Governance for Conservation and Poverty Reduction

An international project to empower communities, secure livelihoods, and achieve sustainable natural resource use

An Assessment of Natural Resource Governance in Garba Tula, Northern Kenya

Final Report, May 2011

IUCN

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Acronyms

ADG	African Dryland Governance
CAP	Conservation Action Planning (of TNC)
CAP	Chapter (of Laws of Kenya)
CBO	Community-based Organisation
CCI	County Council of Isiolo
DfID	Department for International Development (UK)
ESARO	East & Southern Africa Regional Office (of IUCN)
GT	Garba Tula
GTF	Governance and Transparency Fund (of DfID)
IUCN	International Union for Conservation of Nature and Natural Resources
KFS	Kenya Forest Service
KLA	Kenya Land Alliance
KWS	Kenya Wildlife Service
NGO	Non-governmental organisation
NR	Natural resources
NRM	Natural resource management
RAP	Resource Advocacy Programme
RUA	Rangeland Users Association
TNC	The Nature Conservancy (USA)
WRUA	Water Resource Users Association
WSP	Water Service Provider

1. Introduction

This report is a contribution to IUCN's project "*Improving Natural Resource Governance for Rural Poverty Reduction*", an international initiative that aims to support better environmental governance, including fair and equitable access to natural resources, a better distribution of benefits, and a more participatory and transparent decision-making processes. This five-year project is funded by the UK Department for International Development's (DFID) Governance and Transparency Fund, and is being coordinated by IUCN's Social Policy Unit with a portfolio of 10-sub projects focused in 13 countries in Africa, Asia, South America and the Middle East. Each of these project sub-components is implemented through an IUCN Regional and Country Office. The IUCN Eastern and Southern African Regional Programme Office (ESARO), through its Drylands Programme, is responsible for implementing the sub project in Garba Tula, Northern Kenya, which was the focus of this governance assessment exercise.

IUCN's work in Garba Tula (GT) through this project has now been underway for almost two years, and to date a number of activities have been implemented in the area. This has included: sensitization and awareness raising of local community members; providing support to help strengthen the operations of the Resource Advocacy Programme (RAP – a local NGO working in the Garba Tula area); and supporting work carried out by RAP members to document traditional institutions and strategies for governing natural resources in the Garba Tula area. The results of the assessment presented in this document build on this previous work in the area, and aim to establish baseline information on existing natural resource governance arrangements in Garba Tula, and to identify how these governance mechanisms can best be improved. This work is intended to contribute to the ultimate aim of the overall project that focuses on improving the sustainable use and conservation of natural resources, and strengthening the resilience of livelihoods that directly depend on natural resources.

The Garba Tula District (see Figure 1) is located in the Eastern Province of Kenya, and is home to some 40,000 pastoralists (predominantly of the Borana tribe) and covers approximately 10,000 km^2. The vast majority (over 95 percent) of the land in Isiolo/Garba Tula Districts is classified as arid or very arid and annual rainfall ranges from 150-250mm in the very arid zones in the northern parts of the area to 300-350mm in the south. The district is hot throughout the year with annual temperatures ranging from 24°C and 30°C, and evaporation rates are very high (in places up to ten times the annual rainfall). This is a serious constraint to agriculture, and the prevailing land use in most of the area is pastoralism. The vast majority of land in Garba Tula (all except in the limited urban areas) is held in trust by the County Council of Isiolo. The area has relatively high biodiversity, and neighbours the Meru Conservation Area (Kenya's second largest network of protected areas consisting of two national parks and two national reserves).

The Garba Tula natural resource governance assessment was carried out by David Henson and Robert Malpas of the Conservation Development Centre, Nairobi, between December 2010 and April 2011, with support and inputs from the IUCN ESARO Drylands Programme. The study team would especially like to thank Guyo Roba, Drylands Programme Officer with IUCN ESARO and Daoud Akula, Coordinator of RAP, for their determined efforts to ensure the success of the GT Governance Assessment Workshop and the associated field visits.

In response to the Terms of Reference for this study (see Annex 1) the major activities carried out as part of the GT natural resource governance assessment were:

Figure 1. The greater Garba Tula area and neighbouring protected areas
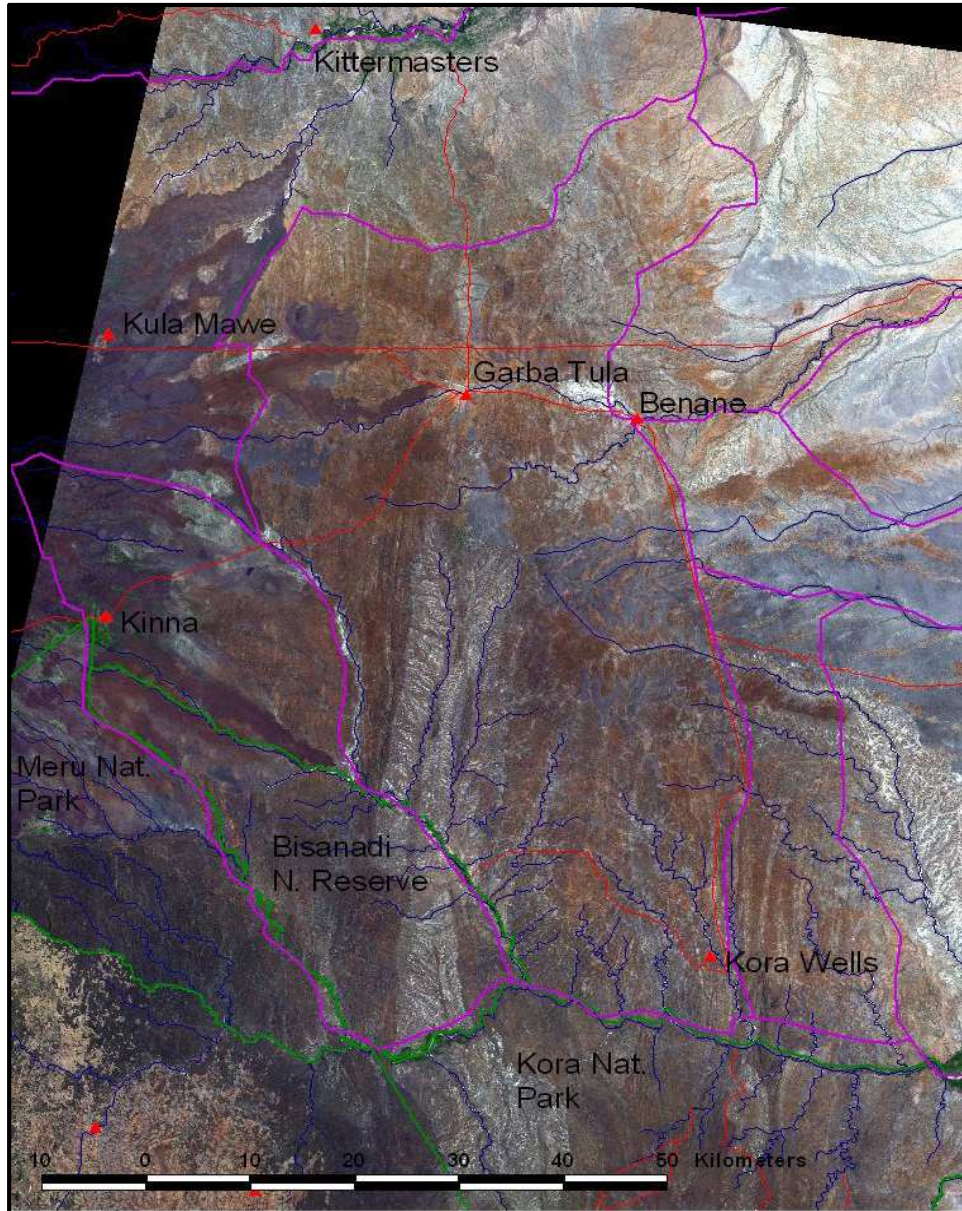
- ▸ Desk-based research on Garba Tula as well as on broader natural resource governance standards and principles, to provide the foundation for the assessment exercise
- ▸ Development of a governance assessment approach designed to: facilitate understanding of existing natural resource governance arrangements in Garba Tula; identify governance issues impacting on GT natural resource and livelihood values; and identify opportunities for strengthening governance mechanisms
- ▸ A two-day Governance Assessment Workshop in Garba Tula (see Annex 4 for a list of participants) to get the inputs of Garba Tula natural resource stakeholders into the governance assessment exercise
- ▸ Consultations with key stakeholders involved with natural resource governance in Northern Kenya, to confirm the outcomes of the participatory governance assessment

▸ Development of strategies and actions based on previous activities to help strengthen natural resource governance in the area, as well as the elaboration of indicators to measure this

The results of these activities are set out in this report in the following six main sections:

1. **Governance Assessment Approach**: Natural resource governance is highly complex and dynamic, involving multiple stakeholders and a variety of interconnecting institutions, laws, policies, and governance processes that impact on different aspects of natural resource use, management and human livelihoods. Garba Tula is no exception, and an important starting point for this study was to establish an assessment approach which enabled **the identification of the key governance mechanisms that influence GT natural resource and livelihood values**. This section sets out the rationale underlying the governance assessment approach adopted in this study, which also took account of **IUCN's broader Natural Resource Governance Principles**.

2. **Garba Tula Natural Resource and Livelihoods Values and Challenges**: An important preliminary step in assessing natural resource governance mechanisms is the identification of the most important natural resources in an area from conservation and livelihoods perspectives, the livelihoods that depend on these resources, and the major challenges and threats impacting on these values. This understanding is important from two perspectives: Firstly, an understanding of GT natural resource and livelihood values and challenges provides the basis for **determining how governance is influencing and impacting on these values**, and **how improved governance can help conserve natural resource values and enhance livelihoods**; secondly, the identification of natural resource and livelihood values and challenges provides the **basis for monitoring the ultimate impacts of the project's efforts to strengthen natural resource governance in the area** (see below). This section therefore describes Garba Tula's most important natural resources, associated livelihoods and the related challenges and threats to these values.

3. **Garba Tula Natural Resource Governance Assessment**: Building on the previous identification of GT Natural Resource & Livelihood Values and Challenges, this section assesses the critical GT natural resource governance mechanisms and issues, and identifies opportunities for strengthening governance mechanisms that can potentially be addressed by the IUCN project intervention. The section considers the **three major dimensions of natural resource governance in Garba Tula**: **land and natural resource ownership**, **natural resource access and management**, and **natural resource service provision**. The assessment findings set out in this section draw heavily on the outputs generated by stakeholders at the Governance Assessment Workshop.

4. **Garba Tula Natural Resource Governance Action Plan**: Based on the outputs from the previous GT governance assessment, this section sets out **an action plan for strengthening GT natural resource governance mechanisms**, for possible implementation by the IUCN project. Recognising the limited human and financial resources available to IUCN and its partners in the GT area to address a broad range of governance issues and needs, and the **highly dynamic broader governance situation resulting from the recent passage and ongoing implementation of the new Kenya Constitution** and associated revised legislation, the action plan attempts to pinpoint a set of priority areas where IUCN and its partners can potentially make **a realistic and strategic contribution to improving GT natural resource governance**, for the benefit of human livelihoods and natural resource conservation.

5. **<u>Logical Framework and Related Garba Tula Natural Resource Governance Indicators</u>**: This section provides a consolidate project logical framework based on the action plan objectives and outputs set out in the previous section, and defines a set of associated indicators for measuring improvements in Garba Tula governance brought about largely as a result of project interventions. The governance indicators measure the more immediate and tangible outputs and effects of project interventions, while the natural resource and livelihood indicators (see below) are designed to measure the long-term impacts of the project.

6. **<u>Garba Tula Natural Resource and Livelihood Indicators</u>**: Indicators are also needed to **measure the impacts of improved governance on the key natural resources and natural resource-based livelihoods in Garba Tula** brought about by the implementation of actions under this project. Based on the previously identified natural resource and natural resource based livelihood values, this section sets out two corresponding sets of easily verifiable indicators that will provide the basis for measuring the overall impacts derived from project implementation in Garba Tula.

Each of these six main sections of the report is set out in turn in the following pages, beginning with an explanation of governance assessment approach adopted as part of the study.

2. Key aspects of natural resource governance

As indicated earlier in this report, natural resource governance, involving multiple stakeholders with different needs and multiple natural resources being subject to different forms of utilisation, is inevitably highly complex and dynamic. This is all the more so with regard to natural resource governance in Kenya because of the ongoing process of introducing and implementing the **new Kenya Constitution**, which has profound implications for governance at national, regional and local levels, not least for natural resource governance. The new Kenya Constitution profoundly influences the very nature of governance – i.e., the relationship between the governed and the governing – but will also have far-reaching impacts on the laws, policies, institutions and processes by which governance of natural resources is delivered in practice. Specifically, as will be discussed later in this report, the new Constitution provides a framework for the **decentralisation of governance mechanisms**, in particular the devolution of ownership and accountability for natural resource use and management to local stakeholders, as opposed to central government. This represents a potential paradigm shift for natural resource governance in Garba Tula which is **highly complementary to and supportive of the governance strengthening initiatives being implemented by the IUCN project**.

The IUCN project in Garba Tula is attempting to strengthen natural resource governance within this complex and dynamic governance environment, yet the resources of the project – both in terms of human resources as well as financial and material - are very limited. This implies that its interventions designed to improve natural resource governance must be **highly strategic as well as realistic**. It also implies that this governance assessment study must in turn be strategic in its approach: focusing on the priority governance mechanisms operating in Garba Tula, as well as identifying and understanding potential new governance mechanisms that will be introduced as a result of the implementation of the new Kenya Constitution and associated revised legislation. The report also needs to be strategic in identifying the key opportunities by which Garba Tula natural resource governance can potentially be strengthened, as well as a realistic role for IUCN.

This section provides an introduction to some of the key aspects of natural resource governance that underpinned the approach taken by the project, beginning with a definition of natural resource governance and the key governance mechanisms involved, leading on to a consideration of the IUCN Good Governance Principles that formed an important framework for the governance assessment, and finishing with an explanation of the key aspects of the governance assessment approach adopted by the study.

2.1 Definition of natural resource governance

As discussed in detail in the recently developed IUCN-GTF "*Framework on Governance of Protected Areas*" (Mansouriam and Oviedo, 2009), recent literature has proposed several quite different definitions of natural resource governance. However, under the Improving Natural Resource Governance for Rural Poverty Reduction project, the IUCN Social Policy Programme has defined governance as:

> **"... the norms, institutions and processes that determine how power and responsibilities are exercised, how decisions are taken, and how citizens participate in the management of natural resources."**

This is the natural resource governance definition that has been adopted throughout this assessment. It was selected for its clarity and conciseness, and for its specific focus on natural resources. Although there are a variety of aspects incorporated into other more complicated governance definitions (such as effectiveness, capability, responsiveness, etc.), these aspects are best dealt with through the application of the good governance principles (see section 2.3 below).

2.2 Natural resource governance mechanisms

The IUCN-GTF Framework on Governance of Protected Areas states that: "*It is important to consider the* **policies**, *the* **institutions**, *the* **processes** *and the* **power relations** *affecting* [governance of] *natural resources. The inter-play between these is of prime importance to the successful conservation of resources and to their contribution to livelihoods*." This statement directly links with the definition of natural resource governance described above, which also refers to "*norms, institutions and processes*". For the purpose of this study the terms "*norms*"[1] and "*policies and rules*", as defined in Table 1, are considered to be interchangeable, whereas power relations are considered through the good governance principles.

During this study, it was useful to take account of these three different categories of governance mechanism – polices and rules, institutions, and processes – both in identifying the key governance mechanisms operating in Garba Tula, in understanding the relationships between the different mechanisms, and in assessing the different mechanisms according to the Good Governance Principles described in the next section. Table 1 overpage sets out the three categories of governance mechanism, describes their main role in influencing natural resource governance, and gives examples of typical mechanisms.

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[1] 1. An authoritative standard. 2. A principle of right action binding upon the members of a group and serving to guide, control, or regulate proper and acceptable behaviour. Merriam-Webster Unabridged Dictionary.

2.3 Good governance principles

An understanding of the key principles of good governance is an important foundation for the assessment of the efficacy of Garba Tula natural resource governance mechanisms. Fortunately, based on the work of the Institute on Governance, **five principles for good governance**[2] have already been defined by the IUCN Social Policy Programme that are especially relevant for natural resources, as follows:

Table 1. Definition and description of governance mechanism categories

Mechanism	Definition	Role in NRM	Examples
Policies and rules	Principles or standards (written or oral) for natural resource use and management, which serve to guide or mandate action and conduct.	Guides, influences or enforces behaviour in order to enhance the management, regulation and sustainable use of natural resources.	• National land tenure or localised customary principles • National laws governing NRM (e.g. protection, forests, water, soils) • Local bylaws and customary rules governing access and use • Management plans regulating access and use of natural resources
Institutions	An established organisation with defined responsibility for overseeing access to, use and management of natural resources.	Responsible for overseeing or implementing policies and rules, and other measures to improve the sustainability of natural resource use.	• Government agencies (e.g. central, provincial and district levels) • Non-government organisations (e.g. conservation, development) • Community based organisations (e.g. trusts, cooperatives, WRUAs, Rangeland Users Associations (RUAs)) • Traditional NRM user groups (e.g. herbalists, honey collectors)
Processes	An established practice or procedure that guides or influences the ways in which natural resources are used and managed.	Provide the means through which NR institutions convert NR policies and rules into practice at different levels.	• Access and use • Decision making • Conflict resolution • Capacity building • Innovation and learning

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[2] Although nine principles are described in the IUCN-GTF Framework on Governance of Protected Areas, in order to streamline the assessment process and enhance stakeholder engagement, the five governance principles as described in the "*Governance for Conservation and Poverty Reduction*" project documentation have been selected as the basis for this assessment. However, wherever possible all the major features of the nine principles are reflected in the five principles included here.

1. **Legitimacy**: This includes aspects such as: adequate *participation* of all stakeholders; *subsidiarity* of power and decisions to the lowest appropriate level; and *consensus orientation* on what is in the best interest of the group.

2. **Direction**: This relates to issues such as: a *strategic vision* of broad and long-term objectives of good governance; and the *coherence and contextualisation* of governance mechanisms in line with existing instruments, at a variety of levels.

3. **Performance**: This principle is concerned with mechanism: *effectiveness and efficiency* to produce results that meet needs while making the best use of available resources; *responsiveness* to the changing needs of stakeholders; and the *capacity* of stakeholders to engage at various levels.

4. **Accountability**: This relates to qualities regarding the: *accountability* of decision-makers in government, the private sector and civil society organisations to all stakeholders; and *transparency* built on the free flow of sufficient and easily accessible information.

5. **Fairness**: This final principle relates to: *equality* of opportunities for all sectors of society to improve or maintain their wellbeing; *equity* in the distribution of costs and benefits between stakeholders; and the *impartial* enforcement of the law, particularly the laws on human rights.

These five principles provide the benchmarks against which each of the three types of governance mechanisms can be assessed. In this regard, Table 2 overpage sets out specific aspects of the five good governance principles as applied to each of the governance mechanism categories.

At the Garba Tula Governance Assessment Workshop, stakeholders identified and then assessed some of the Garba Tula key governance mechanisms using an assessment form based on the application of the five good governance principles. The governance mechanism assessment form is provided in Annex 2, and attempted to translate the good governance principles into a set of easily understood and user-friendly questions that Garba Tula stakeholders could apply in a participatory workshop setting. The outcomes of the governance assessment according to the assessment form for governance mechanisms that stakeholders had prioritised is given in Annex 3, according to the three governance mechanism categories: laws and policies, institutions, and processes. The results of the assessment provide an overview of the strengths and weaknesses of the most important governance mechanisms in the area.

2.4 Governance assessment approach

One of the challenges facing this study was the need to find a way of identifying the natural resource governance mechanisms that are crucial to the conservation and sustainable use of natural resources in Garba Tula, and to the optimisation of natural resource-based livelihoods in the area, amongst a large cohort of governance mechanisms at national, regional and local levels, all of which have some bearing on natural resource and livelihood values in the area. A method was also needed to also understand the key issues relating to these priority governance mechanisms that are influencing their effectiveness and relevance in achieving natural resource conservation and livelihood goals. Lastly, it is important that key gaps in existing governance mechanisms can be pinpointed, in order to focus future interventions designed to strengthen governance. The approach used by the study to meet these requirements was as follows:

Table 2. Aspects of good governance principles according to governance mechanism categories

Governance Mechanism	Good Governance Principles				
	Legitimacy	**Direction**	**Performance**	**Accountability**	**Fairness**
Policies and rules	‣ Legal or cultural foundation/ authority ‣ Stakeholder understanding and participation in development	‣ Reflection of societal preferences or values ‣ Appropriateness/ adaptability to local conditions	‣ Ease of implementation/ enforcement ‣ Influence on group or individual behaviour	‣ Stakeholder awareness of rights and responsibilities ‣ Opportunities for raising and assessing objections	‣ Distribution of benefits and costs across society ‣ Enforcement equality across society
Institutions	‣ Legal foundation of organisational status ‣ Representation/ participation of target groups	‣ Mission statement, objectives and targets ‣ Activity planning, and linkages to objectives	‣ Achievement of objectives and targets ‣ Staff capacity to meet role requirements	‣ Transparency of management systems ‣ Response to constituency needs and opinions	‣ Distribution of target beneficiaries across society ‣ Inclusion of marginalised/ minority groups
Processes	‣ Representation/ participation of all sectors of society ‣ Decentralisation to lowest level possible	‣ Clear vision of purpose and objectives ‣ Appropriateness of methods used to achieve objectives	‣ Ability to enforce or influence behaviour change ‣ Responsiveness to stakeholder issues and concerns	‣ Mechanisms for reallocating authority ‣ Stakeholder awareness of rights and responsibilities	‣ Impartiality of decision making processes ‣ Open and accessible to all sectors of society

- Initial **identification of key Garba Tula natural resource values** as well as the **major threats and challenges** to these values. This stage was carried out at the GT Governance Stakeholder Workshop

- Subsequent **identification of key Garba Tula natural resource-based livelihoods**, as well as key **challenges associated with the functioning of these livelihoods**. This stage was also carried out at the GT Governance Stakeholder Workshop

- Development of an understanding of the **relationship between natural resource and livelihood challenges and the underlying governance issues** which are either partially or fully responsible for them. This stage was commenced at the Stakeholder Workshop and completed by the study team after the event

- Identification of the **key GT governance mechanisms** associated with these identified governance issues.

Essentially, this approach enabled a direct link to be established between the key natural resource and livelihood issues that are being experienced in Garba Tula with the specific governance issues that are contributing to these challenges, and thereby to the identification of the key governance mechanisms involved. This approach was considered the optimal one for focussing the assessment, rather than a more open-ended approach which looked more broadly at a wide range of Garba Tula governance mechanisms, many of which may not ultimately be crucial in the achievement of natural resource and livelihood objectives.

One final element in the approach that emerged as the study proceeded is the recognition of three main themes of governance in Garba Tula, which are critical to the achievement of the project's natural resource and livelihood goals. These are as follows:

1. Governance issues related to the **ownership of land and natural resources** in Garba Tula
2. Governance issues relating to **access and management of Garba Tula natural resources**
3. Governance issues relating to the **provision of natural resource use and livelihood services**

These three major themes of Garba Tula governance are introduced in greater depth in section 4 below.

The following section describes the outcome of the identification of key Garba Tula natural resource and livelihood values as well as the challenges to these values, which formed the foundation for the understanding of priority GT governance mechanisms as outlined above. This identification exercise was chiefly undertaken at the GT Governance Stakeholder Workshop.

3. Garba Tula natural resource and livelihood values and challenges

As described above, an important preliminary step in assessing natural resource governance mechanisms is the identification and prioritisation of the most important natural resources in an area from conservation and livelihood perspectives, the most important livelihoods in the area that directly rely on natural resources, and the major challenges and threats to these values and issues impacting on

these livelihoods. From the standpoint of this study and the overall IUCN project, this prioritisation has two primary purposes. Firstly, as described in the previous section, the identification of key Garba Tula natural resource and livelihood values and the challenges and threats impacting on them provides the foundation for the subsequent identification and understanding of priority Garba Tula governance issues, and the key governance mechanisms relating to these issues. This in turn eventually provides the basis for the identification of appropriate interventions aimed at strengthening GT natural resource governance. Secondly, the process also provides the basis for the development of indicators designed to measure the ultimate impacts of the project on sustainable use and conservation of natural resources, and the resilience of livelihoods that directly depend on natural resources. This section therefore describes Garba Tula's most important natural resources and the most important livelihoods that directly depend on the area's natural resources, as well as the major threats and challenges that are impacting on these values.

3.1 GT natural resource values and threats

There are a number of methodologies available for identifying an ecosystem's priority natural resources. This study has adopted one of the most widely used and tested of these methods, the Nature Conservancy's (TNC) **Conservation Action Planning** (CAP) methodology. The CAP method provides a simple and straightforward consensus-driven mechanism for identifying and developing a common understanding of an area's most important natural resource values, and the major threats to these features. The method has been used in a number of protected area planning exercises in Kenya, including in the Meru Conservation Area neighbouring Garba Tula and the Samburu-Buffalo Springs-Shaba Conservation Area to the south of Garba Tula, and the method has now been adopted by the Kenya Wildlife Service as part of their national protected area and ecosystem planning procedures. The CAP method is based on the premise that it is impractical to attempt to address all aspects of an ecosystem's functioning, and that efforts are therefore best focused on a limited number of an ecosystem's most important features that underpin and characterise the health of the ecosystem.

This study used a simplified version of the CAP methodology which could be used in a stakeholder participatory planning context during the GT Governance Assessment Workshop, and involving a primarily non-scientific group of participants. The process involved the identification of a limited number of natural resource values, which stakeholders felt represented the most important natural resources in Garba Tula from both a conservation and community livelihood perspective. In line with the specifications of the CAP process, these values were selected across the ecological hierarchy from ecological systems, through habitats down to the species level. This prioritisation of natural resource values laid the foundations for the identification of the most important threats to these values, and the subsequent prioritisation of these threats according to their significance.

The results of this assessment are presented in Table 3 overpage. As shown in the table, **seven priority natural resource values were identified at the three levels of the ecological hierarchy**. At the systems level: water systems and the Garba Tula seasonal pasture mosaic; riverine habitats and grasslands at the habitat level; and lastly, at the species level, hardwood tree species, elephants and Grevy's zebra. In particular, the **seasonal pasture mosaic** was identified as a key feature of the Garba Tula landscape, and of critical importance from a community livelihood perspective.

There was considerable debate at the stakeholder workshop about the inclusion of Grevy's zebra in the area's key natural resource values, because they are only found in the area in extremely limited

numbers (probably less than 15 individual animals). However, it was eventually decided to include them rather than other dryland species (e.g. reticulated giraffe, Somali ostrich or oryx) as they are a high national conservation priority as well as being endemic to northern Kenya and southern Ethiopia.

Table 3. Prioritised Garba Tula natural resource values and threats

NR Values	Major Threats
Water systems ▸ Major rivers ▸ Springs, water pans, wells etc.	Reduced water levels (from upstream abstraction)
	Poor water quality (due to lack of management/breakdown in traditional systems)
	Breakdown of infrastructure (lack of management/traditional systems)
	Catchment forest deforestation
Seasonal pasture mosaic ▸ Dry season ▸ Wet season ▸ Drought	Overgrazing - unregulated influx of livestock (weak management systems)
	Insecurity issues preventing traditional grazing movements
	Protected areas preventing traditional grazing movements
	Sedentarization and settlement (often associated with relief aid interventions)
	Unmanaged fire
	Invasive species
Riverine habitats ▸ Forests ▸ Grasslands	Conversion to agriculture
	Deforestation (for charcoal, fodder, building)
	Invasive species
Bushland ▸ *Acacia-Commiphora* dominated	Deforestation (for charcoal, fodder, building)
	Overgrazing
	Unmanaged fire
Hardwood species	Deforestation (commercial for building materials)
Elephants	Poaching
	Blocking of migration routes
	Competition for water (at key sources during drought)
Grevy's Zebra	Poaching for skins and traditional medicines to treat tuberculosis and sexually-transmitted diseases[3]

The major threats to these natural resource values are listed in priority order in the right-hand column of Table 3. As shown, there are a number of common threats impacting on more than one natural resource value, in particular regarding the three habitat values that are impacted to various degrees by **deforestation, unmanaged fires, overgrazing and invasive alien species**. Where possible, the underlying cause of these threats has been included in brackets. Again, in a number of cases different threats to different values appear to be caused by the same underlying issues. This is perhaps most obvious regarding **weak natural resource management systems**, which is contributing to several threats including poor water quality, influx of livestock, and livestock disease among others.

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[3] Kenya's National Grevy's Zebra Task Force. Conservation and Management Strategy for Grevy's Zebra (*Equus Grevyi*) in Kenya, 2007 – 2011. Page 20.

The identification of these key natural resources helped to focus the identification of the most important natural resource based livelihoods in Garba Tula, which is described in detail in the next section.

3.2 GT natural resource livelihoods and challenges

In a community area such as Garba Tula, developing an understanding of the area's most important natural resource-based livelihoods and the key issues impacting on them is an essential complement to the identification of the area's most important natural resources. As with the natural resource values, the identification of key natural resource based livelihoods provides a framework for targeting the assessment of Garba Tula natural resource governance mechanisms on the most important aspects of the area, as well as also providing the foundations for the development of indicators to measure overall project impacts. The identification of key natural resource-based livelihoods is especially important considering the overall aims of the international IUCN project, which focuses on improving the sustainable use and conservation of natural resources, as well as strengthening the resilience of livelihoods that directly depend on these natural resources.

The process used to identify these NR livelihoods and their associated issues was similar to that described above for the identification of natural resource values, and was also carried out by participants at the GT Governance Assessment Workshop. The results of this assessment are presented in Table 4 below.

Table 4. Prioritised Garba Tula natural resource based livelihoods and challenges

NR Based Livelihoods	Major Challenges
Pastoralism	Low government support (policy, financial, emergency support)
	Drought (potentially linked to climate change)
	Sedentarization, settlement expansion and land use changes
	Poor access to livestock markets
	Conflict and insecurity (cattle theft and new grazing patterns)
	Livestock disease (from wildlife and unregulated influx of livestock)
Agriculture	Water supply (impacted by upstream abstraction)
	Low expertise/knowledge (cultural preference for pastoralism)
	Flooding/Flash floods (linked to catchment deforestation)
	Poor market access
	Pests and disease
Timber Harvesting	Lack of regulation and/or enforcement of rules
	Low Kenya Forest Service presence and capacity
	Poor market access
Sand Collection	Lack of legal regulation or controls
	Lack of local organisation (e.g. coops) or industry bodies
	Low capacity (i.e. local skills and equipment)
	Poor market access

As shown, there were considered to be relatively few livelihoods in Garba Tula that are practised on a significant scale and that directly rely on natural resources. By far the most important of these is

pastoralism, which is the predominant livelihood in the area. This is followed in a distant second place by **agriculture**, which has increased in high potential parts of the area over recent years (e.g. riverine areas and floodplains) but in most cases is practised in addition to pastoralism. The remaining livelihoods (timber and sand harvesting) were considered minor, as were other livelihoods identified not included here (such as gemstone mining, honey collection, ecotourism and fishing).

The major challenges impacting each of these livelihoods are listed in priority order in the right-hand column of the table below. As shown, these issues vary from the national level, for example the **low level of government support for pastoralism**, through regional issues (**such as catchment deforestation and insecurity concerns**) to more localised issues that are often common to a number of the livelihoods prioritised, such as **access to markets**, a **lack of knowledge or capacity**, and **weak enforcement mechanisms**, or **systems for regulating resource use**.

The identification of these natural resource-based livelihoods and the major issues impacting on them, combined with the outputs of the natural resource assessment described above, provided the foundations necessary for focusing the assessment of Garba Tula natural resource governance mechanisms. This assessment is described in detail in the next section.

4. Key governance issues impacting on Garba Tula natural resource and livelihood values

Building on the previous identification of the threats and challenges impacting on priority natural resources and natural resource-based livelihoods in Garba Tula, this section aims to identify the key **underlying governance issues** that are impacting on the sustainable management of natural resources and the strengthening of natural resource-based livelihoods, the related governance mechanisms involved, and the key opportunities for addressing these. Of course, not all of the major natural resource conservation and livelihood challenges identified in the previous section can be directly attributed to weaknesses and deficiencies in the underlying governance mechanisms – for example, several other factors (especially climate change and security issues) are also certain to be instrumental. Nevertheless, it is clear that governance issues are having a profound influence on both Garba Tula's natural resource values as well as its livelihood values, and that addressing these governance issues has significant potential to ameliorate several natural resource management challenges, and to strengthen natural resource-based livelihoods.

In this regard, based on the identification of the natural resource values, natural resource based livelihoods and the associated threats and challenges, three major aspects of natural resource governance in Garba Tula have emerged as being especially crucial. These three governance aspects are: **land and natural resource ownership**; **regulation of natural resource access and use**; and the **provision of services to support and improve natural resource management**. The following sections describe in more detail the underlying governance issues and associated governance mechanisms for each of these three aspects, as well as the opportunities for addressing these issues and for strengthening natural resource governance.

4.1 Land and natural resource ownership

The ownership of land is a crucial aspect of natural resource governance, because land ownership enables the landowner to control who has access to the area, who can use the resources an area contains, and how these resources are themselves managed. The sense of security and "belonging" derived from the clear and legal ownership of an area also encourages the landowner to take a longer-term perspective towards management, and makes it easier to make decisions that may impact short-term economic benefits but are ultimately more sustainable and wiser over a longer timeframe. This point is of particular importance with regard natural resource management, because the owners of an area need to feel sure that any eventual benefits derived from a move away from a short-term profit maximisation strategy towards one of long-term sustainable use are enjoyed by themselves (or their heirs) and not "*free-riders*" who may be attracted to the area due to the prudent management of its resources. In addition, land is often used as collateral in securing credit and other development finances, which is also impossible without clear ownership rights. This has been frequently cited as a significant barrier to development in pastoralist communities in Kenya.

Traditionally, land in Garba Tula was part of a **common property regime** implemented by the Borana community, with ownership of the land vested in the community and supervised by an intricate governance mechanism with a hierarchy of organisation at the "**Olla**" (several households), "**Artha**" (a cluster of Ollas) and "**Dheth**" (a grazing area community) levels[4]. This system is discussed in greater detail in the following section, but the important point to note here is that the customary common property regime vested land ownership in the Garba Tula community, which had established associated community institutions to manage the land. With the advent of the colonial era, however, this common property regime began to unravel and to be gradually replaced by a more westernised system of land ownership based on private and individualised ownership of land. To cater for communal interests, the colonial land laws placed community lands "in trust" under the county councils, and this is still the system in place today. In the case of Garba Tula, the vast majority of land (all except that under private tenure in urban areas) is presently classified as Trust Land, and is held in trust for the community by the County Council of Isiolo[5].

Although this classification was originally intended to ensure that each county council holds the land vested in it "*for the benefit of the persons ordinarily resident on that land*", in practice the administration of land has been driven largely by a modernisation ethic that aimed to individualise land tenure. In pastoral areas and other areas where the trust land regime applies, the land held in trust is broadly regarded as the property of local government authorities, and, as a result, people who have lived on trust land for generations have often found that they cannot assert any rights to the land in question when decisions about its use and allocation have been made. This is particularly important with regard the "*setting apart*" rights of the councils, which enables them to designate land held in trust as individual or private tenure (as has been done in the urban areas of Garba Tula), but which in some cases has been utilised by uninformed councils or unscrupulous individuals often with limited or no consultation with an area's long-term residents.

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[4] IUCN/RAP. Survey on traditional institution and strategies of governing resources: A case of Waso Boran in Garba Tula District. Unpublished manuscript, 22pp.

[5] In the new Kenya Constitution, all trust land will be converted to community land. See below.

To summarise the key problems with the current system of community land ownership (KLA, 2007)[6]:

▸ Vulnerability to interference or setting apart of customary rights by the government
▸ Difficulty in securing credit and other development finances using land as collateral
▸ Lack of administrative support for the customary system of land rights, making the position of the occupants vulnerable
▸ Unscrupulous County Council officials and individuals taking advantage of the lack of enforceable customary land rights to grant community land in exchange for money or to bolster their personal power

Table 5. Key Garba Tula land and natural resource ownership issues and governance mechanisms

Key Natural Resource & Livelihood Problems	Underlying Governance Issues	Related Governance Mechanisms	Key Governance Opportunities
Breakdown of GT customary common property regime/ pastoralism system ▸ Declining area of communal rangelands ▸ Changing land use (settlement and sedentarization) ▸ Conversion of communal to private land	▸ Under current legislation, GT land is held in trust for the GT community by the County Council of Isiolo ▸ The GT community does not itself legally own land, and is not empowered to manage land ▸ CCI may also convert (i.e. set aside) trust land to private ownership without consent of the GT community	▸ County Council of Isiolo ▸ Trust Lands Act (CAP 288) ▸ Kenya Revised National Constitution* ▸ 2007 Draft Land Policy & new Land Act ▸ Community & District Land Boards	▸ The new Land Policy, and the Land Act (under preparation), supported by the new Constitution, establishes mechanisms for direct community land ownership and management ▸ Under the new legislation, Community Land Boards are established to hold and manage communal land, with District Land Boards supervising the process

*Mechanisms shown in red are not yet fully established or implemented

In sum, the disenfranchisement from appropriate community land ownership inherent in the current legal framework has made it difficult for communities to protect the land on which they live, and has discouraged or prevented the practice of wise natural resources stewardship. In Garba Tula, land disenfranchisement has also contributed to the breakdown of the traditional pastoralist system, by reducing the availability of areas for grazing (often as a result of settlements or conversion of areas to agriculture) and by undermining traditional systems of pasture management and resource use control (see next section).

The serious impacts of the existing land governance arrangements on community land and natural resources management and on community livelihoods, in particular pastoralism, has resulted in a widespread popular demand for the reform of current land legislation and policies, and for the implementation of a new regime of community land tenure. The need for reform has now been legally

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[6] Kenya Land Alliance (2007). Community land tenure and the management of community land in Kenya. Kenya Land Alliance, Nakuru. Policy brief, p1-6.

recognised in the new Kenya National Constitution, and has also been defined in detail in the new Land Policy (2007). In due course, the new approach to community land ownership is expected to be legislated in the revised Land Act, which is currently under preparation.

Specifically, the revised approach to community land ownership calls for the establishment of a new category of land in Kenya called **Community Lands**, which relate to land lawfully held, managed and used by a specific community. The new Kenya Constitution clarifies that Community Land will consist of "*land lawfully transferred to a specific community by any process of law*" and that is "*lawfully held, managed or used by specific communities as community forests, grazing areas or shrines*". The Constitution also reaffirms that "*Community land shall not be disposed of or otherwise used except in terms of legislation specifying the nature and extent of the rights of members of each community individually and collectively*".

The provisions of the Kenya Constitution with regard to community lands are elaborated in the Land Policy (2007), which was approved by the Kenyan Cabinet in June 2009 and adopted by Parliament in December 2009 (under Sessional Paper No.3 of 2009 on Land Policy). Specifically, the Land Policy makes provision for the establishment of "**Community Land Boards**" with responsibility for "holding and managing community land" on behalf of the concerned community, and comprising a representative cross-section of people ordinarily resident in the area, and that will vet/approve all land transactions in the area under their jurisdiction. In addition, the Land Policy advocates the establishment of **District Land Boards** comprising democratically elected community representatives and with responsibility for promoting equitable access to land.

The revised approach to community land ownership set out in the Kenya Constitution and elaborated in the Land Policy represents a return to a more traditional common property regime governance approach to land ownership, as opposed to the current westernised system of individualised land ownership. The new mechanisms potentially create a "*powerful system of land allocation regimes and a tenure system designed to preserve the asset base for current and future generations*" (Land Policy, 2007).

Clearly, this new legislation and the related community-based land ownership and management institutions potentially provide a clear and timely route that the residents of Garba Tula can pursue to secure ownership of the lands that they have traditionally occupied, used and managed, which should in turn provide a legal basis for any measures taken to control access and use of the area, and improve incentives for sustainably managing the area over the long term. However, significant work remains to be done to translate this legislative framework into the reality on-the-ground. As set out in the Land Policy, on the part of the government this will involve: mapping existing customary land tenure systems to derive policy principles that guide evolution of customary law, establishing a clear legislative framework and procedures for recognition; developing procedures to govern transactions in community land; and building the capacity of traditional land governance institutions. However, steps can also be taken by the Garba Tula community to ensure that they are well placed to take advantage of these changes as they are implemented. The suggested steps that could be supported under this project are outlined in section 5 below.

One related governance issue that it will be important to address as part of this process is the determination of what comprises the Garba Tula "community". The Land Policy defines community as a "*group of users of land, which may, but need not be, a clan or ethnic community, and which have a set of clearly defined rights and obligations over land and land-based resources*". In this regard, KLA (2007)[5]

has noted that the agitation for recognition and protection of community land rights is closely linked to **grievances arising from historical injustices suffered by specific communities whose land was wrongly alienated during the colonial and post-colonial periods**. The specific definition of what comprises the Garba Tula community will clearly have a crucial bearing on the eventual successful reform of Garba Tula's land ownership governance mechanisms, and it will be vital that this aspect is acknowledged and addressed in the IUCN Garba Tula project. Dimensions of this issue are also addressed in the next section.

4.2 Natural resource use access and regulation

Although secure land tenure is a vital foundation for strong natural resource governance, complementary natural resource management institutions are vital if community members are to realise the collective benefits from land ownership. Such mechanisms can play an essential role in regulating access to the area and the use of the natural resources the area contains, and in sanctioning individuals that transgress the standards set by the area's communal owners. Indeed, the ability to exclude "*free riders*" from an area or from accessing resources is one of the cornerstones of common property resource management, without which many of the long-term benefits of formal communal ownership will not be realised. As pressure on Garba Tula's rangelands appears set to increase and the conversion of land to agriculture and other uses continues to reduce the resources available to community members, this ability to control and regulate access and use of the area's natural resources is perhaps more important now than ever before.

Historically in Garba Tula, as with many communally owned and primarily pastoralist areas, customary institutions have fulfilled this vital resource management role (even in the absence of secure ownership rights), and have successfully controlled and regulated access to the area and the natural resources it contains. As mentioned above, land in Garba Tula was traditionally part of a common property regime implemented by the Borana community, with ownership vested in the community and supervised by an intricate governance mechanism with a hierarchy of organisation at the "**Olla**" (several closely interconnected households), "**Artha**" (a cluster of Ollas) and "**Dheth**" (a grazing area community comprised of several Arthas) levels. A council of elders placed at the head of each of these mechanisms was traditionally responsible for managing the utilisation of all community resources at the appropriate level, drawing strategic guidance from unwritten traditional rules, regulations, norms, values and beliefs.[3]

Critical among the functions of these customary governance mechanisms was of course the management of the grazing regime, and they traditionally provided the checks and balances necessary to sustainably manage key pasture resources. Other communities were not necessarily excluded from accessing these resources, but would require permission from the appropriate council of elders to make use of them in the areas under their jurisdiction. Even within the Borana community itself, members of different Dheth would require permission to use resources from the Council of Elders associated with the Dheth in the area they were planning to move to. Alongside overall access, use of grazing areas themselves was also regulated by these mechanisms, with different areas set aside for different types of livestock depending on their physical strength, household use, and lactation state. For example, young and lactating herds would be grazed close to households, while mature herds were kept further away, with separate areas set aside for herds transiting through an area.[3]

Table 6. Key Garba Tula natural resource access and use issues and governance mechanisms

Key Natural Resource & Livelihood Problems	Underlying Governance Issues	Related Governance Mechanisms	Key Governance Opportunities
Degradation of rangelands and pasture ▸ Overgrazing by livestock ▸ Unregulated influx of livestock ▸ Uncontrolled or unplanned fire	▸ Customary community NR use mechanisms are not recognised by government (see land ownership above) and do not have a formal mandate for regulating access to natural resources ▸ Customary NR use mechanisms are not regarded as legitimate by all sections of the GT community ▸ Customary mechanisms are unable to adapt to changing social, gender, economic and environmental values and conditions ▸ Weak/non-existent mechanisms for broader regional cooperation over access to resources	▸ Council of Elders for Dedha, Ardha and Olla (community customary NR use institution) ▸ Customary rules and local bylaws regarding access	▸ Modernisation and strengthening of GT customary NR use and institutions and conflict resolution mechanisms ▸ Legitimisation of GT customary institutions under auspices of GT Community Land Board (see above) ▸ Inclusion and recognition of rights of other ethnic groups and stakeholders in revamped GT customary NR use institutions
Reduced flow of water in rivers and streams ▸ Upstream water abstraction ▸ Deforestation in catchment and riparian forests (Hardwood timber extraction, charcoal making, and clearance for agriculture)	▸ Weak enforcement of forest protection laws and regulations ▸ Weak enforcement of water extraction laws and regulations ▸ Weak/non-existent decentralised stakeholder collaboration mechanisms to manage water use along key rivers	▸ Water Act 2002 (CAP 372) ▸ Forest Act 2005 (CAP 7) ▸ Ewaso-Nyiro North Catchment Area Advisory Committee ▸ Kenya Forest Service ▸ Water Resources Users Associations ▸ Forest Users Associations	▸ Water Act 2002 establishes comprehensive mechanisms for the decentralisation of water use management, including establishment of Ewaso-Nyiro North Catchment Advisory Committee and provision for setting up Water Resource Users Associations at the local level ▸ Forest Act 2005 makes provision for establishment of Forest Users Associations to enable communities to participate in conservation and management of forest areas

These customary governance mechanisms also played a crucial role in controlling rights of access to water, which varied according to the sources it could be obtained from (e.g. wells, rivers or ponds). In general terms, the rights required to access a source of water are related to both the reliability of the source and the amount of labour required for the development and maintenance of that source. For example, occasional water sources (e.g. surface water from rain) have the most unreliable supply and generally no restrictions whatsoever are imposed on accessing them.[7] The Council of Elders would however retain some influence over regulating access and use of communal water sources, such as dams, some wells and rivers. While deep wells are the most reliable and labour demanding source of water, and accordingly have the highest levels of restriction over their access. Control of these sources rests to a large degree with the person responsible for initiating the well's development, known as the "*aba erega*".[3]

As Garba Tula elders have highlighted[3], while these customary governance mechanisms were recognised under colonial law, since independence there has been little government acknowledgement of and support for customary institutions and traditional management systems, and government interventions have predominantly ignored local structures and systems for natural resource management. During the same period customary institutions have also had to face increasing challenges to their authority including: disagreement and dissent from community members questioning customary practices and ways of working or decision-making; and from government organisations who have increased their capacity to influence resource access and use pastoral areas. At the same time, many of the natural resource use issues that these institutions have traditionally addressed are also intensifying, with increasing numbers of people seeking to utilise the same natural resource base, improved market access opening up opportunities for commercial exploitation, and climate change and other issues potentially impacting the viability of the resource base itself.

More recently, however, the divide between local government and customary governance mechanisms has begun to be bridged as government has increasingly recognised the importance of pastoral areas (e.g. with the establishment of the Ministry of Development for Northern Kenya and Other Arid Lands), and pastoral leaders have recognised the need and benefits of engaging with government. This rapprochement is demonstrated in the draft National Land Policy (2007), which states "*To secure community tenure to land, the Government shall: … Invest in capacity building for traditional land governance Institutions.*" Combined with the emerging new regime for community land tenure (discussed in section 4.1 above) this provision signifies a strong shift in the government position towards supporting and recognising customary institutions. In Garba Tula, where the Councils of Elders and associated governance mechanisms are still in place and well respected, this presents an excellent opportunity **to strengthen and formalise these customary institutions**, with the aim of securing a clear and recognised mandate to regulate access and use of natural resources in the area.

Any initiative to strengthen and formalise the role of the existing Garba Tula customary institutions in natural resource management and access cannot be implemented in isolation of the rapidly evolving situation regarding governance at the national and regional level, in particular the decentralisation of significant natural resource governance responsibility to the new County level as set out in the new Kenya Constitution. In this regard, it will be essential that the **customary institutions are legitimised within the framework of these broader governance changes**. In particular, it will be important to

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[7] Tache. B. and Irwin B. (2003) Traditional institutions, multiple stakeholders and modern perspectives in common property. Securing the Commons, No.4.

integrate the role of the customary resource management institutions with the emerging role of the new Community Land Boards which, as detailed in the previous section, have a specific responsibility for both owning and managing community lands.

As with the designation of the Garba Tula area as community land, a variety of other subsidiary governance issues (that respond to the good governance principles set out in section 2.3 above) will also need to be addressed if the existing customary institutions are to be successfully legitimised and incorporated into mainstream natural resource management. For example, if the customary institutions are to take up the role of formal natural resource managers they will need to **demonstrate that they are fully representative** (e.g. addressing issues of gender and youth representation, and sustaining inter-ethnic relationships), and members have the capacity to deal with the **complex levels of partnership and negotiation required in resource management**. Formal recognition is likely to **require written documentation of issues such as resource access arrangements, natural resource management plans and monitoring**. In addition, council members currently retain significant power and authority, with only limited institutional mechanisms to address issues of accountability, and some form of **system for monitoring performance and appeals procedures** will need to be developed.

Steps that can potentially be taken by this project to support the strengthening and formalisation of the role of Garba Tula customary governance institutions in natural resource access and regulation are set out in section 5.2 below.

In addition to overarching natural resource management access and use issues, other recent legislation has also recognised the value and potential of decentralising the management of natural resources to the local level. Critically in Garba Tula this includes: access and management of water through the Water Act 2002 (CAP 372), which makes provisions for the establishment of local **Water Resource User Associations** (WRUAs) that are designed to enable collaboration in water allocation and catchment management and support conflict resolution and cooperative water resource management; and management of forest resources through the Forest Act 2005 (CAP 7), which makes similar makes provisions for the establishment of local **Forest Users Associations** that should enable communities to participate in conservation and management of forest areas. If implemented both of these community based institutions have the potential to provide a legally based, local mechanism for influencing the access and use of key natural resources in the Garba Tula area.

However, the relevant government institutions mandated to support the development of these community based associations are relatively new institutions with limited manpower and capacity on the ground to initiate change. In the case of water, the Ewaso-Nyiro North Catchment Area Advisory Committee should in theory provide support to the WRUAs, however the catchment area it covers is extremely large and the establishment of associations in a remote and marginal area such as Garba Tula is unlikely to be an institutional priority. Similarly the Kenya Forest Service, under which Forest User Associations are developed, is a relatively new institution and typically focuses its management efforts on major forest areas and critical catchment forests, and at present its ability to influence the use of forest resources in Garba Tula is extremely limited. As a result, this presents another opportunity where this project can support the development of locally based governance mechanisms to regulate access and use of critical resource in Garba Tula. As above, specific activities to capitalise on this opportunity are set out in section 5.2.

4.3 Natural resource use service provision

In this study, natural resource use service providers are regarded as institutions that **provide support to community members to help them make better and more sustainable use of the natural resources**, or that **provide specific natural resource-based services**, in particular water. In this regard, natural resource service provision is clearly an essential component of natural resource governance, and plays a crucial role in natural resource conservation as well as in promoting community natural resource-based livelihoods, especially in a dryland area such as Garba Tula where natural resource and livelihood challenges are severe. Although in the past many natural resources were used and managed within the sustainable limits and ecological carrying capacity of an area, increases in population pressures and the breakdown of traditional management systems (see previous section), along with other external factors such as climate change and insecurity, means that this can no longer be assumed to be the case. At the same time, knowledge and understanding of natural resource management practises has increased in recent years, which if appropriately disseminated and applied has the potential to enable natural resource users to enhance both the environmental sustainability and the economic returns of their natural resource based activities.

In many pastoralist areas the focus of past natural resource management support services has focused on improving livestock management and increasing system productivity, and investments were typically made in water development, veterinary support and ranching based on estimates of carrying capacities, while policies that favoured agricultural expansion also were promoted[8]. The provision of services to support such developments has been the responsibility of the central government, implemented though a number of outposted technical officers, who are usually located at the district administrative centre. The most important examples of these in Garba Tula include the District Livestock Production Officer and the District Veterinary Officer (both under the Ministry of Livestock Production), and the District Agricultural Officer (under the Ministry of Agriculture). Each of these officers is responsible for extending services across the district under their area of specialisation, and providing residents with access to information and services that can improve the sustainability and economic viability of their associated livelihoods.

However, the centralised nature of these appointments has meant that the officers have not necessary had the skills or experience most useful to the local context, which combined with the limited resources available to support their operations has meant that they have not always performed their roles effectively. Indeed, those resources that are available to these officers are not always allocated appropriately to the local situation or stakeholder needs. For example, Garba Tula residents highlighted that the District Agricultural Officer has often appeared to be better funded than the Livestock Production Officer, despite agriculture being a marginal land use in the area and there being a much greater need for support services related to livestock production, marketing and animal husbandry. The appointment and allocation of resources by central government ministries has also undermined the accountability of the district officers to local stakeholders and the county council responsible for the area that the officers serve, with their performance being assessed at the central rather than the local level.

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[8] Tache. B. and Irwin B. (2003) Traditional institutions, multiple stakeholders and modern perspectives in common property. Securing the commons No.4.

Table 7. Key Garba Tula natural resource service provision issues and governance mechanisms

Key Natural Resource & Livelihood Problems	Underlying Governance Issues	Related Governance Mechanisms	Key Governance Opportunities
Low income from traditional pastoralism ▸ Poor livestock market access ▸ Incidence of livestock disease ▸ Poor information: market location and prices; and livestock husbandry techniques	▸ Existing centralised system of service provision means that capacity on-the-ground in Isiolo District is very limited, unable to respond to demand, and unaccountable to service users ▸ NGOs operating in the District have limited capacity to fill the gap left by government, and may not have legitimacy with some sections of the community	▸ Ministry of Livestock Development ▸ New Isiolo County Government ▸ NGOs and CBOs including: the Resource Advocacy Programme and the Northern Rangelands Trust	▸ The new Kenya Constitution provides for the decentralisation of natural resource service provision to the new county governments ▸ Successful examples of natural resource service provision already underway in northern Kenya that serve as a template for potential action in GT ▸ NGOs exist that are capable of providing necessary services
Water supply from pans, wells, and other artificial sources ▸ Increasing demand for water and diminishing supplies ▸ Quality issues in shallow wells/pans ▸ Poor maintenance of equipment	▸ Lack of support/ facilitation from central government for the establishment and operation of water service providers ▸ Weak mechanisms for recovering costs of water service provision from users ▸ Weak accountability and transparency in the operation of existing water service providers	▸ Water Service Providers ▸ Rangeland Users Association ▸ New Isiolo County Government	▸ The Water Act 2002 (CAP 372) provides an established legal framework for decentralising water provision ▸ Other grassroots organisations to address water issues have been developed beyond this framework that can be improved upon

Many of these problems have however now been recognised and are addressed under the new Kenya Constitution. Specifically, the Constitution's **Fourth Schedule** sets out the "*distribution of functions between the national government and the county governments*" and clarifies under Part II that the new county governments will in future be directly responsible for "*crop and animal husbandry ... and plant and animal disease control*", amongst other areas. While, as specified under Part I of the same schedule, central government will remain responsible for the formation of overall agricultural and veterinary policies. This shift to a more decentralised basis for natural resource service provision has the potential to address many of the weaknesses discussed above, and is more likely to result in the appointment of

officers with skills and experience relevant to local needs, a better allocation of resources according to these needs, and increased accountability at the local level and the associated need to perform.

The fundamental nature of these changes means that they will take time to implement. As such, there is likely to be a slow adaption of the situation at the field level, and changes will in all likelihood be gradual and incremental, rather than a radical and rapid shift from one system to another. On the other hand, this continuity provides a valuable opportunity for this project to keep key district officers involved in key activities implemented under this project in order to help build and maintain government understanding and support for these initiatives (i.e. securing community land tenure and legitimising customary natural resource management institutions, as discussed under the previous two sections).

In the absence of strong service provision by government, a number of NGOs have stepped in to meet community needs for natural resource services in northern Kenya, perhaps the most prominent of which is the Northern Rangelands Trust (NRT). This organisation is a technical, advisory and implementing organisation that has a strong track record in providing support to a number of communities across northern Kenya. In particular these services focus on providing support for the conservation, management and sustainable use of the natural resources; promoting and developing tourism and environmentally sustainable income-generating activities; and alleviating poverty by improving social services, providing employment and establishing community-based enterprises. Although the area of operation of the Trust already encompasses over 3 million acres in northern Kenya, it does not currently extend its operations to the Garba Tula area, but has expressed a willingness to do so if requested by the local community. NRT has also recently employed a staff member from a neighbouring district.

Of particular relevance for Garba Tula, the NRT in collaboration with Ol Pejeta Conservancy (OPC) is currently implementing a pastoralism improvement programme that addresses many of the issues and challenges associated with pastoralism that are common across northern Kenya, including Garba Tula. The overall aim of this programme is to reduce livestock densities through improved returns per head; improve rangeland and grazing management by and between communities; and to provide alternatives for livelihood investment, for example through rural banking schemes and linking livestock marketing to conservation. The programme focuses on providing access to improved livestock markets in order to help livestock keepers capture the added value that consumers are willing to pay for beef that has been produced in a conservation compatible manner, which is achieved by linking pastoralist communities with high value markets in major centres using OPC's existing market and distribution systems. Evidence from a pilot project in the Il N'gwesi community has shown positive results, including strengthened livestock management and significant benefits for conservation.

These initiatives are being implemented in a similar social, economic and ecological environment to Garba Tula, and provide excellent models that could be adapted to the specific Garba Tula context. Potentially one of the best placed potential service providers currently operating in the Garba Tula area to facilitate this support is the Resource Advocacy Programme (RAP). RAP is a community-based organisation based in Garba Tula that aims to support improvements in the management and sustainable use of natural resources in the area, and is IUCN ESARO Dryland Programme's lead partner organisation in Garba Tula under this project. As set out in detail in Annex 3, RAP has a strong legitimacy in the area due to its local base, formation by residents of the area and the community sensitization and awareness raising meetings that it has held with stakeholders throughout the Garba Tula area. However, RAP has only recently been established (with support from IUCN), and a number of institutional issues remain to be addressed if it is to be effective in addressing the underlying challenges relating to natural resource access, management and use in the area.

Most importantly in this regard, RAP needs to establish and formalise its management and administrative systems and build its technical capacity for addressing key natural resource management challenges impacting Garba Tula. This includes the need to establish a clear vision of what the institution aims to achieve, the strategic priorities that it will follow to achieve this vision, as well as to establish the institutional systems that are necessary to implement these priorities (e.g. organisational structure, staff terms of reference, and finance/accounting systems). These systems will also need to take into consideration accountability of the institution to its constituents, and potentially include the development of performance and accountability measures, such as indicators and evaluations, as well as creating opportunities for stakeholders from the area to participate in activity planning and provide feedback to the organisation on its operations. This project has the potential to play a supportive role in assisting RAP in addressing these weaknesses and in building a well-governed, strong and sustainable institution.

While the new Kenya Constitution is working at the national level to decentralise natural resource governance, in practice legislation is already in place in some sectors to redress the weaknesses associated with centrally provided support services and to enable a more localised management of key natural resources. One of the best examples of this is the Water Act 2002 (CAP 372), which provides an established legal framework for decentralising both water management (discussed in section 4.2 above) and the provision of water itself. Under this Act, the Northern Water Services Board is responsible for the provision of water services within the Garba Tula area, under which a number of registered Water Service Providers (WSP) take on the role of direct provision of water as well as the development, rehabilitation and maintenance of the associated facilities. Under the Water Act, Water Service Providers are defined to include companies, NGOs, and community groups formally registered under the Societies Act[9]. Currently the WSP in the Garba Tula/Merti Districts registered with the Northern Water Services Board include[10]:

 ▸ Kinna Kanchoradhi Water Service Provider
 ▸ Merti Community Water Project
 ▸ Bisan Sericho Water Project
 ▸ Bisan Kulamawe Self Help Society

Other grassroots organisations have also been established in the area to manage local water sources. Most notably this includes the Rangeland Users Association (RUA), a community-based organisation which is responsible for managing deep water wells in Merti District. These wells are a critical source of water during drought periods, and are used by people from both Garba Tula and Merti Districts. The management of the RUA was originally drawn from local Dheths (see section 4.2) with the aim of providing a legal basis for the traditional rules implemented through customary institutions.

Although the Northern Water Services Board should in theory regulate and ensure that all WSP meet the required standards, the institution has to cover an extremely large area with limited resources and capacity and in reality this is not taking place. Unfortunately, in the absence of this regulation and support, the performance of some of the WSPs has been below stakeholder expectations, which has been attributed to limited financial resources, poor equipment and limited capacity of WSP members. In

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[9] Hakijamii Trust. "*Summary Description of Water Sector Institutions in Nairobi, Kenya and their Roles*". Nairobi. Kenya.
[10] http://www.nwsb.go.ke/index-12.html Accessed on 28th March 2011.

addition, as is common with many community organisations in Kenya, accountability of the both WSP and the RUA remains a serious issue, and there is a general lack of institutional systems and processes (e.g. regular elections, annual general meetings, audits) and limited opportunities for stakeholders to provide inputs into their management and operation. Given the vital importance of water resources in a dryland area such as Garba Tula, developing and/or facilitating processes to improve the governance of these institutions provides an opportunity for this project to address a specific and critical natural resource issue in the area.

5. Proposed Garba Tula natural resource governance action plan

This section of the report sets out a potential action plan for IUCN and its project partners designed to address the underlying governance issues impacting on Garba Tula's natural resource and livelihood values, and to capitalise on the key opportunities for strengthening Garba Tula natural resources governance, as described in the previous section.

In developing the action plan, the study team has taken account of several important factors which influence the scope and nature of governance interventions that are feasible and desirable:

- ▸ It is important to recognise the ongoing transformation of the national governance architecture that is currently underway in Kenya, spearheaded by the passage of the new Kenya Constitution and the various subsidiary legislation that is currently being drafted and passed through Parliament. Of particular importance is the decentralisation of many governance functions from central government to the new County Councils, which as described earlier will provide a variety of opportunities to strengthen the role of local community institutions in the governance of natural resources. Also of importance is the ethos underlying the shift in Kenya's governance arrangements, which involves the empowerment of grassroots institutions to take greater responsibility for governance as opposed to the traditional predominant role played by central government. Any governance interventions made through the IUCN project must necessarily take heed of and capitalise on these broader national governance changes, or else risk being rapidly overtaken by events and becoming irrelevant.

- ▸ It will also be important to as far as possible build on existing governance mechanisms in the Garba Tula area rather than "reinventing the wheel". In particular, it will be important to build on the customary community common property system of land and natural resource ownership and management, which has been in place for centuries and is widely understood and recognised by a large proportion of the community. As described elsewhere in this study, these customary governance mechanisms, although sidelined and ignored for many years, are still in place in Garba Tula and are now being recognised and given legitimacy through the ongoing process of national constitutional form. In this regard, it will be important that the IUCN project places itself "on the right side of history" by also recognising the growing importance of these customary institutions and by building on these institutions as the kingpin of natural resource governance in Garba Tula.

- ▸ It is also important to recognise the limited financial and human resources available to the IUCN project in making a significant contribution to governance reform and strengthening in Garba

Tula in a highly dynamic broader governance environment. The implication is that IUCN's interventions must necessarily be strategic and focussed on key areas where IUCN can make a difference, and especially where it can be catalytic.

All these factors have influenced the key elements of the proposed action plan as set out below.

In developing this action plan, the study team has adopted a standard logical framework approach comprising of a hierarchy of objectives and activities. The overall objective is taken to be the project purpose of the broader IUCN African Dryland Governance Project, which is:

Overall objective: To strengthen natural resource governance and improve policies and practices, to ensure more sustainable use and conservation of ecosystems, more resilient livelihoods and reduced marginalization of ethnic groups in dryland areas of Africa

In order to achieve this overall objective, the study team has defined three subsidiary objectives as outlined below. These objectives take into account the Outcomes defined for the overall ADG Project, but which are specific to the Garba Tula natural resource governance situation and the issues and opportunities as identified in the previous section:

Objective 1. Legitimacy of community land ownership in Garba Tula strengthened in line with emerging national policy and legislative frameworks

Objective 2. Customary systems of natural resource access, regulation and management strengthened, based on common property regime governance principles

Objective 3: Service provision in support of effective natural resource governance, enhanced natural resource-based livelihoods, and wise stewardship of land and natural resources strengthened

These three objectives are in line with the major categories of Garba Tula natural resource governance issues identified in the previous section. The objectives and the key outputs needed to deliver them are described below.

5.1 Objective 1. Legitimacy of community land ownership in Garba Tula strengthened in line with emerging national policy and legislative frameworks

This objective addresses the first major theme of natural resource governance introduced in the previous section, relating to the fact that the Garba Tula community does not currently own its land; rather, it is held "in trust" for the community by the County Council of Isiolo, which to all intents and purposes has arrogated the community's land ownership rights. As described previously, the deficiencies and injustices of the current system of community land ownership have been recognised both in the new Kenya Constitution as well as in the draft Land Policy (2007), and over the next few years progress can be expected in returning community land to the direct ownership of the communities concerned, spearheaded through the passage of a revised Land Act. Although this process is likely to take some time, nonetheless the issue of land ownership is at the crux of natural resource governance issues in Garba Tula, and it is important that the project recognises this and works towards a more

legitimate, accountable and fair governance arrangement. Achieving this is the main focus of Objective 1. It is proposed that the objective will be achieved through the following outputs:

Output 1.1. The Garba Tula "community", involving all concerned community stakeholders, including natural resource users, ethnic groups, as well disadvantaged and poor people and women, is identified, and collaboration and dialogue mechanisms are established

A critical aspect of the new policies and legislation with regard to community ownership of land is the need to in the first instance establish the identity of the "community" concerned, and to ensure that the "community" has legitimacy with its membership. In the case of Garba Tula, there are as described earlier existing customary community institutions still in operation, but they are not supported or understood by all sections of the Garba Tula community, and they are certainly not accountable to all sections of the community. Under this Output, therefore, it is proposed that IUCN and its partners in Garba Tula will work towards the identification of the Garba Tula "community", and then provide support and advice in ensuring that the community is regarded as legitimate by all community members, and also puts in place mechanisms by which it is accountable to all community members. This is most likely to entail the establishment of an appropriate community institution to represent the Garba Tula community (see next output).

Output 1.2. Garba Tula community institution representing all sectors of Garba Tula Society is operational

As indicated above, part of the process of enabling the Garba Tula community to function as a coherent, legitimate and accountable body is certain to involve the establishment of, or modification of an existing, community institution. In this regard, the draft Land Policy (2007) in Chapter 4 on the Institutional Framework advocates the establishment of "Community Land Boards" comprising of elected representatives of the community of an area which will be responsible for holding and managing land on behalf of the community and other land-related functions.

It is difficult to predict at this stage how long it will take for the government to pass the revised lands legislation based on the Land Policy, so it could take some considerable time before the required regulations are in place to establish one or more Community Land Boards for Garba Tula. However, in the meantime, significant progress can be made to follow up on Output 1 above through the establishment of an interim Garba Tula community institution, or institutions, which could in due course form the foundation for the establishment of a Garba Tula Community Land Board(s). The study team suggests that assistance with the establishment of this interim institution is the main contribution that the IUCN project can realistically make given the short duration of the project and the timespan likely to be required for the establishment of the Community Land Boards.

The Council of Elders of the traditional Borana community organisational grouping, the Dheth, which represents the highest level of governance in the Borana customary institutions, is a potential candidate around which to build the new institution. However, as discussed earlier, there are important issues of legitimacy of this institution with certain sections of the Garba Tula community, as well as accountability and performance, which suggest that significant modifications and strengthening of the current institution will be needed if the Dheth is to be transformed into an appropriate institution to take on this role. This governance-strengthening and capacity building for the Dheth, or for an alternative

representative community institution would, it is proposed, be the major focus of activities under this Output.

Output 1.3. Legitimacy of Garba Tula community institutions recognised by government

While grassroots activities to identify the appropriate Garba Tula community and community institutions, and to develop these institutions are ongoing, it will also be important for parallel efforts to be undertaken to increase awareness, and eventually legitimacy of the new governance arrangements with the concerned local government institutions. In the short term, this is likely to be with the County Council of Isiolo, but in the longer term, this is will be with the new County Council structure being implemented under the new Constitution, as well as the new District Land Board that is likely to be established once the new lands legislation is enacted. It may also be desirable for IUCN to promote awareness and understanding of the new Garba Tula community institutions with key central government institutions, in particular the Ministry of Lands and the Ministry of Local Government. Building a foundation of legitimacy for the new or strengthened Garba Tula community institutions will be a crucial foundation once the national-level legislative and governance mechanisms are in place for the establishment of a Garba Tula Community Land Board and for the transfer of land ownership rights to the Garba Tula community, addressed in the next output.

Output 1.4. Community ownership of Garba Tula land secured

The draft Land Policy (2007) states that the new Land Act, currently under preparation, will establish "*a clear framework and procedures for the recognition, protection and registration of community rights to land and land based resources*". Presently, there is no detailed information on what this framework will eventually consist of, and therefore it is not possible to identify short or even potentially medium-term activities aimed at securing the Garba Tula community's ownership rights over its land. However, this output has been included here in recognition of the eventual goal that the project should be working towards as far as governance of Garba Tula land is concerned, and the specific activities can be defined as and when the relevant legislation and regulations are promulgated. In the meantime, Outputs 1.1-1.3 above will provide a governance foundation upon which the eventual assumption of land ownership rights by the Garba Tula community can be based.

5.2 Objective 2. Customary systems of natural resource access, regulation and management strengthened, based on common property regime governance principles

The draft Land Policy (2007) recognises that the breakdown of customary community land ownership regimes and the drive towards individualisation of land tenure in the post-colonial era has significantly undermined traditional resource management governance mechanisms, without putting another system of resource management in their place. The outcome has been the breakdown of natural resource access, regulation and management systems - as has been the case in Garba Tula. As discussed in section 4.2 above, the building up and strengthening of appropriate natural resource access and management systems is an essential complement to the efforts to reinstate community land ownership rights. In section 4.2, the study team has proposed that in common with other similar natural resource governance initiatives underway in eastern Africa and elsewhere, the starting point for rebuilding these governance mechanisms should ideally be the customary natural resource access mechanisms that,

although sidelined by government, are still in place and still potentially represent the most appropriate foundation for building appropriate institutions. Objective 2, therefore, addresses the need to strengthen, and adapt as necessary, the existing customary Garba Tula resource access and management institutions. It is proposed that the objective will be achieved through the following four outputs.

Output 2.1. Necessary governance reforms to existing GT customary NRM institutions identified and practical steps to instituting reforms implemented

As discussed in section 4.2 above, recent legislation (most notably the Constitution of Kenya and the draft National Land Policy (2007)) has made a significant shift towards making provisions for the recognition of communities and customary institutions. However, this legislation is not a "*carte blanche*" for legitimising such institutions, and clear specifications are provided regarding the criteria that these institutions must conform to. Specifically, the draft National Land Policy states that "*The Government shall vest community land in representative community based structures such as Community Land Boards ... understand indigenous land management systems, and* **respect the rights of the vulnerable groups and women**" and that membership of these "**elected bodies**" must "**respect ethnic diversity, gender, socio-political dynamics, and sustainability**". It follows that all activities to strengthen and formalise customary institutions must therefore accord with these new provisions, and in particular, be integrated with the role of the new Community Land Boards.

As detailed in Annex 3, the customary institutions in Garba Tula are at present deficient with regard their democratic processes, in particular concerning representation and inclusiveness (e.g. youth, women, and minorities) and accountability to their constituents (e.g. opportunities to object to and appeal against decisions). As a result, government is unlikely to be able to fully engage with these institutions in their current form. Under this Output, it is proposed that IUCN and its partners in Garba Tula work with selected Garba Tula customary institutions to identify specific governance shortfalls and to assist the institutions in modernising their governance arrangements to increase their legitimacy both within the entire Garba Tula community as well as with government. Once implemented, these improvements should enable the representatives of customary institutions to engage with local government as the legislation discussed above is translated into practice, and will provide a strong foundation for the integration or close collaboration of these customary institutions with the new Community Land Boards.

Output 2.2. Capacity-building support to customary NRM institutions provided

The proposed changes in the legal status and formal responsibilities of the customary institutions, as discussed above, have significant implications for both the institutions and their members. There will be an increased need for them to effectively perform their roles and meet the responsibilities that they have taken on, while integration within the formal natural resource governance system also implies that their members must be able to deal with the complex levels of partnership and negotiation required to be effective in natural resource management. In addition formal recognition of customary institutions is also likely to require written documentation of institutional processes (such as legal status, minutes of AGMs and regular meetings, audited accounts etc) as well as documents addressing more technical issues such as resource access arrangements, natural resource management plans and monitoring systems.

Although many of these systems and processes may have been implicit in the operation of customary institutions for many years, the recognition and incorporation of these institutions in formal governance structures is likely to necessitate that these aspects are explicitly stated, recorded and available for review and assessment. The development and preparation of such documents, as well as the need to interact with an increased range of stakeholders, is likely to present a serious challenge to members of these customary institutions and support will be needed to enable them to meet their obligations and to strengthen their capacity in a number of key areas. Actions under this Output will therefore focus on identifying these key capacity shortfalls within the institutions and their members, and subsequently implementing measures to help build expertise in the areas identified, in order to ensure that the institutions and their office bearers can perform their roles effectively.

Output 2.3. Support for community-based land-use planning including development of land-use zonation and prescriptions provided

The draft Land Policy (2007) defines land use planning as "*a process that is concerned with the preparation and actualization of spatial frameworks for orderly management of human activities. The principal objective is to ensure that such activities are carried out in a manner that promises utmost attainment of economy, safety, aesthetics, harmony in land use and environmental sustenance.*" Moreover, the policy continues to state that "*All land uses and practices in the ASALs* [e.g. Garba Tula] *shall conform to land use plans and the principles of biodiversity protection, conservation and sustainable development*". If, as is likely, these tenets are incorporated into the Lands Act, this provides a strong legal imperative for the development of a participatory land and natural resource use plan for Garba Tula that can provide communities, customary institutions and other stakeholders with a powerful tool for regulating decisions on natural resource management, access and use across the area.

Although the Land Policy states that "*government shall provide an appropriate framework for the preparation of ... local area land use plans*" it is likely to be some time before this framework is developed. In its absence it is proposed that IUCN and its local partners facilitate the participatory development of a land use plan for the Garba Tula area. This plan should include the zonation of the area into different land uses as a basis for separating mutually incompatible land uses and reducing conflicts, and the development of clear prescriptions specifying activities that can and cannot take place in each zone, which could be linked to the formalisation of traditional rules into local bylaws. Lessons can be drawn from other similar planning experiences in Kenya, both in northern Kenya under the NRT and in community areas elsewhere (e.g. group ranches around Amboseli National Park). Hopefully, this process will also contribute lessons learnt to the development of the national framework.

Output 2.4. Establishment and operation of other community NRM user associations provided

Existing national forest and water management legislation (i.e., the Water Act (2002) and Forest Act (2005)) recognises the importance of and makes provisions for local management of natural resources. Both of these Acts allow for the development of community user groups that are empowered to varying degrees to manage specific resources: WRUAs under the Water Act that are designed to enable collaboration in water allocation, catchment management and water resource management; and Forest Users Associations under the Forest Act that enable communities to participate in conservation and management of forest areas. Unfortunately, despite this supportive legislation, the government institutions that should in theory support the development of these community associations currently

lack the capacity to provide the support needed to establish and guide the operation of these governance mechanisms.

This situation does however provide the opportunity for this project to help fill this capacity gap, by assisting with the establishment and ongoing operation of these community based associations, which have the potential to play an important role in improving natural resource governance in Garba Tula. As an initial step, it is proposed that a capacity assessment be carried out to identify the specific needs of such community user associations in the Garba Tula area, and that technical and logistical support subsequently be provided to facilitate their establishment and registration in line with the stipulations set out in the relevant Act. Once the associations are established, ongoing support and capacity building may also be required during the early phases of their operations, for example, to help establish institutional systems and accountability measures that are often lacking in community based organisations.

5.3 Objective 3: Service provision in support of enhanced natural resource governance, natural resource-based livelihoods, and wise stewardship of land and natural resources strengthened

As discussed in section 4.3 above, the provision of natural resource services is an important category of natural resource governance mechanisms, especially in a remote dryland area such as Garba Tula. section 4.3 also discusses the way in which government has so far failed to adequately provide the necessary services because of the current centralised nature of service provision, and how this is due to change under the new Kenya Constitution which decentralises the majority of natural resource livelihoods service provision functions to the new County government level. This is clearly a radical change in the national governance framework, and it will take many years for the new arrangements to be implemented. In the meantime, the IUCN project needs to make appropriate contributions to the service provision governance mechanisms for the Garba Tula area that are complementary to the ongoing change process. Objective 3 is designed to achieve this aim, with Outputs mainly focussed around continuing to collaborate and involve the existing government service providers, promoting the role of NGOs in service provision to fill the current gap left by government, and promoting and supporting new community-based service provision mechanisms where these are emerging, in particular with regard water service provision.

Output 3.1. Collaboration and support of relevant district-based technical officers in Garba Tula natural resource conservation, management and livelihoods strengthened

Although the existing centralised system of service provision is not ideal, government natural resource technical officers still represent a significant potential source of technical knowledge with regard various aspects of natural-resource based livelihoods – in the Garba Tula area, especially with regard livestock and pasture management, livestock marketing, and livestock health. As discussed in section 4.3 above, another reason why it is important to engage with district-based government technical officers is that they represent continuity at a time of major upheaval in the broader decentralised governance framework in Kenya, with their roles continuing in one form or another under the future decentralised governance dispensation. Outcome 3.1 therefore focuses on building collaboration with and support from the relevant district-based technical officers, in particular in the promotion of appropriate natural-resource based livelihoods in Garba Tula.

Output 3.2. Initiatives to improve pastoralism practices and livelihoods in Garba Tula implemented with support of appropriate NGOs

Pastoralism remains at the core of community natural resource-based livelihoods in Garba Tula, and it is therefore especially crucial in the achievement of the overall purpose of the ADG project with regard to achieving "*sustainable use and conservation of ecosystems [and] more resilient livelihoods*". Fortunately, there are a number of pastoralism improvement initiatives underway in northern Kenya which provide a good basis for developing similar initiatives in the Garba Tula area, in particular the work of the Northern Rangelands Trust to improve livestock returns to the community through developing new markets for "community and conservation cattle", to improve rangeland and grazing management, and to establish alternative community-based investment mechanisms. Output 3.2 aims to launch similar initiatives in the Garba Tula area, by promoting and facilitating the expansion of the Northern Rangeland Trust's livestock improvement programme to the Garba Tula area, as well as the involvement of appropriate Garba Tula-based NGOs in this work, in particular the Resource Advocacy Programme (RAP).

In addition to improvements in beef production and marketing, there is also the potential for improving the financial returns from the area's dairy produce. Any such initiative would need to overcome the serious logistical challenges in Garba Tula, and would need to consider the establishment of a market and the development of the associated supply chains to market centres.

Output 3.3. Management of Garba Tula water sources strengthened through provision of appropriate support to water service providers

In a dryland area such as Garba Tula, the management of water sources and the provision of water supply services is vital to the functioning of natural-resource based livelihoods, and to the resilience of those livelihoods in the face of climatic fluctuations, especially as a result of ongoing climate change. Any initiatives aimed at improving natural resource governance in Garba Tula must necessarily contain components designed to improve stakeholder collaboration in the management of water supplies and use (dealt with under Output 2.4 above) as well as in water service provision, dealt with under this Output. Potential activities to be implemented under the Output will include provision of technical support for the establishment of new Water Service Providers under the provisions of the Water Act (2002), including their legal establishment under the Societies Act, their registration with the Northern Water Services Board, and other governance-related capacity building support.

Output 3.4. Capacity of the Resource Advocacy Programme strengthened to enable it to play a key role in promoting Garba Tula natural resource service provision and associated governance

IUCN has identified the Resource Advocacy Programme (RAP) as a key local partner in the implementation of the ADG Project in Garba Tula. From the standpoint of the present study, it was clear that has significant local knowledge regarding natural resources management and livelihoods in the Garba Tula area and that it has an extensive network within the area. As such, it is a potentially important service provider as defined in section 4.3 above, both in terms of the provision of support for improvement of natural resources management and livelihoods, but also potentially in catalysing other Garba Tula natural resource governance-related outputs detailed elsewhere in this action plan. However, as noted in section 4.3, RAP is a relatively new institution, and has a variety of its own internal

governance challenges (see Annex 3), not least that its legal status is currently not yet firmed up[11] (i.e. legitimacy), it does not yet have viable long-term sources of funding or income generation (i.e. direction), and it has very limited management and technical capacity (i.e. performance). Therefore, in as much as IUCN has identified RAP as a key local partner in achieving its long-term natural resource governance aims in Garba Tula under the ADG Project, it will be important to provide capacity building assistance to strengthen the governance of RAP itself, in particular in the key governance areas mentioned above.

In providing this governance strengthening support to RAP, it will be important to bear in mind that strengthening the governance of RAP is only **a means to an end** – i.e., strengthening natural resource governance in Garba Tula – **not the end in itself**. In this regard, RAP is a locally-based NGO that is very well-placed to support and promote effective natural resource governance in Garba Tula, but besides the organisation's potential role in service provision as outlined in this section, it does not represent a Garba Tula natural resource governance mechanism in its own right.

6. Logical framework and related Garba Tula NR governance indicators

Table 8 overpage provides a summary logical framework based on the proposed project objectives and associated outputs described in the previous section. The indicators provided are lower level "effect"[12] and "implementation"[13] indicators that are designed to measure improvements in Garba Tula natural resource governance mechanisms brought about through project interventions. "Impact" indicators measuring the long-term biodiversity conservation and natural resource livelihood impacts brought about by the project are detailed in section 7 below.

NB: Indicators are the tangible and quantifiable measures that can be used to assess the change brought about by the project, and do not in themselves describe specific quantities or timelines. Once the project action plan as set out in section 5 above is agreed on, it will be necessary to define specific targets for the indicators that are to be achieved by the end of the project. In line with best project implementation practice, such targets should be SMART, i.e. Specific, Measurable, Achievable, Realistic, and Time bound.

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[11] RAP management is currently considering establishing RAP as a Trust

[12] Effect indicators measure the short to medium term behavioural or systemic changes that the project makes a contribution towards, and that are designed to help achieve the project's impacts. These can include: Behavioural changes: Adoption of new practices, changed attitudes on issues; Systemic changes: improved institutional competency, implementation of new or revised policies, effective decentralising of decision making processes.

[13] Implementation indicators measure the delivery of project outputs. These can include: Physical structures, trained individuals, formation of institutions, establishment of service delivery mechanisms, policy instruments and plans, implementation of pilot and demonstration projects

Table 8. Logical framework and related governance indicators

Objectives	Outputs	Indicators
Objective 1. Legitimacy of community land ownership in Garba Tula strengthened in line with emerging national policy and legislative frameworks	Output 1.1. The Garba Tula "community" is identified, and collaboration and dialogue mechanisms are established	‣ The Garba Tula "community" is identified, and the criteria and mechanisms used in this process documented and disseminated to relevant stakeholders
	Output 1.2. Garba Tula community institution representing all sectors of Garba Tula Society is operational	‣ A representative, accountable and transparent GT community institution that can legitimately engage with government on behalf of the entire GT community is established
	Output 1.3. Legitimacy of Garba Tula community institutions recognised by government	‣ Garba Tula Trust Land is converted to Communal Land and managed by Community Land Boards or the relevant community institution within two years of relevant legislation being approved
	Output 1.4. Community ownership of Garba Tula land secured	
Objective 2. Customary systems of natural resource access, regulation and management strengthened, based on common property regime governance principles	Output 2.1. Necessary governance reforms to existing GT customary NRM institutions identified and practical steps to instituting reforms implemented	‣ Appropriate customary institutions are identified and capacity assessments carried out
	Output 2.2. Capacity-building support to customary NRM institutions provided	‣ Constitution, officer bearer roles and responsibilities, and processes to ensure transparency and accountability of customary institutions(s) are documented
	Output 2.3. Support for community-based land-use planning including development of land-use zonation and prescriptions provided	‣ Women and minority community members represent at least one third of all elected or appointed posts of Garba Tula customary institution(s)
	Output 2.4. Establishment and operation of other community NRM user associations provided	‣ Land use plan(s) have been developed for key GT natural resource areas
Objective 3: Service provision in support of effective natural resource governance, enhanced natural resource-based livelihoods, and wise stewardship of land and natural resources strengthened	Output 3.1. Collaboration and support of relevant district-based technical officers in Garba Tula natural resource conservation, management and livelihoods strengthened	‣ Specific governance needs of all existing Water Service Providers in Garba Tula identified and at least one training session to address these needs provided to all relevant members
	Output 3.2. Initiatives to improve pastoralism practices and livelihoods in Garba Tula implemented with support of appropriate NGOs	‣ At least one mechanism to improve conservation compatibility and economic returns of pastoralism is established with sustainability measures in place by the end of the project
	Output 3.3. Management of Garba Tula water sources strengthened through provision of appropriate support to water service providers	‣ RAP's legal status, constitution, officer bearer roles and responsibilities, and processes to ensure transparency and accountability are formalised and documented
	Output 3.4. Capacity of the Resource Advocacy Programme strengthened to enable it to play	‣ At least 25% of Garba Tula residents feel that RAP is effectively supporting the wise stewardship and governance of natural resources in the area by the end of the

Objectives	Outputs	Indicators
	a key role in promoting Garba Tula natural resource service provision and associated governance	project

7. Garba Tula natural resource and livelihood indicators

Objectively verifiable indicators are required to measure the impacts[14] (i.e. long-term changes) in the sustainable use and conservation of natural resources, and in the resilience of natural resource-based livelihoods, which are achieved as a result of improvements in governance in Garba Tula brought about by this project. As set out in the paragraphs below, this section therefore provides two sets of verifiable indicators that potentially provide a framework for monitoring changes in both biodiversity conservation and livelihood resilience in the Garba Tula area. These indicators have been developed based on the previously identified priority natural resource values and key natural resource-based livelihoods, and their associated challenges and threats (see section 3). The continued use of these values and livelihoods as a basis for the development of indicators ensures that there is a strong link between the most important biodiversity and livelihood aspects of the area, the associated underlying issues that natural resource governance interventions must address, and the objectively verifiable indicators that measure the overall project impact on these key aspects of the Garba Tula area.

7.1 Biodiversity indicators

Table 9 below sets out the objectively verifiable indicators that have been developed to provide a measurement of the status of the most important natural resource values and the threats impacting on these values in Garba Tula, as described in detail in Table 3, section 3.1. As the table shows, for a selection of the threats impacting on the seven Garba Tula natural resource values, a limited number of key indicators have been developed that are intended to provide a measure of their status, and in turn provide an indication of the status of the natural resource values themselves.

Table 9. Natural resource values, major threats and indicators

Garba Tula Natural Resource Values	Associated Ecological Attributes and Threats	Potential Impact Indicator
Water systems	**Ecological Attribute**: Water quantity Threat: Water extraction for agriculture and other purposes	▸ Seasonal level of water in selected rivers or streams
	Ecological Attribute: Water quality Threat: Poor water quality as a result of unregulated livestock at water sources	▸ Quality of water (e.g. sediment load) in selected water sources
	Threat: Poor management of water sources	▸ Number of functioning water points in Garba Tula

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[14] Project impacts are defined here as: "*fundamental and durable changes in the condition of people and their environment brought about by the project*". These can include: improved household income; increased environmental resilience; and lasting improvements in and reduced threats to the status of ecosystems, habitats, species and other life-support systems.

Garba Tula Natural Resource Values	Associated Ecological Attributes and Threats	Potential Impact Indicator
	Threat: Catchment forest deforestation	‣ Rate of deforestation in defined catchment area
Seasonal Pasture Mosaic	**Ecological Attribute**: Pasture species diversity and abundance **Ecological Attribute**: Extent of pasture lands **Threat**: Overgrazing (grazing quality)	‣ Presence or absence of key grazing plant species ‣ Size (area) of degraded areas for grazing
	Threat: Sedentarization	‣ Area within Garba Tula occupied by settlements ‣ Rate of land conversion to settlement and agriculture
	Threat: Unmanaged fire	‣ Incidence of, and area burnt by unplanned fires
Riverine Habitats	**Ecological Attribute**: Riverine forest species diversity and abundance **Ecological Attribute**: Forest extent **Threat**: Deforestation (for charcoal, fodder, building)	‣ Area of riverine forests along water courses in Garba Tula ‣ Presence of key riverine forest tree species (to be identified), esp. hardwoods ‣ Rate of deforestation of key riverine forests
	Threat: Conversion to agriculture	‣ Rate of conversion of riverine areas to agriculture
	Threat: Invasive species	‣ Incidence of invasive species in key forests
Bushland	**Ecological Attribute**: Bushland species diversity and abundance **Ecological Attribute**: Bushland extent **Threat**: Deforestation (for charcoal, fodder, building)	‣ Area covered by bushland in Garba Tula ‣ Rate of deforestation or conversion of bushland
	Threat: Overgrazing (grazing quality)	‣ Size (area) of degraded areas for grazing
	Threat: Unmanaged fire	‣ Incidence of, and size of area burnt by unplanned fires
Hardwood species	**Ecological Attribute**: Species diversity and abundance **Threat**: Deforestation (selective extraction)	‣ Occurrence of key hardwood species (to be identified) in selected areas ‣ Amount of local hardwood seizures by police/KFS
Elephants	**Ecological Attribute**: Elephant abundance **Ecological Attribute**: Habitat availability **Threat**: Poaching	‣ Size of Garba Tula elephant population ‣ Size of habitat available for elephant use ‣ Number of elephants killed in Garba Tula
	Threat: Blocking of migration routes	‣ Size of habitat available in migratory routes ‣ Incidences of human elephant conflict
Grevy's zebra	**Ecological Attribute**: Grevy's zebra abundance **Ecological Attribute**: Habitat availability **Threat**: Poaching	‣ Size of Garba Tula Grevy's zebra population ‣ Size of habitat available for GZ use ‣ Number of Grevy's zebra killed in Garba Tula

7.2 Livelihood indicators

Table 10 below sets out the corresponding objectively verifiable indicators that have been developed to provide a measurement of the resilience of the most important natural resource based livelihoods and the associated challenges impacting on these livelihoods in Garba Tula, as described in detail in Table 4, section 3.2. Only pastoralism and agriculture are considered, since the other identified livelihoods (timber harvesting and sand collection) are not carried out in Garba Tula on a scale to merit their continued monitoring.

Table 10. Natural resource based livelihoods, major challenges and verifiable indicators

Natural Resource Based Livelihood	Associated attributes and challenges	Potential Impact Indicators
Pastoralism	**Attribute**: Enhanced/more stable income streams	‣ Amount/percentage of household income from livestock keeping ‣ Average price obtained per livestock unit at local markets
	Attribute: Herd productivity	‣ Average livestock population recruitment and survival rates ‣ Average yield of non-consumptive products (e.g. milk)
	Challenge: Poor market access	‣ Distance travelled or time spent reaching livestock market ‣ Costs associated with transport to or accessing market
	Challenge: Overgrazing	‣ Presence or absence of important plant species for livestock grazing ‣ Size of degraded grazing areas or areas set aside for recovery
	Challenge: Poor water supply	‣ Distance travelled or time taken to reach livestock watering points ‣ Number of functioning water points/ wells providing water for livestock
	Challenge: Disease	‣ Number of livestock deaths as a result of specific diseases ‣ Cost of veterinary or other disease prevention measures
	Challenge: Drought	‣ Number of livestock deaths as a result of drought/ famine
Agriculture	**Attribute**: Enhanced/more stable income streams	‣ Amount/percentage of household income from agriculture ‣ Average price obtained per set weight of different produce
	Attribute: Productivity and yield	‣ Average yield of specified crops per hectare per year
	Challenge: Poor market access	‣ Distance travelled or time spent reaching agricultural market ‣ Costs associated with transport to or accessing market

Natural Resource Based Livelihood	Associated attributes and challenges	Potential Impact Indicators
	Challenge: Poor water supply	▸ Water level in key rivers providing water for agriculture ▸ Number of functioning water points/wells providing water for agriculture
	Challenge: Pests and disease	▸ Percentage/cost of agricultural produce lost to pests or disease ▸ Average costs of pesticides and other agricultural inputs

Annex 1 Study Terms of Reference

Objectives of the baseline study

IUCN intends to conduct baseline survey to assess the current status of environmental governance at the project site and to explore current opportunities for livelihoods for the local community, the specific objectives of this study are to:

1. Review the political and social conditions for local governance of natural resources in Kenya: policy constraints and solutions are identified in project sites during the first year, focusing on the legal, institutional and governance systems for drylands management
2. Identify underlying reasons why current governance arrangement is failing biodiversity and livelihoods and what kind of governance arrangement is needed in project sites.
3. Identify capacity needs, in relation to the participation of stakeholders in decision making processes for Natural Resource use and management
4. Identify Institutional constraints/opportunities to community-based conservation and highlight appropriate institutional or collaborative arrangements through which to strengthen natural resource governance and ways to link biodiversity conservation decisions with local priorities
5. Identify simple environmental and livelihood indicators that will enable the monitoring of improvements in Environmental Governance

Scope of work

For baseline survey:

1. Conduct an extensive review of literature, both published and informal, as well as key informant interviews, examine the current status of natural resources (its utilization, and consumption pattern), governance-related challenges to natural resource management, the current state of knowledge, existing good practices and remaining bottlenecks in policy or planning that impede adoption of good practices
2. Identify and assess the status of existing community institutions and institutional capacity gaps in governing natural resource/taking stewardship of their resources and provide recommendations towards improvement in organizational development
3. Review traditional rules, regulations and institutions, statutory rules and regulations, and the policy and legal options for bringing these institutions together to strengthen natural resource governance. Identify strengths and weakness of existing governance arrangement.
4. Collate and analyze the outputs and outcomes of previous governance and natural resources related research and field initiatives conducted by other national and regional organizations
5. Based on this review, what can be done (at different levels) by the project to address the various obstacles to effective natural resource governance, including actions with communities or government, policy dialogue, capacity building, rights and empowerment, making an explicit link to the IUCN Governance Principles outlined in this document
6. Review existing structures and mechanisms through which communities and practitioners (e.g. Natural resource Users) can engage in policy dialogue and planning discussions

7. Review literature, technical reports and data sets that give measureable and reliable indicators of change in environmental and livelihood condition in the project area: species data sets, biophysical indicators, socio-economic datasets etc.
8. Develop a realistic monitoring plan to enable IUCN to evaluate effectiveness of the project intervention in terms of impacts on human and institutional capital, livelihoods and the environment
9. Identify existing opportunities for scaling-up community initiatives in selected project sites – institutional, policy and legal reforms opportunities
10. Explore and identify salient indigenous range management of the Borana pastoralist community – including landscape level resource classification, livestock grazing suitability, perception of land cover changes and threats to range conditions and trends
11. Identify and explore existing and potential investment opportunities based on existing biodiversity based resources
12. Using local knowledge such as livestock grazing suitability, grass species and other proxy indicators of biodiversity, assess key biodiversity indicators and trend in the Garba Tula

Annex 2. Governance Assessment Questionnaire

Governance mechanism:_____**Category**:_____

	Governance Criteria	Assessment	
		Score/5	Comments
Legitimacy	1. Is the mechanism widely understood and accepted by Garba Tula natural resource stakeholders?		
	2. Is the mechanism relevant to Garba Tula stakeholder needs and appropriate to local cultural and natural resource livelihood norms and practices?		
	3. Does the mechanism have a clearly defined and appropriate legal foundation?		
	4. How could the legitimacy of the mechanism be improved?		
Direction	5. Are the roles and functions of the mechanism in supporting natural resource use and management in Garba Tula clear?		
	6. Does the mechanism support and strengthen sustainable management of GT's natural resources?		
	7. Are there any aspects of the mechanism that are damaging or undermining sustainable natural resource use and management?		
	8. What can be done to improve the direction of the mechanism?		
Performance	9. Is the mechanism effective and efficient in supporting Garba Tula natural resource management and use?		
	10. Is it easy for Garba Tula natural resource stakeholders to access and use the mechanism?		
	11. Is the mechanism responsive to stakeholder needs and opinions?		

	Governance Criteria	Assessment	
		Score/5	**Comments**
	12. What can be done to improve the performance of the mechanism?		
Accountability	13. Is the mechanism transparent and open to Garba Tula natural resource stakeholders?		
	14. Do Garba Tula stakeholders understand their rights with regard the mechanism, and are they empowered to assert those rights?		
	15. What can be done to improve the accountability of the mechanism?		
Fairness	16. Is the mechanism inclusive, i.e., equally accessible to all Garba Tula stakeholders (e.g. different groups, youth, women & minorities)?		
	17. Is the mechanism impartial (i.e. are the mechanisms benefits and costs shared out equally between different stakeholders)?		
	18. What can be done to improve the fairness of the mechanism?		
Summary	19. Overall, does this mechanism play a valuable role in promoting sustainable natural resource use and management in Garba Tula?		

Annex 3. Strengths and Weaknesses of Key Garba Tula Governance Mechanisms

This Annex provides details of the governance assessments of key Garba Tula governance mechanisms as carried out by GT stakeholders at the Garba Tula Governance Assessment Workshop. The workshop applied the Governance Assessment Form given in Annex 3 above. The workshop outputs are presented according to the three governance mechanism categories: laws and policies, institutions, and processes are set out in the following sections. The assessment results provide an overview of the strengths and weaknesses of some of the most important governance mechanisms in the Garba Tula area.

Laws and policies

Mechanism / Principle		Local Bylaws	Traditional Rules
Legitimacy	Strengths	▸ The mechanism has a strong legal basis, but there are challenges to enforcing this in remote areas	▸ Derive strong legitimacy within Garba Tula community due to basis in customary institutions
Legitimacy	Weaknesses	▸ There is a lack of awareness of laws amongst some community members of the mechanism	▸ Rules do not have a legal basis and are not always recognised by people from outside the area
Direction	Strengths	▸ The local bylaws are generally well intentioned and have the capacity to support sustainable resource use	▸ The laws are appropriate and have a good direction that supports sustainable natural resource use ▸ The roles and responsibilities in the mechanism of different stakeholders are clearly defined and enforced
Direction	Weaknesses	▸ As above, there is a lack of awareness and enforcement difficulties in remote areas	
Performance	Strengths		▸ The rules are responsive to and are based on local community needs and opinions
Performance	Weaknesses	▸ The mechanism was not considered open or well understood by area residents ▸ Area residents are often unaware of specific rules and cannot asset their rights in response	▸ There is a need for traditional rules to be integrated with local government laws to improve enforcement ▸ More focus could be given to taking into consideration the needs of other ethnic groups
Account.	Strengths	▸ The rules are well documented (but not necessarily easily accessible by Garba Tula residents)	
Account.	Weaknesses	▸ The mechanism was not considered accountable, and residents felt little ownership of the mechanism	▸ The traditional rules are not currently documented or available for review or reference
Fairne	Strengths	▸ The mechanism is impartial and is applied equally to all sectors of society	▸ The mechanism is impartial and is applied equally to all sectors of society
Fairne	Weaknesses	▸ The development of bylaws could be	▸ There is more need for regulation of the

Mechanism Principle		Local Bylaws	Traditional Rules
		more inclusive and involve consultations with relevant community members	mechanism to ensure that it is enforced
Summary		▸ Local bylaws potentially have an important role to play and can be specific to individual resources or areas ▸ However, community members are often unaware of them and have not been involved in their development	▸ Local bylaws have a strong basis in the local community and are well aligned with their needs ▸ However, their enforcement is weak, especially regarding stakeholders from outside Garba Tula

Institutions

Mechanism Principle		Resource Advocacy Programme	Water Service Providers	Rangeland User Association
Legitimacy	Strengths	▸ Well understood and endorsed by community members through a series of meetings ▸ Registered as CBO under Ministry of Social Services. Registration as trust in process	▸ Well understood by community members as mechanism plays an important part in their lives ▸ Clearly defined legal structures (either registered WSP or in some cases as a CBO)	▸ The is mechanism well understood by community members in the Merti/Garba Tula areas ▸ Registered as a CBO, and has constituted a board of trustees to oversee operations
	Weaknesses	▸ Community sensitization forums have not extended into Merti District ▸ Registration as trust under the Trustees (Perpetual Succession) Act needs to be finalised	▸ Currently limited involvement of wider community members in decision making ▸ Democratic processes leading to election of members are needed in many cases	▸ There is a need to hold annual general meetings, and provide other opportunities for stakeholder engagement
Direction	Strengths	▸ Institutional aims align very well with local community values, cultural norms, and livelihood objectives	▸ The mechanism is very important for community livelihoods	▸ The mechanism has good direction and strongly supports good natural resource management
	Weaknesses	▸ Need to formalise long-term institutional vision, mission and values ▸ An institutional strategic plan is needed to define priorities and guide action on the ground ▸ An institutional structure is also need		▸ Better coordination is needed with other water providers (e.g. National Water Conservation and Pipeline Corporation)

Principle / Mechanism		Resource Advocacy Programme	Water Service Providers	Rangeland User Association
		along with a definition of member roles/responsibilities		
Performance	Strengths	▸ The institution is still very young and has not had chance to have an impact yet	▸ The mechanisms accessible to most residents (although not in more remote marginal areas)	▸ The mechanism is open and accessible to all registered users in the area
	Weaknesses	▸ Institutional capacity is weak and equipment and financial resources are minimal ▸ There are no measureable indicators of progress to assess institutional performance	▸ Some history of poor maintenance and breakdown of water supply equipment ▸ There is limited capacity and knowledge among members of some water service providers	▸ Some form of legal basis for rules and regulations issued by the RUA would strengthen its impact ▸ Financial and technical capacity o the organisation is low limiting performance
Accountability	Strengths	▸ There is an interim secretariat that has held regular meetings with community members	▸ The mechanisms are locally owned and managed ▸ Stakeholders understand their rights in most (but not all) areas	▸ The mechanism is locally owned and managed
	Weaknesses	▸ Currently limited opportunities for stakeholders to contribute to activity planning ▸ There is also a need for institutional accountability processes, such as audits, monitoring and evaluation etc	▸ Committee members are not accountable to communities ▸ No defined terms of office for most WSPs ▸ Transparency issues regarding revenues and expenditure	▸ There is a need to hold regular elections and meetings to enable stakeholders to hold the institution to account
Fairness	Strengths	▸ community groups have been involved in the sensitization forums ▸ Women and youth are relatively well represented in the institution	▸ The mechanism is accessible to the majority of residents in Garba Tula	▸ Common user rights are extended to all registered users in the area ▸ Charges to use water sources are waivered for very small herds
	Weaknesses	▸ An all inclusive board needs to be established	▸ There is disparities in the distribution channels between WSPs with some providing better service than others	▸ An updated register of users is required to enable access to all members
Summary		▸ RAP has the potential to play a critical role	▸ WSPs play a critical role in providing water to	▸ Mechanism plays a critical role in providing

Mechanism Principle	Resource Advocacy Programme	Water Service Providers	Rangeland User Association
	supporting NRM in Garba Tula. ▸ It is locally owned and driven, which gives it a strong mandate in the Garba Tula area ▸ However, it is young institution and significant support is needed to help it meet its aims	users in a very dry area ▸ Performance can vary between different WSPs within the Garba Tula area ▸ Accountability is particularly weak and needs to be improved, along with overall capacity	water to pastoralists during droughts ▸ Has a strong institutional foundation as a CBO with registered members ▸ Elections and regular meetings need to be held to improve accountability and engagement

Processes

Mechanism Principle		Council of Elders (Dheth/Artha/Olla)
Legitimacy	Strengths	▸ The mechanism derives very strong legitimacy from the Borana community it represents, and from which all its members are currently drawn
Legitimacy	Weaknesses	▸ The mechanism is currently formally recognised by government or supported by legislation ▸ Other ethnic groups that are not represented are less likely to respect the decisions of the mechanism
Direction	Strengths	▸ As a locally based mechanism with multiple scales, it is considered very appropriate and in line with local natural resource and cultural norms, values and practices ▸ This is particularly the case with the Artha and Olla as these mechanisms cover relatively small areas and can easily adapt to local conditions
Direction	Weaknesses	
Performance	Strengths	▸ The mechanism is easy for stakeholders to access and is generally used by the whole Borana community ▸ As a customary system the mechanism is well understood by stakeholders from Garba Tula ▸ Performance at the lower levels is often stronger due to the close relationships between members of the Artha and Olla
Performance	Weaknesses	▸ External forces and socio-economic changes have begun to undermine the strength of the mechanism, particularly the Dheth
Accountability	Strengths	▸ Strong cultural ties between users increases individual accountability, as discussed above this is particularly strong at the lower (Artha and Olla) levels
Accountability	Weaknesses	▸ Members from outside the area may not be familiar with the system and able to assert their rights with regard its decisions ▸ As a customary institution all forms of written records regarding processes, agreements and decisions have been lacking
Fairness	Strengths	▸ The mechanism is considered broadly fair by stakeholders, although natural resource users from other ethnic groups may be more likely to disagree ▸ Decisions are made on a consensus basis, which gives members the opportunity to voice their opinions
Fairness	Weaknesses	▸ Women, youth and other minority community members are not formally represented in the mechanism

Mechanism Principle	Council of Elders (Dheth/Artha/Olla)
Summary	- These mechanisms are of significant importance for residents in Garba Tula from both cultural and natural resource management perspectives, and have a good historic record in managing resources - The mechanism has the potential to continue playing a key role in natural resource management, but needs to modernise (e.g. represent all sectors of society, and other groups) - Formal government recognition and a strong legal basis is required to increase legitimacy and enable the mechanism to remain strong in the face of increasingly rapid social and economic changes

Annex 4 Garba Tula Governance Assessment Workshop Participants

Name	Organisation	Position
1. Mamo Abduba	Provincial Administration	District Information Officer
2. Jafar Abinasir	Action Contre la Faim (ACF)	Food security/Livelihood Officer
3. Daoud Akula	RAP	Coordinator
4. Hon Abdul Bahari Ali	Member of Parliament	Isiolo South Constituency
5. Hussein Boru	RAP	Programme Officer
6. Hussein Eno	Kinna Centre	Coordinator
7. Abdullah Jillo Gella	District Admin. Office	District Admin. Officer
8. Isaak Godaya	RAP	Member
9. Daudi Golicah	Gafarse Bidi Self Help Group	Secretary
10. Diba Golicha	Rangeland Users Association	Chairman
11. Abdi Haji Gonjose	P.A.B. Eastern	Board Member
12. Mohamed Guyo	Kinna Kamchoradi Water	Chairman
13. Abdulrahaman Hamo	K.N.U.T. Kinna	BEC
14. Mariam Huwg	RAP	Member
15. Mumina Hussein	BETU CBI	Treasurer
16. Abdi Ali Iware	Environ. Management Comm.	Youth Representative
17. Dida Jalbesa	RAP	Member
18. Hussein Guyo Jillo	Provincial Administration	Chief Malkadaka
19. Dida Godana Kababa	RAP	Accountant
20. Adan Kulumpayo	RAP	Member
21. Fatuma Mandera	Al-Falah Centre	Home Manager
22. Cllr Mohamed H. Menicha	Rangeland Users Association	Member
23. Jirma Ali Molu	Northern Rangelands Trust	Regional Coordinator
24. Nasir Mohamed	Divisional R.M.C.	Chairman
25. Joseph Onyango	Provincial Administration	DC, Garbatulla District
26. Evans Otieno	Provincial Administration	District Officer - Kinna
27. Guyo Roba	IUCN	Programme Officer – Drylands
28. Fatuma Wario Roba	Adult Education Garba Tula	Adult Education Officer
29. Adan Tuno	Isiolo Human Rights	Programme Officer