, holes and excavations. Failure to secure the land thus shall constitute an offence with a fine of one thousand shillings or imprisonment of a term not exceeding three months.

This Act has implications for forests in that, with the approval of the Minister, mining can be allowed in both gazetted and non-gazetted forest areas. Further, there is no legal requirement for the re-forestation of the abandoned mining area. For example, quarrying has been going on in the Ololua Forest Reserve

despite protests from communities adjacent to the forest and a court order banning blasting within the forest (Kenya Forest Working Group, 1999).

6. MANAGEMENT AND PLANNING INSTITUTIONS

6.1 Regional Development Authorities

The management planning for the country's river basins is vested in regional development authorities. To date there are six regional development authorities constituted by Acts of Parliament i.e. Tana and Athi Rivers Development Authority (Cap. 443); Lake Basin Development Authority (Cap. 442); Kerio Valley Development Authority (Cap. 441); Ewaso Ng'iro South River Basin Development Authority (Cap. 447); Ewaso Ng'iro North River Basin Development Authority (448); and the Coast Development Authority (Cap. 449).

According to the statutes, the functions of the regional development authorities include rendering assistance to operational agencies in their application for funds and causing the construction of any works necessary for protection and utilisation of the water and soils of the area.

The activities of River Basin Development Authorities, especially those concerning the construction of hydro-electric dams and irrigation projects along the rivers have implication especially for riverine forests. Coupled with land use changes upstream and the degradation of catchment areas, these projects result in altered volume and regularity of water flow and siltation levels which affects both riverine forests and the ecology at the river mouth which in turn affects the flora and fauna, for example, Mangrove forests and marine life.

Riverine forests, supported by underground water seepage, are found in localised areas such as Dodori and Boni forests, with some patches along Turkwell River, Athi/Galana and the Tana rivers covering less than 1% of Kenya's total forest estate. Riverine forests owe their dynamism, structure and composition to river processes and the water regime. (Nkako, 1999).

Riverine Forests: Tana River

The Tana River is the largest river in Kenya with a catchment area of 95,950 sq. kms (about 17% of Kenya's land area) from Mount Kenya to the Indian Ocean. Along the Tana River the Tana-Athi River Development Authority (TARDA), in collaboration with various funding agencies has developed five dams and the Mwea-Tebere and Bura Irrigation Schemes i.e. Masinga, Kamburu, Gitaru, Kindaruma and Kiambere dams. In addition, there are five other proposed dams i.e. Mutonga, Grand Falls, Usueni, Adamson Falls and Kora. The decline of the Tana gallery forests is linked to changes in the water table and regulation of annual floods by construction of dams upstream and irrigation schemes such as the Bura Irrigation project in Tana River District. Changes in the forest habitat is in turn threatening certain species of wildlife especially the Tana Red Colobus (*Colobus badius rufomitratu*) and crested Mangabey (*Cercocebus galeritus galeritus*) (Nkako, 1999).

The Turkwell Gorge Hydro-electric dam, managed by the Kerio-valley Development Authority along the Turkwell River in Turkana has also had an impact on the riverine forests due to changes in the water flow and flooding levels.

6.2 Memoranda of Understanding between Government Institutions

In an effort to reduce the conflicts arising from overlapping mandates in the management of natural resources, various government institutions and departments have signed Memoranda of Understanding.

Government institutions that have entered into MoUs include Forest Department (FD), the Kenya Wildlife Service (KWS), National Museums of Kenya (NMK), the Fisheries Department (FD), the Nyayo Tea Zone Authority (NTZA) and specific local Authorities.

Table 7: Memoranda of Understanding relevant to Management of Forests in Kenya

Memoranda of Understanding	Date signed
FD/KWS	1991
FD/KWS/Nandi County Council	1995
FD/KWS/NMK	1996
KWS/Narok and Transmara County Councils	1996
NTZA/FD	1999

The objectives of the Memorandum of Understanding between the Kenya Wildlife Service and the Forestry Department, signed on 5th December, 1991 are to:

- Conserve forest biodiversity by preserving select examples of different forest types, areas of endemic or threatened species of flora and fauna, and areas important for the maintenance of genetic diversity;
- Maintain the functioning of ecological processes: regulation of water flow, soil conservation and the nutrient cycle;
- Exploit economically and sustainably the potential of forest products, tourism and recreation;
- Provide a basis for conservation education, extension and research;
- Protect and preserve selected sites and areas of special interest;
- Minimise threat to human life and damage to tree plantations, agricultural crops and livestock by wildlife; and
- Generate revenue to be re-invested in forest conservation and management.

6.3 Nyayo Tea Zones Corporation

The Nyayo Tea Zones Corporation was established through a Legal Notice, No. 285 of 1986 under the State Corporations Act. Its main objectives are to:

- Protect indigenous forests currently threatened by human encroachment and over exploitation thereby contributing towards global environmental and biodiversity conservation;
- Provide alternative source of earnings through employment in intensively managed Nyayo Tea and fuelwood plantations; and
- Develop rural infrastructure through the construction and maintenance of roads, bridges, leaf buying centres, tea factories (where currently none exist), staff houses, telephone communication, electricity and water supplies.

The Nyayo Tea Zones are established in gazetted Forest Reserves. Mapping of the zones is currently in process. Out of approximately 6,154 ha of forested areas that were cleared for the tea zones, an estimated 4,000 ha. are currently under tea. Areas that were cleared in Nyayo Tea Zones but found to be unsuitable for tea cultivation are currently being put under fuelwood plantations (Nandi, Kakamega Forest, Kaptagat/Kiptaberr) especially planting of the two species of eucalyptus, *Eucalyptus saligna* and *E. grandis*. These plantations are being maintained with local communities through a non-resident *shamba* system whereby young trees are intercropped with vegetables and other food crops.

6.4 Permanent Presidential Commission on Soil Conservation

The Permanent Presidential Commission on Soil Conservation (PPCSC) was established in 1981 as a Department in the Cabinet Office of the Office of the President. The PPCSC has the task of co-ordinating all agencies involved in soil conservation activities. Its terms of reference include to:

- Review the present legislation on soil conservation, afforestation and flood control and to advise on their adequacy and effectiveness;
- Advise in consultation with other relevant agencies on areas that should be declared "Protection Catchment Areas" and to recommend on the measures to be taken to regulate the management of such protected areas;
- Advise on the measures to be taken to protect water courses with a view to preventing river siltation;
- Submit specific recommendations at every stage after deliberating on specific items; and
- Continually evaluate the performance of government agencies charged with the responsibility of implementing soil conservation, afforestation and flood control programmes and advise on the

adequacy or otherwise of government machinery for planning and implementation of programmes in this area.

PPCSA published a survey report in October 1999 entitled "Reconnaissance Survey of Forest Blocks in the West and East of the Rift Valley". The report outlines the status of forests in the selected areas with emphasis on indigenous forests and associated threats. The report also gives recommendations for enhanced management of the forests, including income generating activities towards self sustenance.

6.5 District Focus for Rural Development

The District Focus for Rural Development (DFRD) came into effect in 1983. The main objective of this strategy is the adoption of a bottom-up approach to planning, whereby districts are given autonomy in setting their priorities. This strategy is unlike the previous top-down approach where ministry headquarters set district development agenda.

At the district level, co-ordination is carried out through various Development Committees, from District Development Committees (DDC) to Sub-Location Development Committees. Members of the DDCs include District Commissioners (as Chairpersons), District Development Officers (as Secretaries), Department Heads of all Ministries, Members of Parliament, ruling party's District Chairpersons, Chairpersons of Local Authorities, Clerks to Local Authorities, Chairpersons of Divisional Development Committees and representatives of development-related parastatals, NGOs and self-help groups.

Environmental management under this structure has been facilitated by the establishment of the District Environment Officers (DEO) in 1989 and District Environment Protection Officers in 1993 (UNDP, 1999).

One of the implications of the DFRD structure to forest management is that the DDC, as the main development planning body at the district level, reviews and approves development plans and can make requests to the relevant ministry for the excision of forest land in response to pressure from the residents. For example, the Kilifi DDC had requested for the excision of Arabuko Sokoke Forest for settlement of squatters in the district.

7. PROPOSED LEGISLATION: Environmental Bill

Published in May, 1999, The Environmental Management Co-ordination Bill has as its primary objective to provide for the establishment of an appropriate legal and institutional framework for the management of the environment in Kenya.

The ultimate object of the Bill is to provide a framework for integrating environmental considerations into the country's overall economic and social development. Specifically, it aims at harmonising the various sector-specific legislation touching on the environment in a manner designed to ensure greater protection of the environment, both physical and social, in line with the goal enunciated in Agenda 21 of the Earth Summit held at Rio De Janeiro in 1992.

The Bill establishes nine institutions at the national, provincial and district levels as follows;

- The National Environmental Council as the policy-formulating body;
- The National Environment Management Authority for co-ordination and implementation of the various environmental management activities in collaboration with lead agencies;
- The National Environmental Trust Fund; to facilitate research, capacity development and environmental management education;
- The National Environment Restoration Fund as the repository of funds for rehabilitation;
- The Public Complaints Committee to investigate complaints of environmental degradation from members of the public and/or the Authority;
- The National Environment Action Plan Committee to prepare national environment action plans, every five years, for consideration and approval by the National Assembly;
- The Provincial and District Environment Committee to prepare five-year action plans for inclusion in the national environment action plans;
- The Standards and Enforcement Review Committee with lead agencies, to prepare and enforce environmental standards; and
- The National Environment Tribunal to entertain appeals with regard to matters related to licences under the Act and the imposition of environmental restoration orders.

Part VI (S. 58) of the Bill makes it mandatory for environmental impact assessments (EIA) to be conducted before the commencement of projects involving urban development (including the establishment of recreational townships in mountain areas, national parks and game reserves), water bodies, transportation, mining, agriculture and forestry-related activities. The specific forestry-related activities requiring EIAs include timber harvesting, clearance of forest areas, and reforestation and afforestation.

Of specific significance to the protection of forests are Sections 48 and 49 of the Bill.

Section 48: Protection of Forests

1. Subject to Subsection (2) the Director-General may, with the approval of the Director of Forestry, enter into any contractual arrangement with a private owner of any land on such terms and conditions as may be mutually agreed for purposes of registering such land as forestland.
2. The Director-General shall not take any action, in respect of any forest or mountain area, which is prejudicial to the traditional interests of the indigenous communities customarily resident within or around such forest or mountain area.

Section 49: Conservation of energy and planting of trees on woodlots

The Authority shall, in consultation with the relevant lead agencies, promote the use of renewable sources of energy by:

- a) promoting research in appropriate renewable sources of energy;
- b) creating incentives for the promotion of renewable sources of energy;
- c) promoting measures for the conservation of non-renewable sources of energy; and
- d) taking measures to encourage the planting of trees and woodlots by individual land users, institutions and by community groups

Loci standi

Section 3 (4) of the Bill gives the Kenyan public the capacity to bring legal action, whether or not a person has directly suffered personal loss or injury from the action or omission of the defendant with respect to environmental matters. Previously, the Kenyan public had no *loci standi* in environmental matters and could therefore not legally challenge the actions of government and/or non-governmental bodies.

The Bill has attempted to recognise the rights and interests of communities in natural resource management. For example, Section 48 on the protection of forests takes into account the traditional interests. However, in general it has limited community involvement in terms of the management of resources, especially, in their capacities as natural resource user groups and their role in the sustainable utilisation of specific natural resources.

The Provincial and District Environment Committees, established in Section 29 and 30, are responsible for the proper management of the environment within their areas of jurisdictions. Out of a total of approximately thirty members per district, only ten are local community representatives, of whom approximately four are from the local authorities and the six from the community are to be appointed by the Minister.

In order to carry out its duties effectively, the environmental management and co-ordination institution requires independence and authority. The NEAP (MENR,1994) has proposed that the institution be established as an independent constitutional office with security of tenure or under the Cabinet Office of the Office of the President. In the Bill, the National Environment Management Authority is under a ministry.

8. OTHER POLICY STATEMENTS

8.1 Presidential Bans and Decrees

In the past, the President has made pronouncements that have direct bearing on forests. For example, in 1986, the President declared a ban on the felling of indigenous trees (IUCN, 1996).

Whether or not Presidential decrees, that are not followed by a legal notice, have the force of law is debatable. The draft Forest Bill, 1999 proposes that these decrees be given legal recognition by stating that "the President may, by an order in the Gazette declare any tree, species or family of tree species to be protected either in the whole country or in specific regions".

8.2 Land Use Commission

The Government has acknowledged that there has been an over-emphasis on the protection of property rights and inadequate provisions in legislation for environmental conservation and proper land use planning. The formation of a Land Use Commission was proposed in the 1989-1993 National Development Plan. In the current development plan (1997-2001) it is specifically declared that "it is the Government's intention to establish a Land Use Commission to address land tenure and land use policy issues, with a view to improving sustainable agricultural productivity and the food security situation, as well as ensuring that biodiversity considerations are properly considered in land use decisions" (Republic of Kenya, 1997-2001)

A Commission of Enquiry into land issues was appointed in November 1999. The Commission is charged with reviewing irregular land allocations, as well as producing a policy framework based on an overall review of land issues in the country.

9. ISSUES IN FOREST MANAGEMENT

9.1 Introduction

Reports published by government agencies, local and international NGOs and in the popular press acknowledge that forests in Kenya face increasing threats of loss and degradation. These issues are summarized in the following section.

9.2 Availability of Data and Information on Forests

Accurate and timely data on the extent of the loss and degradation of forests in Kenya is difficult to obtain. For example, the NEAP (MENR, 1994) estimated that 5,000 ha. of gazetted indigenous forests are lost every year and industrial tree plantations have declined from 170,000 ha. to 133,000 ha. during the last few decades. However, figures from the Forest Department indicate that plantations occupy approximately 161,000 ha as of 1999 (Annex IV).

There is similar lack of information on matters related to changes in land tenure and management. For example, in the Statistical Abstracts of 1995 and 1996 (Republic of Kenya) figures on the different land tenure categories are exactly the same, although Gazette notices indicate that there have been changes, through the alienation of Trust and Government land over this period.

At present, when Trust land is set aside for other purposes, e.g. agriculture, industrial use, the Gazette notices do not specify the type of land being set aside. For example, in Gazette Notice, No.1377 of 24/2/97, an area of 687 acres in Mariakani (approximately 25 kilometres north of Shimba Hills), Kilifi district was set apart for agricultural purposes but there is no indication of the original use of the land.

Likewise, the purpose of official forest excisions is usually not stated in the relevant Gazette notices although degazettments may be for public utility e.g. hospitals, schools, markets, show-grounds or for individual use, e.g. settlements and as compensations for land compulsorily acquired by the government.

Furthermore, the use of the Kenya Gazette as the only official tool for communicating the (de) gazettment of forests is inadequate. The Kenya Gazette is published once a week in addition to special issues that are produced in direct response to specific government announcements. The circulation of the Gazette is limited to subscribers and members of the public who purchase it directly from the Government Printers Bookshop in Nairobi. Other citizens living far from the Capital have great difficulty in accessing the Gazette. Therefore, the large percentage of the public has limited access to gazettment and degazettment announcements that could directly affect them.

More consideration needs to be given to enhancing reliability, consistency and accessibility to the government's data and announcements on forests resources and management. For example, notices on excisions and other management decisions should be disseminated through the print and electronic mass media, or displayed in prominent public places such as the Administration offices and announced at Chief's *barazas*.

The Forest Act requires that an intention published in the Kenya Gazette is followed by a Declaration after a 28-day notice. However, some intentions are not officially confirmed, or take a long time to be confirmed. For example, the Kenya Gazette notice No. 3276 of 14th August, 1992 proposing additions of God Kwach, Nyasumbi, and Onno Water Point as forest areas were confirmed in Legal Notice No. 139 of 12th March, 1995.

Gazette Notice No. 935 of 12th March, 1993 for alteration of boundaries of the Northern Tinderet Forest in Uasin Gishu District by excising 20 ha. was confirmed two years later in a Legal Notice No. 277.

9.3 Implementation of Policy and Legislation

Although policy and legislation formulated to govern the use of forest resources is fairly comprehensive, forest destruction and degradation continues. Reports in the print media indicate that public concern about the extent of this degradation is growing. Between 1996 and 1999, newspaper reports indicate that concerns about forests are mainly with regard to excisions and various forms of degradation ranging from forest fires, selective harvesting of certain species of trees, quarrying and intercropping of forests with marijuana.

Degradation: Mount Kenya forest, Aberdares forest (Mwai, 1999) and Mount Elgon forest (Sino, 1996) have featured in the daily newspapers with regard to the degradation of the forests through the planting of marijuana, selective harvesting of indigenous species e.g. Camphor, Elgon Teak and Mvule. Charcoal burning has also been noted as adversely affecting montane forests in recent years, including indigenous forests that are supposed to be protected by the Presidential ban of 1982. On 18th March, 1999, it was stated in the *Daily Nation* that 800 ha. of Mount Kenya forest was degraded by charcoal burners (Mwai, 1999).

Forest Fires: In 1995, approximately 200 ha. were lost in the Rift Valley Province due to forest fires thought to have been set by honey gatherers (Njuguna, 1996).

Mining: Mining and quarrying in Ololua forest have appeared in articles in the media (wa Gachamba, 1998).

Corruption: Collusion between government officials and perpetrators of illegal activities in gazetted forests has also regularly featured in the media. For example, on 14th April, 1999, the Nyeri District Commissioner accused government officers of collusion with saw millers to degrade forests (Nation Reporter, 1999).

Illegal activities: These include grazing in Kakamega forest (Radoli, 1999), squatting in Cherangani Hill forest (Nation Correspondent, 1996), logging in Mount Kenya, Mt. Elgon, Aberdare and Karima Hill Forest in Nyeri District.

Unclear Status of forests: Examples of this are that of a total of 1,041 ha. of Karura forest, 564.14 ha. is protected by gazettement, while 476.86 ha. of the forest is of unclear status (Opala, 1998).

Allocation of forests to individuals: 70,919 acres of Mukongondo Forest was allocated to ranchers (Mwaka, 1999).

Furthermore, policy and legislation concerning forests is articulated in several Acts that are not adequately harmonised. The Environment Co-ordination and Management Bill is a commendable step towards the recognition of the need to address environmental issues in a holistic manner. However, there is need to harmonise sectoral statutes in line with this approach. Such opportunities exist because presently several statutes are undergoing review, e.g. the Forest Act, the Wildlife (Conservation and Management) Act and the Water Act.

9.4 Management and Co-ordination of Implementing Agencies

At present, there are various government institutions whose mandates have relevance to the management of forests. Of a total of 24 government line ministries, at least 12 have functions that directly relate to the management of forests (Annex I). In addition, the

Office of the President houses the Permanent Presidential Commission on Soil Conservation, the Nyayo Tea Zone Corporation, the Kenya Wildlife Service, and the Provincial Administration all of which implement projects with implications for forest management. However, these institutions are poorly co-ordinated in the implementation of their activities.

Although Memoranda of Understanding signed between different government institutions represent a step forward in increasing the collaboration between different agencies mandated with the management of natural resources, they are faced with several set backs. One of the major shortcomings of these MoUs is that they are not legally binding on the agencies. In addition, due to the levels of financial and technical resources available to these agencies, they have differing levels of implementation capabilities, which in turn could adversely affect their efforts at collaboration. Further, this may promote competition for resources from funding agencies and undermine corporation.

In the Environment Management and Co-ordination Bill, 1999, a National Environment Management Authority (NEMA) is proposed as the agency to co-ordinate environmental management matters. However, the effectiveness of the NEMA may be hampered by the fact that it is placed within a ministry and not as a constitutional office with security of tenure as recommended in the NEAP (MENR, 1994). For the co-ordinating institution to be able to fulfil its mandate, it will require the necessary authority and resources.

This situation may be similar to that of the Task Force constituted by the Permanent Secretary in the Ministry of Natural Resources to review the various Acts relevant to natural resource management.

Though this Task Force is yet to become fully functional, such an initiative could contribute to the greater harmonisation of sectoral legislation.

Issues of management and co-ordination have special significance for forests situated on Trust Land, under the jurisdiction of local authorities. The Forest Department is not mandated to manage these forests and in many cases forestry is not commonly perceived as an important activity by the Councils. Consequently forest exploitation in Trust Land areas is often poorly managed. There is need to address the accessibility of technical expertise to local authorities to enhance their ability to manage forests within their jurisdiction effectively.

9.5 Forest Excisions

De facto and *de jure* excision of forests continue to be a source of great concern. In 1996, the Minister for Environment and Natural Resources reported that 8,652 ha. had been excised from gazetted forests over the previous three years (*Nation* Correspondents, 1996). A review of the Kenya Gazette notices reveals that between 1994 - 1999, a total of 701.52 ha. were proposed for de-gazettement while 6,442.5899 ha. were officially de-gazetted (Annex VII). A ground survey conducted by the Permanent Presidential Commission on Soil Conservation (1999) reveals that 9,780.3 ha. have been proposed for excision while 44,502.77 ha. had been excised between 1995-1999 (Annex XI).

The fact that the available information on forest excisions is subject to the recurring problem of inconsistency does not detract from the overall significance of these changes to the sustainable management of forests and the conservation of biodiversity. Public reaction to on-going excisions should be viewed from the perspective of reactions to available information on the long-term status of forest habitats and resources in Kenya. For example, the National Development Plan (Republic of Kenya, 1997-2001) states that failure of plantations since the mid 1980s is threatening the long-term supplies of industrial wood in the country. An estimated 6,000 ha. of forest plantations have been harvested and are yet to be replanted.

With approximately 75% of Kenya's estimated 30 million population living in rural areas and an annual population growth rate estimated at 2.7% (World Bank, 1999), the threat of extinction to forest habitats becomes all too real. The future of forests is inextricately tied to the future of the local population and the conservation of the forests depends upon the sustainability of local rural livelihoods. Therefore, the needs of local communities have to be taken into consideration in any management strategies. This is especially significant with regard to forest adjacent communities.

It is estimated that 2.9 million people, representing around 530,000 households live within 5 kms of closed canopy forest areas (Wass, 1995) and depend on forests to provide both wood and non-wood products including medicinal plants, honey, thatching grass and fodder.

9.6 Community Participation in Forest Management

Several recommendations aimed at improving the management of forests have been made in the Forest Policy (1994), including the privatisation of plantation forests, the greater involvement of local communities in the management of gazetted forests and the issuing of leaseholds to private entities for the management of specific forests.

The government has acknowledged that poverty and environmental concerns are intertwined and need to be addressed simultaneously (Republic of Kenya, 1997-2001). However, there is need to address the implementation of government policies and greater communication and involvement of local communities, especially in out-lining the opportunities that exist for them. In the past, some communities have encroached on Forest areas arguing that the benefits from the forests accrue more to "outsiders" through the excision and licensing processes than to forest adjacent communities. There is also limited knowledge and consultation with communities about the rules and procedures of the Forest Department which limits their ability to take advantage of existing opportunities. For example, few communities know that it is possible to apply for leaseholds within gazetted forest areas as has happened within certain forests, e.g. the Mwaluganje Forest Reserve where a private developer was awarded a 25 year lease to construct a tourist lodge within 20 acres of the forest by applying to the Chief Conservator of Forests.

If community participation is to be enhanced, greater emphasis should be placed on understanding the perspectives of the different stakeholders. Historically, the relationship between members of local

communities and the institutions mandated with natural resource management has been characterised by suspicion, punitive measures and limited dialogue.

There is need for forums where government officials and community representatives can discuss their expectations of increased community participation. Presently, a number of NGOs, CBOs and voluntary organisations are making good strides in enlightening the common citizen on laws and their rights.

Following are examples of models that have been proposed and tested elsewhere to enhance community participation in natural resource management:

1. **Protected Area Outreach** seeks to enhance the biological integrity of parks by working to educate and benefit local communities and enhance the role of a Protected Area in local planning. Examples of protected area outreach include the work of Tanzania National Parks (TANAPA), KWS, Uganda Wildlife Authority (UWA), and Kruger National Park in South Africa.
2. **Collaborative Management** seeks to create agreements between local communities or groups of resource users, and conservation authorities for negotiated access to natural resources which are usually under some sort of statutory authority. Examples of collaborative management include what is starting to happen with the forestry departments in Tanzania and Uganda, and in UWA, and in a number of French West African Forestry Departments.
3. **Community Based Natural Resource Management Schemes** have the sustainable management of natural resources through returning control over, or responsible authority for these resources to the community as their chief objective - for example CAMPFIRE in Zimbabwe, ADMADE (Administrative Management Design) programme in Zambia, Conservancies, and Integrated Conservation and Development Projects (Barrow, 1998)

These models of community participation have been developed and adapted by several countries. There is need for the different stakeholders to work collaboratively with existing governmental agencies in order to include community participation concepts into the legal institutional framework of Kenya's forests.

9.7 Implications on Management of Coastal Forests

All these issues have implications on the management of forests in the coastal region of Kenya, as an example. There is some discrepancy between the figures given for the area of closed canopy forest at the coastal region/zone: The KFMP (MENR, 1994) gives a figure of 66,700 ha. for closed canopy forests and 15,900 ha. for other woody plant associations, such as woodland, thickets, wooded grassland and bushland. Wass (1995), on the other hand, gives a figure of about 82,500 ha. for closed canopy forests and an additional 3,200 ha. of plantation forests.

Closed canopy forests include those found in Shimba Hills National Reserve, Arabuko Sokoke Reserve, mangrove and *Kaya* forests. In addition, several other large sites have been recommended for protection. Coastal forests are valuable because of their high level of endemism and species rarity, many of which are threatened. Of a total of 58 threatened species of plants, birds and larger mammals, it is estimated that 20 of these are found at the coast.

Table 8: Nationally Threatened and Regionally Endemic Forest Species (including woody plants, birds and larger mammals)

	Total species	Forest species	Threatened and scarce	Threatened
Western	254	79	48	8
West of Rift	210	54	27	8
East of Rift	191	42	33	18
Coastal	138	27	59	20
Dry Zone outliers	157	25	23	4

Source: MENR¹, 1994

The land tenure history of the coast is unique and this has implications for coastal forest management. Historically, the Ten-Mile Coastal was once a possession of the Sultan of Zanzibar, and was leased to

¹ Ministry of Environmental and Natural Resources

the Britain when the East African Protectorate was established. At independence, in 1963, it was bought by the British and became a part of Kenya (Were, 1968). The ten-mile strip became part of unalienated government land, under the Government Land Act. According the Statistical Abstract (Republic of Kenya, 1996), approximately 70% of unalienated government land in the country is found in the Coast Province. This is land that can be allocated to private individuals and entities at the discretion of the Commissioner of Lands.

The threats to coastal forests include the allocation of beach plots to private developers which adversely affects mangroves. According to the *Nation* Newspapers (Mayoyo, 1997), despite the protection of Mangrove Forests through a gazette notice No. 174 of 1964, there has been allocation of beach plots in Funzi, Makaso, and Bodo Islands of Coast Province, all areas of mangrove forests.

The allocation of unalienated government land to private entities could also adversely affect other coastal forests.

According to Kangethe et. al. (1996), in the management of *kaya* forests, there is need to resolve land tenure issues otherwise the needs of local people may be sidelined in favour of other interests. With the location of *kaya* forests within Forest Reserves, the traditional elders no longer exercise any authority to regulate access. Some *kaya* elders have complained about the management of these forests by the Forest Department and the selective felling of trees, which they consider a sin.

When these forests are gazetted under the Antiquities and Monuments Act, the local communities can only conduct their rituals with the approval of the National Museums, which sometimes results in conflict. For example, a dispute was reported between the National Museums of Kenya and the community in Samburu Division of Kwale District over the management of the *Kaya* forest (Kiswili & Kwena, 1999).

Clearly community participation in the management of such forests is crucial otherwise the erosion of indigenous knowledge and apathy could undermine conservation efforts.

Box I: Threats to the Arabuko Sokoke Forest

In 1995 there was pressure from local communities and leaders for the excision of 3,000 acres of Arabuko Sokoke Forest for settlement. A Task Force from the Kenya Forest Working Group established that this pressure on the forest was partly caused by lack of security of tenure of communities east of the forest, particularly Roka Location. This land had been mistakenly adjudicated as Trust land, whereas as part of the ten-mile coastal strip it was Government Land. The title deeds that were issued under this process were then nullified and withdrawn. This situation had therefore caused a lot of uncertainty and some members of the community had taken the matter to court. There was also concern because some of the original allottees were said to have been 'outsiders' who were not entitled to land in the area. The lack of security of tenure, coupled with an influx of squatters into the area have resulted in increased pressure for the excision of Arabuko Sokoke forest for settlement (Kangethe et al., 1995).

9.8 Implications of International Agreements on Forests

Environmental issues are of both national and global concern. Various international conventions and agreements also have implications for Kenya's forests. The government is a signatory to the Convention on Biological Diversity and the Global Forest Principles. The Convention on Biological Diversity (UNEP, 1992) identifies the responsibility of national states to conserve their biological diversity and to use their biological resources in a sustainable manner.

The Articles of the Convention on Biological Diversity specifically call upon states to conserve biological diversity by;

- developing national strategies for the conservation and sustainable use of biological diversity;
- identifying and monitoring components of biological diversity important for conservation and sustainable use, and identifying activities likely to have significant adverse impacts on the conservation and sustainable use of biological diversity;

- establishing a system of protected areas, and promoting environmentally sound and sustainable development in areas adjacent to protected areas;
- developing and maintaining legislation to protect threatened species; and
- requiring environmental impact assessments of proposed projects likely to have significant adverse effects on biological diversity, and allowing public participation in such procedures.

In addition, international trade agreements have implications for forest management.

Multi-lateral Agreement on Investments (MAI)

The Multi-Lateral Agreement on Investments (MAI) is concerned with global investment and is one of the first attempts to legally create binding trade rules for the whole world. The genesis of the MAI lies in the World Trade Organisation (WTO) negotiations of 1995. The core objectives of the MAI are to establish a broad multilateral framework for international investment with high standards for the liberalisation of investment regimes and investment protection and with effective dispute settlement procedures.

The MAI may negatively impact global consensus on management, conservation and sustainable development of all types of forests as agreed to by nations in the Global forest Principles which are non-legally binding authoritative statements of principles for global consensus on the management of forests, conservation and sustainable development of all types of forests. The basic obligation of countries that are signatory to the MAI is that “each Contracting Party shall accord to investors of another Contracting Party and to their investments, treatment no less favourable than the treatment it accords [in like circumstances] to its own investors” (Plahe, 1999)

The MAI has implications on forest management in that it could potentially;

- remove restrictions on foreign investments;
- open foreign investors’ access to the country’s forests;
- override the sovereign right of governments to ensure benefits for local residents;
- prevent governments from screening companies with poor environmental records;
- make it possible to challenge general laws (national and international) protecting forests (Pamlin, 1998).

Concerns have been raised about the far-reaching implications of the MAI to the forests of countries that become signatories because although both domestic and foreign companies contribute to the degradation and clearing of forests, multinational companies pose more of a threat because their investments are often carried out on a greater scale than local business activities. In addition, because multinational corporations tend to expatriate profits out of the country, local people rarely benefit from these operations.

Due to the diverse national and international interests in forests, especially in the context of greater globalisation, there is need for the implementation of a system through which the various stakeholders can become aware of each other’s relative interests in forests and to discuss viable options which will take into consideration the different interests. These options should address themselves to the most appropriate institutional structures for actualising the varied objectives. For example, the options of privatisation of plantation forests and the greater integration of wildlife and indigenous forest management have been mooted. These and other options should be explored with the aim of finding workable solutions that address national and international needs for biodiversity conservation, community needs and commercial interests of forests. Further, there is need for greater integration of research findings in the management of forests.

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The Land Adjudication Amendment Bill, 1999

Annex 2: Government Ministries and Institutions relevant to Forest Management in Kenya

INSTITUTION	IMPLICATIONS FOR FOREST CONSERVATION
Office of the President	
Provincial Administration	Headed by a Permanent Secretary, the Provincial Administration is composed of Provincial and District Commissioners, Divisional Officers, Chiefs, Sub-Chiefs and Headmen. It is the main implementer of government policies. The District Focus for Rural Development strategy is also implemented through the Provincial Administration. The Chief's Authority's Act, which has provisions for forest and soil conservation is implemented through the Provincial Administration.
Nyayo Tea Zones Corporation	Established in Gazetted Forest Reserves, the Tea Zones are meant to act as a buffer zone between local communities and Forest Reserves.
Permanent Presidential Commission on Soil Conservation	This Permanent Commission is under the Cabinet Office in the Office of the President. It is meant to co-ordinate soil conservation efforts in the country.
Kenya Wildlife Service	This is the government parastatal charged with the management of wildlife resources in the country through the National Parks and Reserves system. National Reserves are managed in collaboration with the relevant local authorities. Certain Parks and Reserves contain indigenous forests.
Ministry of Lands and Settlements	This is the ministry charged with the registration of land that has changed in ownership e.g. adjudication of trust land and former government land allocated through the Commissioner of Lands. Other functions include physical planning and survey. Excised and de-gazetted forests are registered as private land through this Ministry.
Ministry of Local Government	Established under the Local Authority Act (Cap. 265), currently, there are a total of 167 local authorities, including County, Town, City, Urban and Municipal Councils, which collectively have jurisdiction over all Trust land in Kenya, wherein an estimated 20% of gazetted forests and an unknown amount of un-gazetted forest is found.
Association of Local Authorities in Kenya (ALGAK)	This association, seeks to co-ordinate the activities of local authorities and provide relevant training.
Ministry of Planning and National Development	This is the Ministry responsible for development of national development plans which include the government's priorities and plans in the management of forests and other natural resources, as well as resource surveys and remote sensing.
Ministry of Natural Resources Forest Department	The FD manages all gazetted Forest Reserves and issues licences for consumptive and non-consumptive utilisation of forest products.
Kenya Forestry College	The KFC trains foresters and forest guards.
Fisheries Department	The management of mangroves falls within this department, due to their significance in marine ecology and fisheries, in addition to the Forest Department, KWS, the Ministry of Water Resources and Local Authorities.

Ministry of Environmental Conservation	Co-ordination of environmental policies, environmental protection and planning, environmental impact assessment
Ministry of Research and Technology	This Ministry co-ordinates research in the country and several research institutions fall within it.
Kenya Forestry Research Institute	KEFRI conducts research on plantation and indigenous forests.
Ministry of Home Affairs, National Heritage, Culture and Social Services	Forests of cultural significance gazetted under the Antiquities and Monuments Act are managed by the NMK.
National Museums of Kenya	
Ministry of Water Resources	The functions of this Ministry include irrigation and dam construction schemes, control of water catchments and quality. Due to the link between forests, as catchments and water resources, the activities of this ministry have a direct impact on forests.
Ministry of Agriculture	The functions of this Ministry include the development of agricultural policies, and the management of irrigation schemes as well as agroforestry extension services.
Ministry of Energy	In addition to the development of policies and projects for hydro-electric energy and fossil fuel, this Ministry is also charged with the mandate for the development and co-ordination of organisations dealing with non-conventional energy sources e.g. wind, bio-gas, solar and wood fuel which would ease the pressure on forests.
Ministry of Rural Development	Currently, there are six Regional Development Authorities under this Ministry, e.g. TARDA and Kerio-Valley Development Authorities which are mandated with the co-ordination of development activities within their water basins. Some of these development e.g. hydro-electric dams and irrigation project have an impact on riverine forests.
Ministry of Education	Curriculum development on forestry in schools and universities
Moi and Egerton University	These two universities offer degree-level courses in forestry and natural resource management.
Parliament	As the legislative organ, Parliament has a central role in the passing of laws on forest management

Annex 3: Glossary of Terms

Nature Reserve	Under the Forest Act, S. 6, a forest area or part there of declared by the Minister to be a nature reserve for the purpose of preserving its natural amenities and where exploitative activities are forbidden except with the approval of the Director of Forestry in consultation with the Chief Game Warden.
Forest Reserve	An area declared to be forest area under Section 4 of the Forest Act. Forests could be gazetted as Forest Reserve from Trust land or unalienated Government land. Forests Reserves on government land are managed by the by the Forestry Department, while those on Trust Land are managed by the local authorities. These include both indigenous and plantation forests. Both consumptive and non-consumptive utilisation are permitted under licence.
National Park	These are government lands gazetted under the Wildlife (Conservation and Management) Act and managed by the Kenya Wildlife Service (KWS). Consumptive utilisation is not permitted and entry is restricted to paying visitors only.
National Reserve	Trust land gazetted under the Wildlife (Conservation and Management) Act on agreement between the relevant County Council and the Minister for Wildlife. These are managed by the local authorities.
Sanctuary	Land gazetted under the Wildlife (Conservation and Management) Act to protect specified species, maximum size 2,600 ha.
Marine Park	Gazetted under the Wildlife (Conservation and Management) Act and managed by the KWS. Currently there are 4 Marine Parks, some of which contain mangrove forests.
Marine Reserve	Gazetted under the Wildlife (Conservation and Management) Act to protect biodiversity and managed by local authorities. Tourism and traditional forms of fishing are permitted. Currently there are 4 Marine Reserves, some of which contain mangrove forests
National Monument	Government, trust or private land gazetted under the Antiquities and Monuments Act, for historical/cultural purposes and managed by the National Museums of Kenya. These include sacred forests in Coast (<i>Kaya</i>) and Central province.
Indigenous	Native to a specific area; not introduced. Opposite of exotic
Excision	The reduction of the land area of a Forest Reserve. This can be done legally, through Gazette and Legal notices (<i>de jure</i>) or in practice (<i>de facto</i>)
Gazettment	The setting aside of a piece of land by the government through a Gazette notice.
Degazettment	The government, through the relevant ministry may declare an area to cease being a protected area. This is done through Gazette and Legal notices.
Chief Conservator of Forests	This title is used interchangeably with the Director of Forestry.

Annex 4: Criteria for Assessing Individual Forests (Proposed by Wass, 1995)

General Criteria	Detailed Criteria
Biodiversity value	Habitat rarity Species richness Threatened species
Environmental protection	Soil erosion protection Water catchment protection Local spring-line water source
Commercial wood products	Commercial timber and poles Fuelwood and charcoal Potential commercial production
Local forest use	Firewood, polewood and charcoal Honey and medicines Grazing and thatching
Tourism and recreation	International tourist value Local tourism and recreation Education and research
Institutional support	Generation of recurrent revenue Effectiveness of organisation Effectiveness of infrastructure
Threats	Over-exploitation Excision and development Population pressure and forest size Habitat damage by wildlife or fire

Value or threat judged as HIGH, MEDIUM or LOW.

Source: Wass, 1995.

Annex 5: Forest Department Plantations per District in Ha.

District	Plantations (ha.)
Baringo	764.80
Busia	7.50
Elgeyo	12,732.33
Embu	381.20
Homa Bay	828.20
Kajiado	778.40
Kakamega	1440.30
Kericho	15,372.10
Kiambu	8,287.21
Kilifi	640
Kirinyaga	1,492.3
Kisii	259.40
Kisumu	153.90
Koibatek	13,832.37
Kwale	1,857.90
Laikipia	4,767.38
Lamu	56.90
Machakos	453.00
Makueni	3,789.49
Malava/Lugari	7,560.30
Marakwet	463.10
Marsabit	53.00
Meru	7,807.90
Mt. Elgon	396.00
Muranga	1,791.10
Nairobi	1,609.48
Nakuru	30,793.46
Nandi	2,456.40
Nyambene	23.40
Nyandarua	6,499.20
Nyeri	11,768.84
Tharaka Nithi	194.60
Thika	1,456.80
Trans Nzioa	7,638.40
Uasin Gishu	11,285.26
Vihiga	706.10
West Pokot	616.60
Total	161,014.62

Source: Forest Department, May 1999

ANNEX 6: Kenya Wildlife Service: Summary of National Parks and Reserves

PARKS	DISTRICT	AREA KM²	LEGAL NOTICE
NAIROBI	NAIROBI	117	Proclamation No. 48 of 16.12.46
TSAVO EAST	TAITA TAVETA-KITUI		17 of 6/4/48 23 of 29/9/48
TSAVO WEST	TAITA TAVETA	9065	17 of 6/4/48
MOUNT KENYA	NYERI/MERU/KIRIN YAGA/EMBU	588.7	69 of 6/12/49
		10.5	181 of 3/6/65
		105.2	
		10.7	
	Total Area	715.0	
ABERDARE	NYERI/MURANGA	572.2	28 of 28/5/50
		7.5	172 of 5/6/68
		27.5	
	Total	765.7	
MERU	MERU	870	4756 of 18/12/66
OL DONYO SABUK	MACHAKOS	18	274 of 7/12/67
MALINDI MARINE	KILIFI	6	98 of 26/3/68
WATAMU MARINE	KILIFI	10	98 of 26/3/68
MOUNT ELGON	TRANS NZOIA	169	112 of 5/4/68
SIBILOI	MARSABIT	1570	160 of 7/8/73
SAIWA SWAMP	TRANS NZOIA	2	11 of 25/1/74
AMBOSELI	KAJIADO	392	267 of 1/11/74
KISITE MARINE	KWALE	28	92 of 9/6/78
CHYULU	MACHAKOS	736	12 of 26/1/83
LONGONOT	NAKURU	52	13 of 26/1/83
CENTRAL ISLAND	TURKANA/MAR.	5	18 of 26/1/83
SOUTH ISLAND	MARSABIT	39	13 of 26/1/83
LAKE NAKURU	NAKURU	188	137 of 12/6/86
RUMA	SOUTH NYANZA	120	100 of 14/6/83
HELLS GATE	NAKURU	68	13 of 2/2/84
NDERE ISLAND	KISUMU	42	368 of 3/11/86
MOMBASA MARINE	MOMBASA	10	315 of 9/12/86
KORA	TANA RIVER	1787	339 of 6/10/89
MALKAMARI	MANDERA	876	338 of 6/10/89
ARABUKO SOKOKE	KILIFI	6	426 of 5/11/90
	Total	26	29100.9

RESERVES	DISTRICT	AREA KM ²	LEGAL NOTICE
MARSABIT	MARSABIT	1122 + 360 + 72 = 1564	366 of 5/7/67
MALINDI WATAMU (Marine)	KILIFI	213	99 of 26/3/68
WATAMU MARINE	KILIFI	32	99 of 26/3/68
SIMBA HILLS	KWALE	192	298 of 16/9/68
LAKE BOGORIA	BARINGO	107	
SHABA	ISIOLO	239	268 of 12/10/74
MASAI MARA	NAROK/ TRANSMARA	1510	271 of 1/11/74
ARAWALE	GARISSA	533	272 of 1/11/74
MWEA	EMBU	68	6 of 9/1/76
RAHOLE	GARISSA	1270	5 of 9/1/76
TANA RIVER PRIMATE	TANA RIVER	169	4 of 9/1/76
BONI	GARISSA	1339	7 of 9/1/76
LOSAI	MARSABIT	1806	8 of 9/1/76
DODORI	LAMU	877	75 of 14/5/76
MPUNGUTI MARINE	KWALE	11	91 of 9/6/78
SOUTH KITUI	KITUI	1133	186 of 7/9/79
NORTH KITUI	KITUI	745	187 of 7/9/79
BISANADI	ISIOLO	606	261 of 28/9/79
SOUTH TURKANA	TURKANA	1019	290 of 26/10/79
KIUNGA MARINE	LAMU	250	291 of 26/10/79
NASOLOT	WEST POKOT	194	300 of 2/11/79
KERIO VALLEY	ELGEYO MARAKWET	66	13 of 26/1/83
KAMNAROK	BARINGO	87.7	101 of 14/6/83
KAKAMEGA	KAKAMEGA	44.7	95 of 31/5/85
SAMBURU	SAMBURU	165	188 of 23/8/85
BUFFALO SPRINGS	ISIOLO	131	189 of 23/8/85
MOMBASA MARINE	MOMBASA	200	316 of 9/12/88
MARALAL SANCTUARY	SAMBURU	5	564 of 2/12/88
LAIKIPIA	LAIKIPIA	165	526 of 16/10/91
NGAI NDETHIA	MACHAKOS	212	9 of 9/1/76
TSAVO ROAD AND RAILWAY	TAITA TAVETA	112	830 of 16/8/49
KISUMU IMPALA SANCTU.	KISUMU	0.34	418 of 30/10/92
	Total	32	15871.4

Category of Gazettment	Total Number	Total area (KM ²)	% of Total area of Kenya*
National Parks	26	29,100.9KM ²	5.0%
National Reserves	32	15,817.4KM ²	2.7%
Total	58	44,918.3KM²	7.7%

*AREA OF KENYA = 582646 KM² APPROX.

Annex 7: Forest Areas under the Joint Management Memorandum of Understanding between the Forestry Department and the Kenya Wildlife Service

NAME	AREA NATURAL	AREA PLANTATION	STATUS
1. Aberdares*	236,257.00	35,444.00	Forest Reserve
2. Mt. Kenya*	272,629.00	8,674.00	"
3. Namanga Hill	11,780.00	-	"
4. Ngurumani Escarpment	-		County Council
5. Ngong Hills	-		Forest Reserve
6. Mau Forest Complex	366,224.80	52,528.00	"
7. Mathews Range	93,765.50	-	"
8. Mt. Nyiro	45,931.70		"
9. Kakamega*	29,450.00	12,874.00	"
10. Arabuko Sokoke	41,763.00	688.00	"
11. Shimba Hills*	38,493.80	1,902.00	"
12. Mt. Elgon	90,258.00	4,500.00	"
13. Mt. Kulal	729.00		County Council
14. Marsabit	15,280.90		"
15. Bojoge forest	2,150.00		"
16. Chyulu Hills	47,100.00		"
17. Loita Hills	10,000.00		"
18. Ngare Ndare	4,722.30		"
19. Nyambene Hills	8,701.30		"
20. Ngaya Hills	4,139.90		"
21. Mukogondo Forest	30,189.50		"
22. Cherangani Forest	128,575.00	5,513.00	"
23. Tinderet Forest	27,869.80		"
24. Lerogi Range	81,944.40		"
25. Lembu Forest	16,211.30		"
26. Mangrove Forests - Maluchi/Watamu - Kiunga - Mpunguti - Tana River Delta			"
27. Ngong Road Forest	1,116.00		gazetted
28. Nairobi Arboretum	30.00		gazetted
29. Menegai Crater	5,737.00		gazetted
30. Mkongani (West and North)	2,573.00		gazetted
31. Mwaluganje			gazetted
32. Taita Hills			gazetted

Source: KWS and FD, 1991 and 1999.

* Forest adjacent to a national park or nature reserve.

Annex 8: Excisions from Gazetted Forest Area, 1963-1969

Date (d/m/y)	Legal Notice ²	Date (d/m/y)	Gazette Notice	Forest	Area(ha)
2/1/63	62			Muguga	100.36
2/1/63	63			Kikuyu Escarpment	14.77
26/3/63	184			Kitale	2.84
26/3/63	185			Nyambeni	205.18
12/11/64	359			Ngong Road	4.47
16/2/65	46			Ngong Road	4.47 ³
15/6/65	165			Lembus	6329.81
3/8/65	207			Lembus	6329.81 ⁴
14/12/65	336			Mt. Kenya	56.25
25/1/66	18	7/12/65	4446	Ngong Road	26.30
1/2/66	35	23/4/65	1694	Ngong Road	9.44
10/5/66	135	7/12/65	4447	Chieni	? ⁵
23/8/66	258	5/7/66	2352	Eldoret	154.99
30/8/66	261	5/7/66	2353	Ngong Road	0.76
24/1/67	22			Kakamega/Kisere	1151.34 ⁶
3/2/67	31	20/12/66	4666	Ngong Road	0.37 ⁷
24/2/67	49	10/1/67	76	Kiptaberr/Kapkanyar	23486.84
24/2/67	50			Marenji	1473.08
17/3/67	72	17/2/67	578	Mt. Londiani	211.25
		28/7/67	2670	Mt. Londiani	44.92
3/11/67	220	29/9/67	3440	Meru (Upper Imenti)	209.22
3/11/67	221	29/12/67	3442	Meru (Lower Imenti)	33.18
3/11/67	222	29/12/67	3439	Meru (Upper Imenti)	219.74
3/11/67	223	29/12/67	3438	Meru (Upper Imenti)	250.91
3/11/67	223	29/12/67	3438	Meru (Upper Imenti)	64.75
3/11/67	224	29/12/67	3441	Nyambeni	56.65
3/11/67	224	29/12/67	3441	Nyambeni	115.33
3/11/67	226	29/12/67	3443	Mt. Kenya	485.63
15/12/67	259	10/11/67	3933	North Nandi	61.10
15/12/67	260	10/11/67	3934	North Nandi	323.75
16/2/68	39			South Nandi	278.83
16/2/68	40			Ururu	129.09
15/3/68	76	23/2/68	600	Meru (Upper Imenti)	413.19
19/4/68	111	3/11/67	3868	Mt. Elgon	16916.22 ⁸
10/5/68	127			Kapchemutwa	5.26
14/6/68	171	2/2/68	361	Aberdare	19364.62 ⁹

² For entries where there is no legal notice, excision has been proposed but not yet legalized. These entries have not been included in the overall figure for total excised forest area.

³ The same area was excised by LN 359/1964, so this has not been counted.

⁴ The same area was excised by LN 165/1965, so this has not been counted.

⁵ No area was specified in the legal notice.

⁶ This excision resulted in the area becoming a Nature Reserve.

⁷ This legal notice was cancelled by LN 51/1975, so it has not been counted.

⁸ This area became a National Park through LN 112/1968.

⁹ This area became a National Park through LN 172/1968.

21/6/68	182	27/10/67	3769	Mt. Kenya	10522.05 ¹⁰
21/6/68	183			Mt. Kenya	2124.64
2/8/68	251	5/7/68	2007	Southwestern Mau	3798.46
6/9/68	273	9/8/68	2503	Kikuyu Escarpment	1021.44
11/10/68	309	13/9/68	3065	Mt. Kenya	946.98
8/11/68	335	25/10/68	3847	Kibwezi	3.27
22/11/68	347	22/11/68	4109	Maji Mazuri	50.18
17/11/69	12	20/12/68	1656	Mt. Kenya	65.56
7/11/69	240	6/6/69	3042	Ngong Road	17.60
7/11/69	241	3/10/69	3702	Kikuyu Escarpment	9.18
24/11/69	8	29/11/68	3923	Marmaret	0.91
Sub Total 1963 – 1969				De-gazetted	90,715.79
				Proposed	44.92

¹⁰ This area became a National Park through LN 181/1968.

ANNEX 9: Excisions: 1970 - 1979

Date (d/m/y)	Legal Notice	Date (d/m/y)	Gazette Notice	Forest	Area (ha)
16/1/70	6	5/12/69	3702	Kikuyu Escarpment	0.02
30/1/70	13	7/11/69	3414	Kibwezi	3.68
30/4/70	69			Menengai	0.09
25/9/70	188	7/8/70	2235	Kibwezi	2.53
20/8/71	169	5/2/71	268	Southwestern Mau	0.85
27/8/71	173	14/5/71	1228	Western Mau	56.86
8/10/71	207	5/2/71	269	Western Mau	7.88
8/10/71	208	20/11/70	3419	Ngong Road	118.40
		4/2/71	301	Nakuru Lake Forest	11210.00
10/11/72	227	8/9/72	2719	Turbo	4.60
29/12/72	262	29/9/72	2963	Eastern Mau	2.61
15/6/73	106	21/4/73	1227	Kikuyu Escarpment	58.97
15/3/74	51	27/7/73	2171	Mt. Elgon	3686.00
		27/3/75	993	Muguga	991.10
16/5/75	68	11/10/74	3228	Mt. Kenya	384.10
9/1/76	11	11/10/74	3229	Mt. Kenya	186.50
9/1/76	12	11/10/74	3230	Nyeri	80.67
9/1/76	13	13/9/74	2871	Mt. Kenya	9.41
28/5/76	82	23/1/76	199	Northern Tindaret	4.00
28/5/76	83	23/1/76	198	Eastern Mau	12.42
28/5/76	84	23/1/76	197	Eldoret	0.77
18/3/77	61	27/8/76	2575	Mt. Kenya	20.43
1/4/77	74	14/1/77	48	Southwestern Mau	128.50
15/4/77	83	25/3/77	760	Kilungu	1.26
1977	100			Arabuko-Sokoke	2696.80 ¹¹
13/5/77	106	25/3/77	758	Kiganjo	1.10
13/5/77	107	14/1/77	49	Mt. Kenya	546.20
27/5/77	127	18/3/77	694	Menengai	566.90
17/6/77	153	14/1/77	47	Malaba	4.39
22/7/77	208	18/2/77	390	Aberdare	2.77
5/8/77	222	8/7/77	1761	Mt. Kenya	195.90
13/1/78	3	21/10/77	2920	Ngong Road	3.74
17/3/78	51	1/4/77	818	Ngong Road	0.31
14/7/78	121	5/5/78	1258	Eastern Mau	39.64
25/8/78	163			North Nandi	3434.00 ¹²
5/10/79	272	26/5/78	1470	Katimok	9.25
Sub Total 1970 – 1979 De-gazetted					12,271.55
Proposed					12,201.10

¹¹ This area was excised to become a Nature Reserve.

¹² This area was excised to become a Nature Reserve.

Annex 10: Excisions: 1980 - 1989

Date (d/m/y)	Legal Notice	Date (d/m/y)	Gazette Notice	Forest	Area(ha)
6/6/80	81	18/4/80	1079	Kikuyu Escarpment	36.00 ¹³
6/2/81	21			Uaso Narok	1574.70 ¹⁴
25/9/81	142	19/9/80	2840	North Nandi	16.59
29/1/82	7			OI Arabel	618.59
3/12/82	168	6/8/82	2188	Aberdare	344.40
		15/10/82	3026	Karura	26.25
10/3/83	50	11/2/83	548	Kikuyu Escarpment	80.90
		22/4/83	1558	Kapkanyar	4453.20
25/1/85	14	15/10/82	3025	Kapchemutwa	147.20
25/1/85	15	28/9/79	2805	North Nandi	943.00
28/6/85	123	22/2/85	675	Longonot	4773.50
26/7/85	146	5/7/85	2631	Kaptaget	56.54
10/10/86	236	13/8/82	2225	Karura	5.85 ¹⁵
14/11/86	272			Kakamega	4468.90 ¹⁶
28/11/86	287			Longonot	4773.50 ¹⁷
5/12/86	310	24/10/86	4411	Karura	2.78
19/12/86	360	29/3/85	1185	Kitalale	312.80
16/1/87	6	11/12/86	5319	Uaso Narok	12.44
24/7/87	199	22/5/87	2395	Kiganjo	20.00
22/1/88	10			Kikuyu Escarpment	3522.70
26/2/88	127	26/7/85	2974	Southwestern Mau	4452.00
18/3/88	161			Kapkanyar	4562.50
18/3/88	162	15/1/88	78	Lelan	13785.60
20/5/88	203	14/8/87	3778	Lembus	3935.50
		9/10/87	4664	Kipkabus	95.46
		30/9/88	4178	Uhuru	18.53
9/12/88	544	30/9/88	4179	Kikuyu Escarpment	38.50
27/1/89	17	16/12/88	5421	Katimok	6.74
10/2/89	37	7/10/88	4333	Southwestern Mau	8.01
30/6/89	212			Mrima	376.80 ¹⁸
Sub Total 1980 – 1989 De-gazetted					44,066.54
Proposed					4,593.44

¹³ This legal notice was revoked by LN 50/1983, so it has not been counted.

¹⁴ This area was excised to become a Nature Reserve.

¹⁵ This plot was first excised on 10/10/86, but there have been two subsequent legal notices for the exact same plot (LN 301/1993; LN 217/1994). As these plots are the same, only the 1986 excision has been recorded in this table.

¹⁶ This excision resulted in the area becoming a National Reserve.

¹⁷ This excision has not been counted in the overall figures because it appears that this area was already excised through LN 123 (28/6/85).

¹⁸ This excision resulted in the area becoming a Nature Reserve.

ANNEX 11: Excisions: 1990 - 1994

Date (d/m/y)	Legal Notice	Date (d/m/y)	Gazette Notice	Forest	Area (ha)
30/8/91	378	28/3/91	1221	Wanga	2.00
4/10/91	490	30/8/91	3762	Maji Mazuri	9.80
		3/5/91	1780	Southwestern Mau	43.16
9/7/93	195	17/5/91	1983	Southwestern Mau	20.38
		23/8/91	3649	Loitokitok	2.12
20/8/93	252	25/10/91	5002	Kikuyu Escarpment	27.09
		3/3/89	961	Trans Mara	937.70
		28/4/89	2019	Karura	2.66
10/9/93	278	16/6/89	2825	Southwestern Mau	136.90
10/9/93	278	16/6/89	2825	Western Mau	552.30
		15/12/89	5677	Karura	8.10
		12/3/93	935	Northern Tindaret	20.00
5/11/93	343	30/7/93	3599	Marmanet	45.60
5/11/93	344	30/7/93	3601	Mau Narok	25.17
5/11/93	345	13/8/93	3822	Kikuyu Escarpment	33.39
5/11/93	346	30/7/93	3602	Leshau	194.70
8/7/94	217			Karura	5.89
8/7/94	218	23/7/93	3459	Loitokitok	1.86
26/8/94	292	10/6/94	3288	Kitalale	189.10
2/9/94	332	26/7/91	3221	Chepalungu	5210.90
		28/1/94	352	Ngong Road	40.47
		4/3/94	919	Southwestern Mau	159.50
		1/7/94	3584	Kakamega	9.47
		29/7/94	4209	Bahati	84.90
4/11/94	384	8/7/94	3807	Kaptaget	161.50
18/11/94	430	29/7/88	3325	Northern Tindaret	33.78
		19/8/94	4818	Karura	18.41
	493	2/9/94	5358	Kapchemutwa	9.05
9/12/94		14/10/94	6498	Eldoret	4.13
		21/10/94	6633	Southwestern Mau	102.17
Sub Total 1990-1994		De-gazetted			6,659.41
		Proposed			1,432.79
Total 1963-1994		De-gazetted			153,713.29
		Proposed			18,272.25
De-gazetted resulting in decreased protection				93,207.86	

Annex 12: Excisions: 1995 - 1999

DATE	GAZETTE NOTICE	DATE	LEGAL NOTICE	SUBJECT	DETAILS	AREA IN HECTARES
15/2/95	864			Intention to alter boundaries	South Western Mau Forest, Kericho Munic., Kericho Dist.	372.83
1/3/95	998			Intention to alter boundaries	Marop Forest, Kabartonjo, Baringo District	1.78
1/3/95	999			Intention to alter boundaries	Mosegem Forest, Kabartonjo, Baringo Dist.	0.056
1/3/95	1000			Intention to alter boundaries	Katimok Forest, Kabartonjo, Baringo Dist.	3.6
12/3/93	935	12/3/95	277	Alteration of boundaries	Northern Tindaret Forest, Uasin Gishu Dist.	20
1/3/95	1001			Intention to alter boundaries	Pemwai Forest, Baringo Dist.	12.47
1/3/95	1091	11/7/95	260	Intention to alter boundaries	Kiambu Forest, L.R. No. 15153, Kiambu Dist.	29.68
4/7/95	3804	19/10/95	353	Intention to alter boundaries	Sanao Forest, L.R. No. 16294, Baringo Dist.	25
4/7/95	3805			Intention to alter boundaries	Kimojoch Forest, Kabarnet Township, Baringo Dist.	191.09
4/7/95	3806			Intention to alter boundaries	Katimok Forest, Kabartonjo, Baringo Dist.	4.46
4/7/95	3807	19/10/95	354	Intention to alter boundaries	Tambaras Hill Forest, Kabarnet Township, Baringo Dist.	5.29
5/10/95	6503			Intention to alter boundaries	Marmanet Forest, Nyahururu Township, Laikipia District	1773.5
19/10/95	6750			Intention to alter boundaries	Chepalungu Forest, L.R. No. 18105, Bomet District	6.071
29/5/97	2836			Intention to alter boundaries	South West Mau Forest, Bomet Dist.	1687.2
3/6/97	2837			Intention to alter boundaries	Ngong Road Forest, L.R. No.21254, City Of Nairobi	4
3/6/97	2838			Intention to alter boundaries	Ngong Forest, L.R No.21268	4
		13/7/97	79	Alteration of boundaries	Ngong Forest ,City of Nairobi.	82
2/1/98	164			Intention to alter boundaries	Ngong Road Forest, L.R. No.23256, Nairobi City	53.68
7/1/98	82			Intention to alter boundaries	Marmanet Forest, Nyahururu Mulic., Laikipia Dist.	162.56
7/1/98	83			Intention to alter	South Nandi Forest, Kaimosi Mission,	1541.7

				boundaries	Nandi District	
18/2/98	1552			Withdrawal of declaration of Monument	Kaya Tiwi, Kwale Dist.	10
3/4/98	1764			Intention to alter boundaries	Kakamega Forest, Kakamega Dist.	17.6
3/4/98	1765			Intention to alter boundaries	Meru (Upper Imenti), Meru Dist.	40.47
3/4/98	1766			Intention to alter boundaries	Ngong Road Forest, City of Nbi.	7.507
3/4/98	1767			Intention to alter boundaries	Kakamega Forest, Kakamega Dist.	3.48
3/4/98	1768			Intention to alter boundaries	Kitale Township Forest, Trans-Nzoia Dist.	19.69
29/5/98	2898			Intention to alter boundaries	Meru (Upper Imenti) Forest, L.R. No.15270, Meru Dist	12.14
8/10/98	5843			Intention to alter boundaries	Marmanet Forest, Nyahururu, Laikipia Dist.	51
8/10/98	5844			Intention to alter boundaries	Marmanet Forest, Nyahururu, Laikipia Dist	56.87
8/10/98	5845			Intention to alter boundaries	Meru (Upper Imenti Forest), L.R. No.191105, Meru Dist	0.3629
8/10/98	5846			Intention to alter boundaries	Kiambu Forest, L.R. No.21179, Kiambu Dist.	25
8/10/98	5847			Intention to alter boundaries	Mount Kenya Forest, L.R.22724, Nyanyuki Munic., Meru Dist.	796.04
8/3/99	1421			Intention to alter boundaries	Eastern Mau Forest, Elburgon Township, Nakuru Dist.	4.763
8/3/99	1422			Intention to alter boundaries	Kaptagat Forest, L.R. No.22209, Eldoret Municipality, Keiyo Dist.	17.34
29/3/99	2209			Alteration of boundaries	Witu Forest, Witu Township, Lamu & Tana River District	701.52
Sub Total 1995-1999						
Intention				5242.59		
Sub Total 1995-1999						
Alteration				701.52		
Total 1995-1999				<u>5944.11</u>		

Annex 13: Additions to Gazetted Forest Area, 1963 - 1989.

Date (d/m/y)	Legal Notice ¹⁹	Date (d/m/y)	Gazette Notice	Forest	Area (ha)
2/1/63	61			Dagoretti	117.36 ²⁰
1963	321			Lariak	1295.42
23/8/66	258	5/7/66	2352	Eldoret	147.30
13/9/66	272	9/8/66	2895	OI Bolossat	110.07
24/2/67	49	10/1/67	76	Kiptaberr	12886.68
24/2/67	49	10/1/67	76	Kapkanyar	10600.16
24/2/67	50			Marenji	1528.53
17/3/67	72	17/2/67	578	Mt. Londiani	323.75
2/6/67	110	5/5/67	1689	Mau Narok	797.24
27/10/67	219			Mt. Elgon	? ²¹
19/1/68	24			Mt. Kenya	? ²²
17/5/68	145	15/3/68	845	Turbo	7704.57
24/5/68	149	19/4/68	1221	Arabuko-Sokoke	2675.57
24/11/69	8	29/11/68	3923	Marmanet	2.29
30/1/70	12	27/12/69	3891	OI Arabel	0.40
30/4/70	70	3/4/70	1001	Bahati	60.70
20/8/71	167	6/11/70	3220	Turbo	2592.00
20/8/71	168	5/2/71	270	Turbo	474.30
27/8/71	173	14/5/71	1228	Southwestern Mau	56.86
10/11/72	227	8/9/72	2719	Turbo	21.90
15/6/73	105	21/4/73	1228	Kikuyu Escarpment	45.33
		27/3/75	993	Muguga	225.30
9/1/76	13	13/9/74	2871	Mt. Kenya	7.32
28/5/76	84	23/1/76	197	Eldoret	1.56
14/1/77	2	27/8/76	2574	Kitalale	2350.00
14/1/77	3	2/7/76	1958	Lugari	2163.00
1/4/77	74	14/1/77	48	Southwestern Mau	12.58
27/5/77	127	18/3/77	694	Nakuru	5999.00
27/5/77	128	18/3/77	692	Nakuru	618.90

¹⁹ For entries where there is no legal notice, addition has been proposed but not yet legalized. These entries have not been included in the overall figure for total gazetted forest area.

²⁰ This legal notice was revoked by LN 123/1979, so it has not been counted.

²¹ This area ceased to be a Nature Reserve, hence it reverts to gazetted forest area. The amount of land was not specified.

²² This area ceased to be a Nature Reserve, hence it reverts to a gazetted forest area. The amount of land was not specified.

17/6/77	152	18/3/77	693	Sekhendu	804.10
5/8/77	221	25/3/77	759	Loitokitok	765.80
14/10/77	261	2/9/77	2378	Kipkabus	3916.50
10/2/78	31	23/12/77		OI Arabel	2258.50
14/4/78	65	1/7/77	1704	Longonot	4773.50
23/6/78	101	14/4/78	1034	East Ngamba	1070.40
13/10/78	221	25/8/78	2479	Mt. Elgon	1981.80
15/12/78	253			Magumo North	241.50
9/11/79	304	31/8/79	2456	Namanga Hill	11784.00
9/11/79	305	12/1/79	44	Magumo South	368.90
21/11/80	184	12/9/80	2732	Kijabe Hill	706.40
29/1/82	8	31/7/81	2296	Lariak	1059.00
19/11/82	158	17/7/81	2146	Aberdare	285.50
14/12/84	215	17/12/82	3898	Lusoi	259.50
17/5/85	90	8/3/85	848	Ngong Hills	3077.00
		2/8/85	3107	Mudembi	77.00
10/10/86	236	13/8/82	2225	Karura	5.63
28/11/86	283			Nanyunga	16.00
28/11/86	284			Mumbaka	478.50
28/11/86	285			Namuluku	8.20
28/11/86	286			Wanga	77.00
19/12/86	359	29/3/85	1184	Mt. Elgon	372.30
24/7/87	200	22/5/87	2396	Nyeri Municipality	7.88
18/3/88	163	9/10/87	4663	Kipkabus	95.51
Sub Total 1963 – 1989		Additions Proposed			86,888.85
					302.30

ANNEX 14: Additions: 1990 - 1994

Date (d/m/y)	Legal Notice	Date (d/m/y)	Gazette Notice	Forest	Area (ha)
7/6/91	235	3/8/90	3547	Fururu	14.12
7/6/91	235	3/8/90	3547	Ndiwenyi	5.60
7/6/91	235	3/8/90	3547	Mwachora	6.40
7/6/91	235	3/8/90	3547	Weni Mwana	5.26
7/6/91	235	3/8/90	3547	Mwakamu	0.90
7/6/91	235	3/8/90	3547	Mwakamu	0.60
7/6/91	235	3/8/90	3547	Yale	22.33
7/6/91	235	3/8/90	3547	Choke (Mnjonyi)	73.50
7/6/91	235	3/8/90	3547	Kinyeshamvua	19.50
7/6/91	235	3/8/90	3547	Mbili	10.23
7/6/91	235	3/8/90	3547	Macha	14.57
7/6/91	235	3/8/90	3547	Weni Mbogo	2.00
7/6/91	235	3/8/90	3547	Kilulunyi	0.36
7/6/91	235	3/8/90	3547	Susu	1.70
7/6/91	235	3/8/90	3547	Mudagache	3.40
7/6/91	235	3/8/90	3547	Goye	8.23
7/6/91	235	3/8/90	3547	Mwandongo	688.00
7/6/91	235	3/8/90	3547	Mchungunyi	8.00
7/6/91	235	3/8/90	3547	Mdengu	0.36
7/6/91	235	3/8/90	3547	Mtege	0.28
7/6/91	235	3/8/90	3547	Kulundu	0.08
7/6/91	235	3/8/90	3547	Mgomenyi	0.20
7/6/91	235	3/8/90	3547	Figi	0.40
20/8/91	378	29/4/91	1221	Wanga	1.10
31/7/92	219	26/7/91	3220	Otacho	117.50
31/7/92	219	26/7/91	3220	Rabuor	5.00
31/7/92	219	26/7/91	3220	Marabu Magina	25.00
31/7/92	219	26/7/91	3220	Gibire	43.50
31/7/92	219	26/7/91	3220	Sagegi Hill	8.00
31/7/92	219	26/7/91	3220	Kwa Hill	2.40
		14/8/92	3276	God Kwach	5.00
		14/8/92	3276	Nyasumbi	9.20
		14/8/92	3276	Onoo Water Point	0.11
		14/8/92	3276	Kegonga	8.60
		14/8/92	3276	Maeta Hill	36.00
		14/8/92	3276	God Agulu	12.40
20/8/93	253	21/5/93	2034	Mumoni	10440.90
20/8/93	253	21/5/93	2034	Endau	6717.80
20/8/93	253	21/5/93	2034	Gakuyu	3075.60
22/10/93	321	24/7/92	2834	Imba/Gakuyu	732.00

5/11/93	343	30/7/93	3599	Marmanet	44.20
		30/7/93	3600	Muruai	733.10
		30/7/93	3600	Kirima	527.50
18/3/94	88	3/8/90	3547	Kaya Chonyi	194.50
18/3/94	88	3/8/90	3547	Kaya Jibana	140.00
18/3/94	88	3/8/90	3547	Kaya Ribe	36.00
18/3/94	88	3/8/90	3547	Kaya Kambe	56.50
30/9/94	371	1/2/91	417	Bojoge	2150.00
4/11/94	385	25/2/94	807	Njukiini West	570.20
4/11/94	385	25/2/94	807	Mulinduko	194.20
4/11/94	385	25/2/94	807	Kariani	24.28
Sub Total 1990 – 1994 Additions					25,464.70
Proposed					1,331.91
Total	1963 – 1994	Additions			112,353.55
		Proposed			1,634.21

Annex 15: Additions to Gazetted Forest Area, 1995-99

DATE	GAZETTE NOTICE	DATE	LEGAL NOTICE	SUBJECT	DETAIL	AREA IN HECTARES
14/8/92	3276	12/3/95	139	Declaration of forest area	God Kwach, Nyasumbi, Onoo Water-Point, Kegonga, God Agulu Forest, Homa Bay Dist., & Maeta Hill Forest, South Nyanza Dist.	5, 9.2, 0.11, 8.6, 12.4, 36, respectively
1996				Intention to declare a forest	Naitara Forest, Kehancha Township, South Nyanza Dist	11.2
14/6/96	3701	2/5/97	80	Intention to declare forest	Nyaitara Forest (Nyambasi), Kuria Dist.	11.2
		19/6/96	150	Declaration of Monument	Kaya Fumbo, Kaloleni Div., Kilifi Dist.	204.417
		19/6/96	150	Declaration of Monument	Kaya Kauma, Ganze Div., Kilifi Dist.	74.845
		19/6/96	150	Declaration of Monument	Kaya Chivara, Ganze Div., Kilifi Dist.	86.803
6/5/97	2444			Declaration of Monument*	Kaya Bate, Garashi Loc., Maraja Div., Malindi Dist**	4.75
6/5/97	2444			Declaration of Monument	Kaya Bura**	11.4
6/5/97	2444			Declaration of Monument	Kaya Dagamura**	32.21
6/5/97	2444			Declaration of Monument	Kaya Mayowe**	6.25
6/5/97	2444			Declaration of Monument	Kaya Singwaya**	47.24
6/5/97	2444			Declaration of Monument	Kaya Mudzimiru, Rabai Loc., Kaloleni Div., Kwale Dist	147.39
6/5/97	2444			Declaration of Monument	Kaya Mtswakara, Kasameni Loc., Samburu Div., Kwale Dist	247.86
6/5/97	2442			Confirmation of Monument	Kaya Fungo, Mwamela Loc., Kaloleni Div., Kilifi Dist	204.417
6/5/97	2442			Confirmation of Monument	Kaya Kauma & Kaya Shivara, Kauma Loc., Ganze Div., Kilifi Dist.	74.85 + 86.803
17/11/97				Declaration of Monument	City Park, Parklands, Nairobi	29.74

		6/10/98	147	Declaration of Monument	Kaya Mudimuvya, Kaloleni Div., Kilifi Dist.	171.3
		6/10/98	147	Declaration of Monument	Kaya Lunguman, Matuga Div., Kwale Dist.	154.83
		6/10/98	147	Declaration of Monument	Kaya Chonyi, Kinango Div., Kwale Dist.	113.7
Total 1995-1999						
Additions		863.17				
Proposed		11.2				

** On 24/9/97, these Kayas were confirmed as monuments in Gazette Notice No.6180

Annex 16. Evaluation of Excised Forests: 1991 - 1994.

LEGAL NOTICE/YR	FOREST	AREA (HA)	LOCATION	FOREST TYPE	QUALITY
378/1991	Wanga	2.00	Busia	Dry bushland	Low potential
490/1991	Maji Mazuri	9.80	South Baringo	Rainforest	Medium potential
195/1993	Southwestern Mau	20.38	Kericho	Wet forest	See note 1
252/1993	Kikuyu Escarpment	27.09	Kiambu	Dry forest	Medium potential
278/1993	Southwestern Mau	136.90	Kericho	Wet forest	See note 1
278/1993	Western Mau	552.30	Kericho	Wet forest	See note 1
343/1993	Marmanet	45.60	Laikipia	Dry forest	Medium potential
344/1993	Mau Narok	25.17	Narok	Wet forest	High potential
345/1993	Kikuyu Escarpment	33.39	Kiambu	Dry forest	Medium potential
346/1993	Leshau	194.70	Nyandarua	Dry forest	Medium potential
217/1994	Karura	5.89	Nairobi City	Dry forest	See note 2
218/1994	Loitokitok	1.86	Kajiado	Dry forest	Medium potential
292/1994	Kitalale	189.10	Busia	Dry bushland	Low potential
332/1994	Chepalungu	5210.90	Kericho	Dry forest	High potential
384/1994	Kaptaget	161.50	Uasin Gishu	Wet forest	High potential
430/1994	Northern Tindaret	33.78	Nandi	Rainforest	See note 3
493/1994	Kapchemutwa	9.05	Uasin Gishu	Rainforest	High potential

NB. Information on *forest type* and *quality* was compiled from publications, quoted in the text, as well as unpublished accounts from technical experts.

Note 1. The Mau forests are a single large block and are very rich in animal and plant diversity. The area is significant because of its size, and ability to support viable populations of large mammals and other species (Wass, 1995).

Note 2. Karura is a dry forest, yet it is extremely important for recreation.

Note 3. Northern Tindaret constitutes Western rainforest together with the Kakamega and Nandi forests. These forests are extremely rich in both flora and fauna as well as endemic species, and are the only existing remnants of Guinea-Congolean forest in Kenya (WCMC, 1988).

Annex 17: Evaluation of Added Forests: 1991 - 1994

LEGAL NOTICE/YR	FOREST	AREA (HA)	LOCATION	FOREST TYPE	QUALITY
235/1991	Fururu	14.12	Taita Hills	Dry forest	See note 1
235/1991	Ndiwenyi	5.60	Taita Hills	Dry forest	See note 1
235/1991	Mwachora	6.40	Taita Hills	Dry forest	See note 1
235/1991	Weni Mwana	5.26	Taita Hills	Dry forest	See note 1
235/1991	Mwakamu	0.90	Taita Hills	Dry forest	See note 1
235/1991	Mwakamu	0.60	Taita Hills	Dry forest	See note 1
235/1991	Yale	22.23	Taita Hills	Dry forest	See note 1
235/1991	Choke (Mnjonyi)	73.50	Taita Hills	Dry forest	See note 1
235/1991	Kinyeshamvua	19.50	Taita Hills	Dry forest	See note 1
235/1991	Mbili	10.23	Taita Hills	Dry forest	See note 1
235/1991	Macha	14.57	Taita Hills	Dry forest	See note 1
235/1991	Weni Mbogo	2.00	Taita Hills	Dry forest	See note 1
235/1991	Kilulunyi	0.36	Taita Hills	Dry forest	See note 1
235/1991	Susu	1.70	Taita Hills	Dry forest	See note 1
235/1991	Mudugache	3.40	Taita Hills	Dry forest	See note 1
235/1991	Goye	8.23	Taita Hills	Dry forest	See note 1
235/1991	Mwandongo	688.00	Taita Hills	Dry forest	See note 1
235/1991	Mchungunyi	8.00	Taita Hills	Dry forest	See note 1
235/1991	Mdengu	0.36	Taita Hills	Dry forest	See note 1
235/1991	Mtege	0.28	Taita Hills	Dry forest	See note 1
235/1991	Kulundu	0.08	Taita Hills	Dry forest	See note 1
235/1991	Mgomenyi	0.20	Taita Hills	Dry forest	See note 1
235/1991	Figi	0.40	Taita Hills	Dry forest	See note 1
378/1991	Wanga	1.10	Busia	Dry forest	Low potential
219/1992	Otacho	117.50	South Nyanza	Dry bush	Low potential
219/1992	Rabuor	5.00	South Nyanza	Dry bush	Low potential
219/1992	Marabu Magina	25.00	South Nyanza	Dry bush	Low potential
219/1992	Gibire	43.50	Migori	Dry bush	Low potential
219/1992	Sagegi Hill	8.00	Migori	Dry bush	Low potential
219/1992	Kwa Hill	2.40	Migori	Dry bush	Low potential
321/1993	Imba/Gakuyu	732.00	Kitui	Dry bush	Low potential
253/1993	Mumoni	10440.90	Kitui	Dry forest	Low potential
253/1993	Endau	6717.80	Kitui	Dry forest	Low potential

253/1993	Gakuyu	3075.60	Kitui	Dry forest	Low potential
343/1993	Marmanet	44.20	Laikipia West	Dry forest	Stony land; scrub
88/1994	Kaya Chonyi	194.50	Kilifi	Coastal forest	Rich in diversity
88/1994	Kaya Jibana	140.00	Kilifi	Coastal forest	Rich in diversity
88/1994	Kaya Ribe	36.00	Kilifi	Coastal forest	Rich in diversity
88/1994	Kaya Kambe	56.50	Kilifi	Coastal forest	Rich in diversity
371/1994	Bojoge	2150.00	Nandi	Fairly rocky	See note 2
385/1994	Njukiini West	570.20	Kirinyaga	Semi-dry forest	Medium potential
385/1994	Mulinduko	194.20	Kirinyaga	Semi-dry forest	High potential
385/1994	Kariani	24.28	Kirinyaga	Semi-dry forest	High potential

NB. Information on *forest type* and *quality* was compiled from publications, quoted in the text, as well as unpublished accounts from technical experts.

Note 1. The dry forests of the Taita Hills are important for biodiversity, and contain at least 13 plants and 9 animals restricted to these forests (Beentje, 1988b). However, encroachment has reduced biodiversity significantly, and it should be noted that about 15% of forests in Taita Hills that have not been converted to exotic plantations are under cultivation.

Note 2. Bojoge forest though in a high potential district is actually very rocky, and unsuitable for forest plantations or agricultural crops. If left to regenerate, the land could produce quality vegetation.

Annex 18: Permanent Presidential Commission on Soil Conservation Survey: Information on Forest Excisions 1995 - 1999

Annex 18 A: Western Rift

District	Forest Station	Size of Excision (ha.)	Purpose	Status	Remarks
Trans Nzoia	Kitalale	2037.2	Settlement	Excised	Already Settled
	Suam	56.5	Town Dev.	Proposed	Forest still intact
	Kapolet	746.7	Settlement	degazetted	Demarcation continuing
	DFO's Office	40.5	Town Park/Arboretum	Proposed	In the process
Mt. Elgon	Kaberua	40.3	District Hqs.	Proposed	
	Cheptais	3000.0	Settlement	Proposed	
Nandi	Kabujoi (S. Nandi)	60.5	A.I.C. & Catholic Churches	Excised	
		2.02	Resiv. P. School	Excised	
		12.09	Expansion of Kabujoi Market	Proposed	
		8.09	Compensation	Proposed	For Kapkole G. School
		620.97	Compensation	Excised	FD gained 866.94 ha. from Bonjoge Hill
		9.28	Two Individuals	Excised	
	N. Nandi	8.06	Ngechek Disp.	Excised	
		12.06	Six Schools	Excised	
		4.03	Septonok Disp.	Proposed	
	DFO's Uhuru Block	40.3	Showground	Proposed	
		8.06	Teachers' Co-op.	Proposed	
		20.16	Prisons	Proposed	
Kakamega	Kakamega	40.3	Showground	Excised	
		14	Compensation	Excised	For School
		17	Settlement	Excised	
Uasin Gishu	Nabkoi	869.67	Settlement	Proposed	Demarcation Done
	Cengalo	289.6	Settlement	Excised	Settled
		24.28	Sochoi Sec. School	Excised	
Nakuru	S.E. Mau Station	40,000	Settlement	Excised	Settled and the process continuing
	Dundori	170	Dundori Centre Expansion	Excised	
		40.3	Centre Expansion	Proposed	
		30	Private Dev.	Proposed	Demarcation done
Koibatek	Narasha	40.3	Showground	Proposed	
	Maji Mazuri	300.0	School, Police Post & Industrial Estate	Proposed	
Proposed Excised		4,510.3			
		44,051.97			

Source: Permanent Presidential Commission on Soil Conservation (1999)

Annex 18 B: Central Eastern Rift

District	Forest Station	Size of Excision (ha.)	Purpose	Status	Remarks
Kiambu	Kinale	20	Individual	Excised	Water Catchment area for school, clinic, forest station-pump at the site
	Ragia	40	School + Dispensary	Proposed	
Nyandarua	Geta	1,350	Settlement	Proposed	FD proposed 1,050 ha.
	Ndaragwa	194.7	Leshau Settlement	Excised	
		200	Ndaragwa Town Expansion	Proposed	
Laikipia	N. Marmanet	5	Gatero Pri. School	Excised	
Nyeri	Naro Moro	550	Settlement	Proposed	Already surveyed
	Gathiuru	2,400	Settlement	Proposed	Already surveyed
Meru Central	Ontulili	730	Settlement	Proposed	Surveyed and demarcated
	Meru	40	Show-ground	Excised	Another 1,840 ha.
		12.4	Kenya Re. Estate	Excised	In Lower Imenti
		15	Meru Technical	Excised	Invaded by the local community
		150	Methodist University	Excised	
Kirinyaga	Njukiini (W)	13.7	Primary School	Excised	
Proposed		5,270.00			
Excised		450.8			

Source: Permanent Presidential Commission on Soil Conservation

ANNEX 19: Some Articles in the Kenya Newspapers Concerning the Country's Forests

1. COAST

- 7/1/96 - Elders furious over bore hole by hotelier in Kaya (desecration of grave yard/shrine).
- 11/1/96 - Mr. Quentin Luke, Project Executant of Coastal Forest Conservation Union (CFCU) says culture plays a leading role in conservation
- 24/1/96 - Green Belt Movement's Maathai criticizes Chief's approval of borehole in Kaya
- 15/2/96 - Chale Island (56 ha.) demarcation of 6.07 ha. by hotelier
- 20/2/96 - Spiritual leader sells 15 acres of sacred grove to road construction firm for Ksh. 26,000
- 26/3/96 - Gado Forest, Kilifi: variety of products earned govt. Ksh450,000 in 1995. Indigenous timber Ksh112,711. 78,022 various seedlings produced.
- 13/7/96 - Legal notice # 150 of 5/7/96 gazettes Kaya Fungo (204 ha.), Kaya Kauma (74.8 ha.) and Kaya Chivara (86.6 ha.)
- 7/4/97 - Allocations of beach plots in Funzi, Makaso, Bodo islands. Mangrove forests protected by gazette notice No. 174 (20/5/64) which states for such areas to be diverted to other uses they must be degazetted. But documents show that since 1995, title deeds have been granted to senior govt. Officials, MPs, councillors, and individuals for Shimoni Settlement Scheme.
- 4/6/97 - Fencing of 20ha Kaya Diani Forest stalled. Funds not released. Elders were provided with poles and nails. Unit apparently being sued by Mellbros Ltd for interfering with their prop. Last year land allocated to private developer on Funzi island.
- 17/6/97 - 26a of sacred forest land on Chale island, Kinondo location, Kwale, sold to private developers.
- 18/6/97 - islands (Funzi, Wasini, Bodo, Godo, Sombohill). Innocent individuals arrested. Real culprits commercial & merchants. – Gazette No. 2444, Malindi 5, Kilifi 1, and Kaya Mtswakara, May 16th made monuments
- 4/7/97 - Moi in 1993, issued pass for allocation of Karararchi Mpenda Kula Forests for squatters. Threats to invade by Roka, Kilifi residents.
- 29/7/97 - Launch by Police & Forest gaurds in Kwale to protect from logging
- 16/9/97 - Govt. No intention to degazette Mida Mangrove in Malindi. People will be prosecuted.
- 16/1/98 - 3 kaya forests gazetted (No.2442). 204ha Kaya Fungo, 74ha Kauma in Mwapula & 86ha Chivara Vyumbani.
- 17/2/98 - Mangrove clearing in Gongoni, Malindi defended for salt farms. Envs. Say salt farms will turn well water saline.
- 23/4/98 Waste dumping by hotels and increased encroachment threatening Kwale. Msambweni (not gazetted.)
- 7/5/98 - Degazette notice of Kaya Tiwi (10h) withdrawn. Gazette notice No. 1759 (April 9)
- 25/7/98 - Kayas misused as hideouts for bandits.
- 27/10/98 - 300 squatter families in Madungani forest Malindi to be evicted.
- 31/10/98 - Kaya mudzi Muvya , Chonyi in Kilifi and Lunguma in Kwale gazetted.
- 31/12/98 - Elders, Kanu officials, residents Kwale told govt to remove corrupt officials in FD.
- 8/1/99 - Movement of timber and logs banned in Kwale.
- 13/1/99 - Kwale Forest known for hardwood Mvule trees. Destruction prevalent. Forest officials colluding with illegal timber poachers.
- 16/1/99 - Leakey singles out Kwale esp. Shimba Hills for being destroyed. KWS intercepted 10tonnes of Mvule taken from Mwele Forest, Shimba.
- 20/1/99 - KWS and locals still asking govt. to intervene in Kwale.
- 28/1/99 - 100s of trees may have been lost after people invade 2 Kayas in Kwale.

- 3/2/99 - Kaya Mtswakara & Gandini; rumour that Kayas sold to foreigner incited locals to invade. CFCU says destruction immense.
- 3/3/99 - Malindi councillors urge govt. to prevent remaining 200a of Madunguni forest from squatters. Water catchment area. 300 of total 500a already destroyed. Provincial admin. Ignores pleas. > 20,000 mature trees (rare species) destroyed and large farms created.
- - Chief sack elders employed by National Museums to protect Kaya Mtswakara (247.86ha). 4 people arrested last month for felling but are threatening elders. Elders demand chief be arrested. Elders claim invasion promoted by local leaders
- 20/3/99 - 2 officials disagree over claims that a Kanu leader has promoted destruction of forests and kayas.
- 24/3/99 - Kaya dispute between Museums and Locals, Samburu Division, Kwale District.

2. Arabuko Sokoke, Kilifi District (41,100ha)

- Home to indigenous Muhugu, *Brachylaena huilensis*
- Nature Trail (KWS), butterfly farming in 1995, earned 2.5million on export
- 6/2/96 - students to be included in conservation of Arabuko Sokoke forest, programme organiser, Ann Robertson says
- 23/2/96 - KEFRI group set up to study elephant diet in AS
- 13/3/96 - Fuelwood, medicinal plants, building poles, timber, game meat and recently abandoned butterfly farming earn Ksh. 15 million. Report authored by Mr. Matthew Shephard
- 22/3/96 - AS management team sets up promotion committee to oversee press coverage and promotion of tourism.
- 17/4/96 - degazettement plan opposed for Kararacha-Mpendakula by Leon Bennum chairman of East African Natural History Society
- 22/4/96 - 10,000 families want to be allocated land (1,200a). One of the most important areas for bio-diversity. Several boards opposed to degazetting. It will affect Nature Trail established by KWS
- 26/4/96 - FD opposes. Forest earns annual revenue of ksh.15m. Value estimated @ 38m in 1993
- 29/4/96 - > 100 hoteliers & tour operators oppose degazettement. 200 homesteads benefit from butterfly project co-ordinated by Dr Ian Gordon. Malindi Green Town Movement also oppose.
- 6/5/96 - Permanent Presidential Commission on Soil Conservation and Afforestation against degazetting. Conversion to agriculture silly because soil structure not rich for farming. 2 planting seasons will render soil infertile. If gazetted, then 200 families get 5a each.
- Useful for wood products, medicinal plants for > 50,000 residents
- Game meat. 80,000kgs of high protein meat derived
- 8/6/96 - > 2,000 women's group members oppose. Involved in honey. (100,000Ksh) & butterfly export (Ksh2m) from forest
- 12/7/96 - Farmers on forest borders ask for fence to be put up to curb crop destruction by elephants & dig water dams in forest for elephants.
- Elders oppose degazettement. 1977- large section subdivided among > 50,000 farmers but today residents poor.
- 29/5/97 - PCSC pledge to assist residents to devise ways of protecting "from further excision"
- 4/6/97 - Kilifi squatters landless since independence but have asked for alternative land.
- James Kazungu fighting for degazettement
- 5/8/97 - KWS rangers and police have been posted for past year to prevent squatter settlement.
- 28/8/97 - President Moi issues directive against degazettement.
- 7/12/97 - Residents campaign for protection
- 12/3/98 - Govt. will take action against Kilifi leaders inciting leaders to invade forest

- 19/3/98 - Govt. has stopped human settlement in all Kaya forests in Kilifi.
KFWG Minute 450/3/99:

- Minister of Natural Resources agreed to gazette an extension of Madunguni Forest which falls under the Malindi Municipal Council. Only possible if the relevant minutes from the Malindi Municipal Council requesting the gazettelement is sent to him.
- Members agreed that the Secretariat should do a letter to Malindi Municipal Council supporting the gazettelement

3. Ngong Forest

- 3/1/96 - Ngong Road Forest Sanctuary Trust (1992). Problems: felling, debarking, quarrying, opening roads, garbage dumping. Govt. constantly postpone meetings to act on setting sanctuary with NRST. Increased deforestation. Excision for KBC, "superfluous...transferred to Senior Cabinet Minister, Kiambu Kanu Official.
- 14/6/97 - 82ha excised for "unspecified purposes" (ref. Gazette 6/6/96)
- 22/2/97 - Karen-Langata District Association writes to Kosgey to rescind decision to excise or face court action.
- 1/9/97 - KLDA okayed to contest allocation of 6ha @ Karen to bzzman. NB. President had approved on 31/10/95.
- 22/2/98 - KLDA threatens to take govt. if it plans to excise. Gazette notice on Jan 23rd to excise 53.68ha.
- 15/10/98 - Residents plan to sue private miners (basis: air & noise pollution). Lawyer Anthony Gross. Getting names of licencees impossible. All efforts hitherto hopeless.
- 1/11/98 - NRFS vice chairman Imre I.J. Loeffler claims land grabbing in 'high gear'. Only 8 guards to protect 1,286ha.
- 6/2/99 - Fire destroys parts of Ngong. Probably started by honey hunters.
- Illegal felling. Neighbours claim to see 3 lorries a day leaving.
- Mukuyu tree being cut for wood carving.
- 10/3/99 - Govt. allocates 300a of Ngong Forest.

4. Aberdares Forest

- 6/1/99 - Aberdare forest endangered
- 14/1/99 - DC sides with loggers in Aberdare.
- 19/3/99 - Illegal intercropping of Marijuana and logging threatening Aberdare Forest.
- 27/3/99 - Water catchment for Nairobi, North Eastern, Eastern and Coast Province

5. General

- 19/1/96 - Forest Policy expected by April '96 (already Cabinet approval obtained). FD Dir. Patrick Mungala states
- 20/2/96 - Forestry Officer in charge of Hamisi Div, Vihiga Dist. Interdicted for clousio with villagers to destroy govt. forests
- 26/2/96 - Karura Forest Rangers shoot man and assault 15 employees of timber factory
- 27/2/96 - self defence claimed on Karura incident. PS Minister of Natural Resources, says rangers authorised to use firearms in protected forests
- 18/3/96 - 200ha of forests in Rift Valley lost to fires in 1995 claims Provincial Forest officer
- 20/3/96 - Since 1986, KFRI has embarked on Social Forestry (planting of small holdings of trees to ease pressure on natural forests)
- 23/3/96 - Approx. 200 squatters evicted from Govt. Forest in Keiyo Dist by DC
- 2/4/96 - Brit Govt. launches Ksh70million project by promoting use of plantation grown timber.
- 11/4/96 - AgroForestry mitigates land degradation and soil quality deterioration. KFRI Principal, DR. D Nyamai states
- 17/4/96 - KWS sends security personnel to Bonjoge forest, Nandi Dist following discovery of Bangi plantation

- Cherengani Hills Forests threatened by 1000 squatters. AM Lands and Settlement states
- 23/4/96 - President Bans use of power saws in Molo, Londiani and surrounding areas
- 24/4/96 - A Rift Valley PC says Molo Area of Mau Forests under serious threat after area survey.
- 25/4/96 - New forest policy to replace 28 yr old plan of action
- 4/5/06 - 200 squatters invade Laikipia forest
- 15/5/96 - Maasai elders oppose forest reserve demarcation to hotel resorts in Mara (Enkiyiye forest)
- 16/5/96 - ICRAF hqs to remain in Kenya (est. 1972)
- 23/5/96 - Civic leaders oppose change of gazettement of part of Maasai mara reserve from trusteeship of Narok County Council.
- 17/7/96 - Kenya has 2.7 million ha, 8652 ha have been excised in the last 3 yrs (Min. For Env & Nat resources says in parliament)
- 8/7/96 - Environmental degradation
 - 4/7/96 - House passes freelance motion urging govt. to stop further encroachment on forests.
- 12/7/96 - Environmental degradation forcing elephants to move to farms in Tharaka nithi Dist, says D.C
- 19/7/96 - Govt closes 50 saw mills in RVP in order to booster conservation efforts.
- 23/7/96 - 132 million shs earned by govt from forest produce in RVP in 1995. 134 million shs earned in 1994 (which was a record setting yr). Forest fires destroyed 123 ha plantations, 84 ha grasslands and 45 ha indigenous forests in 1995
- 29/8/96 - Kenya renews MOU with US govt for 3 yrs. Original MOU helped contain 1990 cypress tree aphid infestation by identifying predator beetles from various parts of the world
- 11/9/96 - Mt. Elgon ,south Nandi rain forest being degraded through licensing of company to log Elgon teak (an indigenous which should be under presidential ban on logging)
- Govt. has set aside 34m pounds to be used in afforestation and env. Conservation.
- 25/2/97 - Govt. bans allocation of lands in public forests to individuals & private developers.
- Outlaws encroachment & human settlement on wetlands & says all those in swamps & marshes to move out
- 26/2/97 - Govt. temp. bans licensing of new saw mills (Kosgey).
- Govt. bans burning of vegetation near reserves. NB. Act Cap 327 Grass Fires
- 12/3/97 - 1.2billion used to set up Social Forestry Network
- 20/4/97 - Kenya losing more than 15,000ha annually (FD Deputy-Director, George Ochieng, "Status Of Forest in Kenya")
- 4/6/97 - Japanese International Development Agency gives Ksh965m for SFN
- 10/6/97 - KENGO Director, Mr. Achoka Awori, say's 40% of Kenya's forest cover lost in the last 20yrs.
- 13/2/98 - govt. bans power saw-millers from harvesting trees in its forests. Must plant 2 for every 1 cut.
- 20/4/98 - govt. states it will gazette all "its forests".
- 20/5//98 - Police demand Ksh2000 per lorry in Lari District from loggers. Told to Central Province Provincial Officer, Mr G. Baya by sawmillers. Police Deny.
- 24/5/98 - Mau DO ordered to evict settlers from Enoosupukia forests, Narok District
- 15/7/98 - Govt. accused of allocating Kuresoi forest in Rift Valley.
- 21/8/98 - The Forest Act is hindering conservation of Forests. "It is too ineffective and lenient on people felling trees.
- 9/10/98 - Property worth Ksh 18m destroyed in Karura.
- 15/10/98 - Lembus Forests proposed to be turned into a game reseve, Koibatek District, Rift Valley. Originally this forest was 57,643a gazetted in 1932 as crown forest. This was reduced to 55,820a in 1960 and gazetted as ADC forest in 1960. Currently only 19,430a due to further excision.

- 23/10/98 - Several hundred ha in Kiambu, Mt. Kenya, and Maramanet to be degazetted. Minister to degazette 796.04ha, Plot No. LR22724. 56.87ha also to be degazetted, PLOT NO. LR21177. 51ha in Plot No. 265 in Nyahururu. (Kenya Gazette notice 23/10/98).
- 29/10/98 - Minister from Natural Resources denies destruction of ElgonTeek in Mt.Kenya Forests. MP Gitobu Imamayara says that 3,000a of forest being lost to illegal activities annually in Mt. Kenya.
- 30/10/98 - The US Ambassador, P. Bushnell denies Karura Forest allocation to embassy.
- 5/11/98 - govt. discussing possibility of privatising forest plantations.
- 22/1/99 - 1,000 Dorobos to be settled on degazetted part of Mt. Elgon forest
- 27/1/99 - Camphor wood almost depleted on Mt. Kenya forest.
- 17/2/99 - River Karou drying up due to Kiunguni Hill Forest degradation in Tharaka District.
- 24/2/99 - Hundreds of acres of Kiamweri Forest degraded by cultivators, Nyadrua District.
- 3/3/99 - 300a of Machungini Forest degraded.
- 11/3/99 - Mau Forest in Nakuru District degraded according to FAN
- 18/3/99 - 800ha of Mt. Kenya Forest degraded by Charcoal burners
- 28/3/99 - Mt.Elgon Forests: Raiplywood lorries detained by authorities
- 14/4/99 - Karima Hill Forest, Nyeri District being destroyed.
- 20/4/99 - Mt Elgon, Bunyala, and Maragoli Forests Western Provinces, Dos and Timber Merchants colluding to poach Teak and Mvule Hardwoods.
- 24/4/99 - Quarrying going on in Ololua Forest
- 29/4/99 - 70,919a of Mukogondo Forests in Laikipia Districts given to ranchers

ANNEX 20: Fact files on select forests

Kakamega

Forest officially covers 240kms square but only 40kms square are densely forested, largely because of clear felling for plantations;

Biodiversity: 380 species of flora, 330 species of birds, variety of mammals including 11 species of primates. Up to 20% of Kakamega's animal species are found nowhere else in Kenya;

Resource: local people collect medicinal plants, honey, firewood, building material and water

It is estimated that the forest could be completely destroyed within 20 years.

- Cattle grazing
- encroachment

Action: - list compiled by KFWG & EAWLS

- who is doing what
- proposed excision but not degazetted
- Kakamega Biodiversity Action...currently implanting educational programme
- Any monitoring going on?
- 400a given to Nyayo Tea Zone

KFWG Minute 45/3/99:

- Volunteer technical team to address the issues has attracted four people
- PRA undertaken by Resource Projects in Kakamega and Vihiga Districts. Get to know the history of the forest, perception of the community, relationship between community and govt. & develop recommendations for the future of the forest. Eg. Maragoli, the problem started when license to carry out selective harvesting was given to outsiders. The locals then stormed the forest to clear fell. In Ilundi Hills of Kakamega, harvesting is still going on resulting in open areas for grazing.
- Workshops involving representative groups from the different sections of the forest, local administration and FD (they pulled out) will be organised. Later, this process will bring in the DDCs of both districts and then the local community to determine the way forward.
- Publication "The Way" focusing on Western region. This will be very useful in disseminating info and issues on the forest.
- Contact: Wilberforce Okeka, guide and coordinator of Kakamega Environmental Education Programme (KEEP)
- 12/9/96 -28199ha ,600 ha lost due to illegal activities. Cost of re-afforesting of 1 ha is 10000 Kshs

Kisere Forest Reserve

- North of Kakamega, Kisere covers only 471ha. Was once connected to Kakamega
- Since 1984, has been under the protection of KWS
- Suffers little from degradation and never been commercially logged
- High biodiversity including de Brazza's monkey
- Problems: cattle grazing in the glades in the north, and small scale illegal timber removal.
- Contact: Mr. Nixon Sagita, guide based at Buyangu

Lelan Forest, West Pokot

- fallen from 150,000ha to 20,000ha
- 330 bird species, rich biodiversity.
- Jan, 50-75a lost per day
- almost no logging. Mainly settlement
- main forest: 12,000ha gazetted, 6,000ha not.
- some excisions

- faces mass erosion