

# A step-by-step guide to ensure compliance with Kenyan law and prevent conflicts.

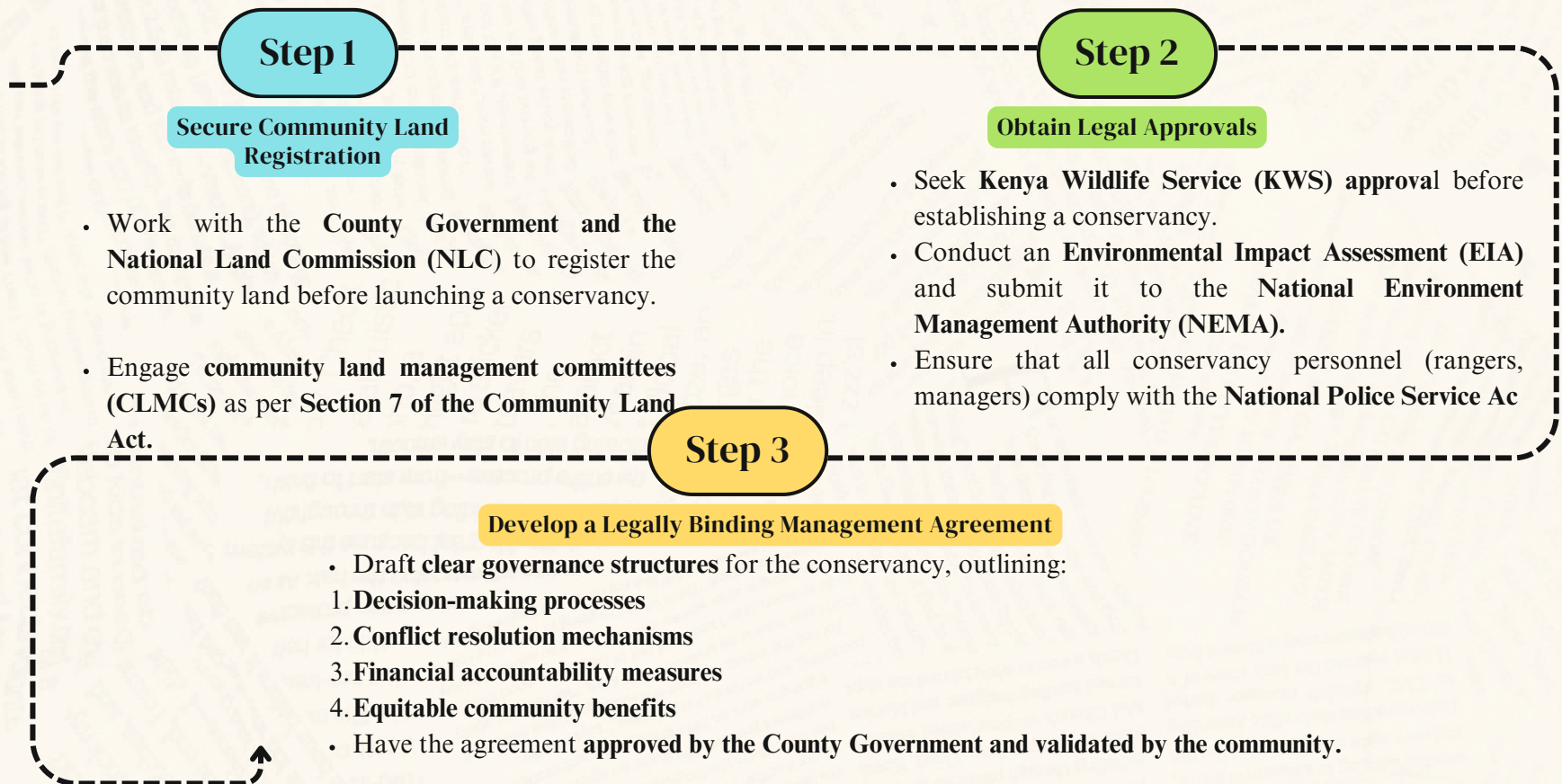


## 1. Legal and Regulatory Compliance

### Key Legal Requirements

- **Community Land Act (2016)** – Ensures that community land is properly registered before any project is undertaken.
- **Wildlife Conservation and Management Act (2013)** – Governs how wildlife conservancies should be established and managed.
- **Environmental Management and Coordination Act (EMCA, 1999)** – Mandates environmental assessments before projects begin.
- **The Constitution of Kenya (2010)** – Articles 10 (public participation), 63 (community land rights), and 69 (environmental protection) must be adhered to.

### Practical Steps.



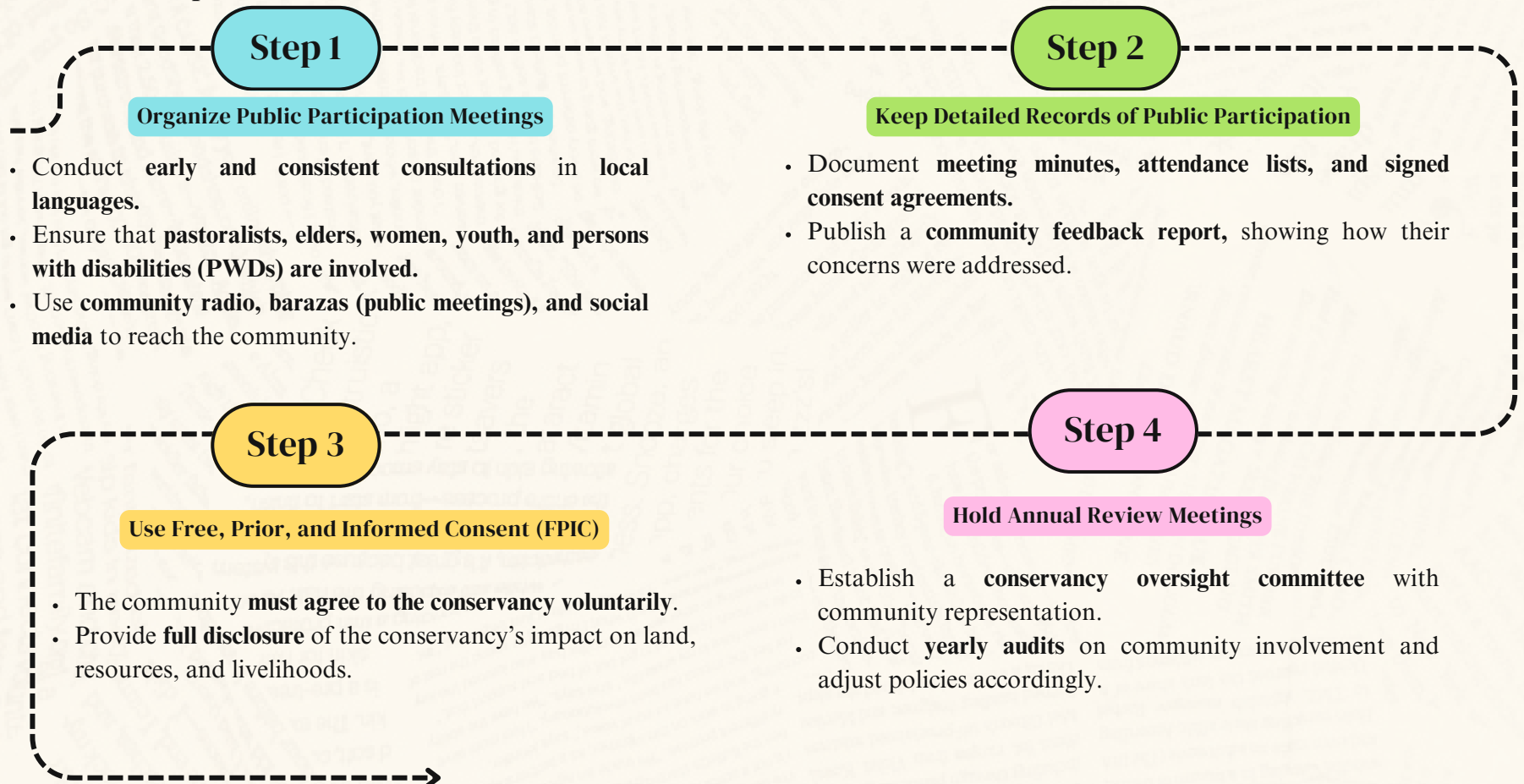
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## 2. Ensure Genuine and Inclusive Public Participation

### Key Legal Requirements

- **Article 10 of the Constitution** – Requires that all public decisions be participatory and inclusive.
- **Section 87 of the County Government Act** – Guides how public participation should be conducted.
- **Community Land Act, Section 8** – Mandates that communities must approve land-use decisions.

### Practical Steps.



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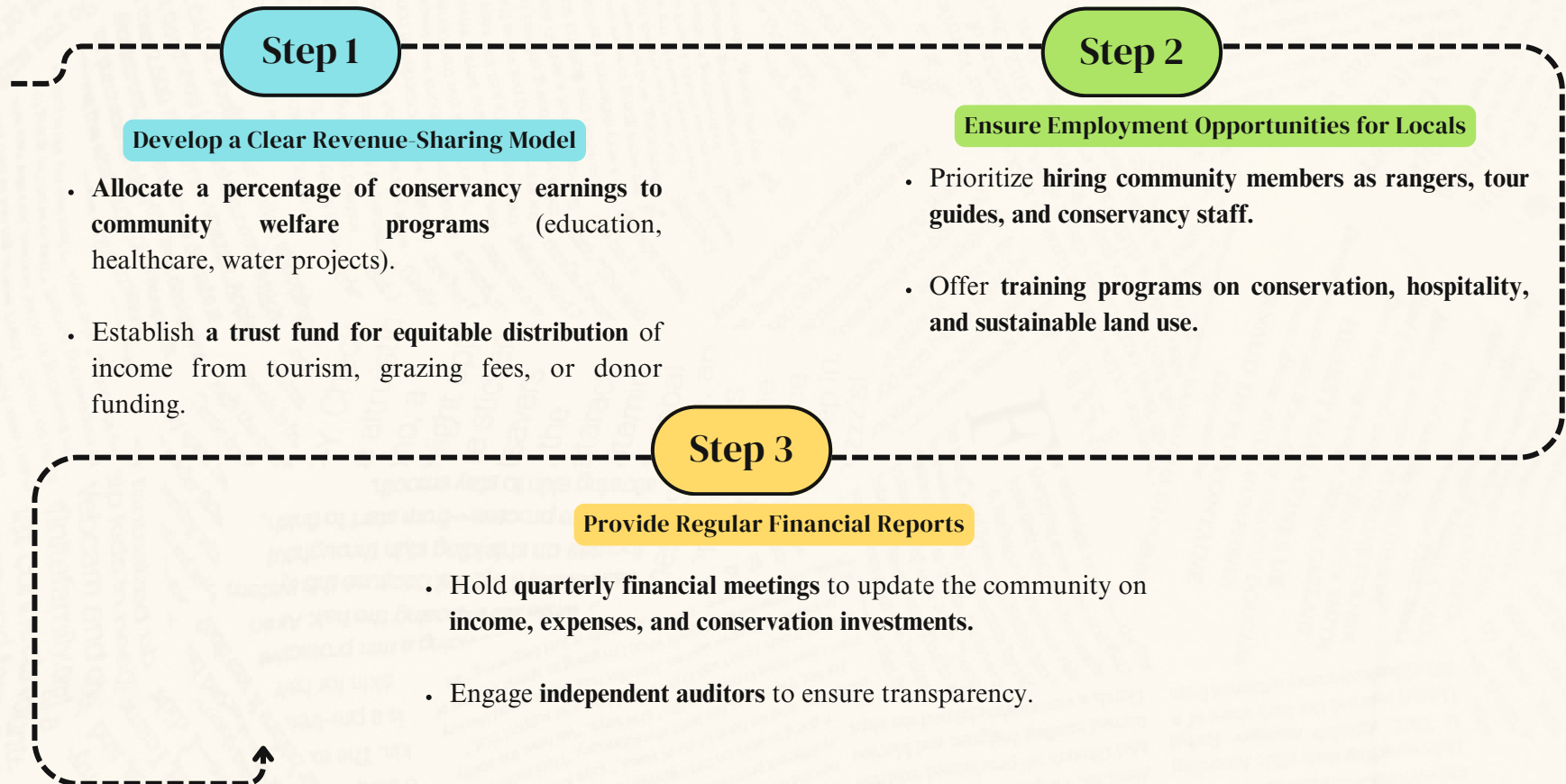


## 3. Transparent and Equitable Resource Sharing

### Key Legal Requirements

- **Community Land Act (2016), Section 13** – Ensures that **benefits derived from land use are fairly distributed.**
- **Wildlife Conservation and Management Act (2013), Section 76** – Requires conservancies to **share revenues with the community.**

### Practical Steps.



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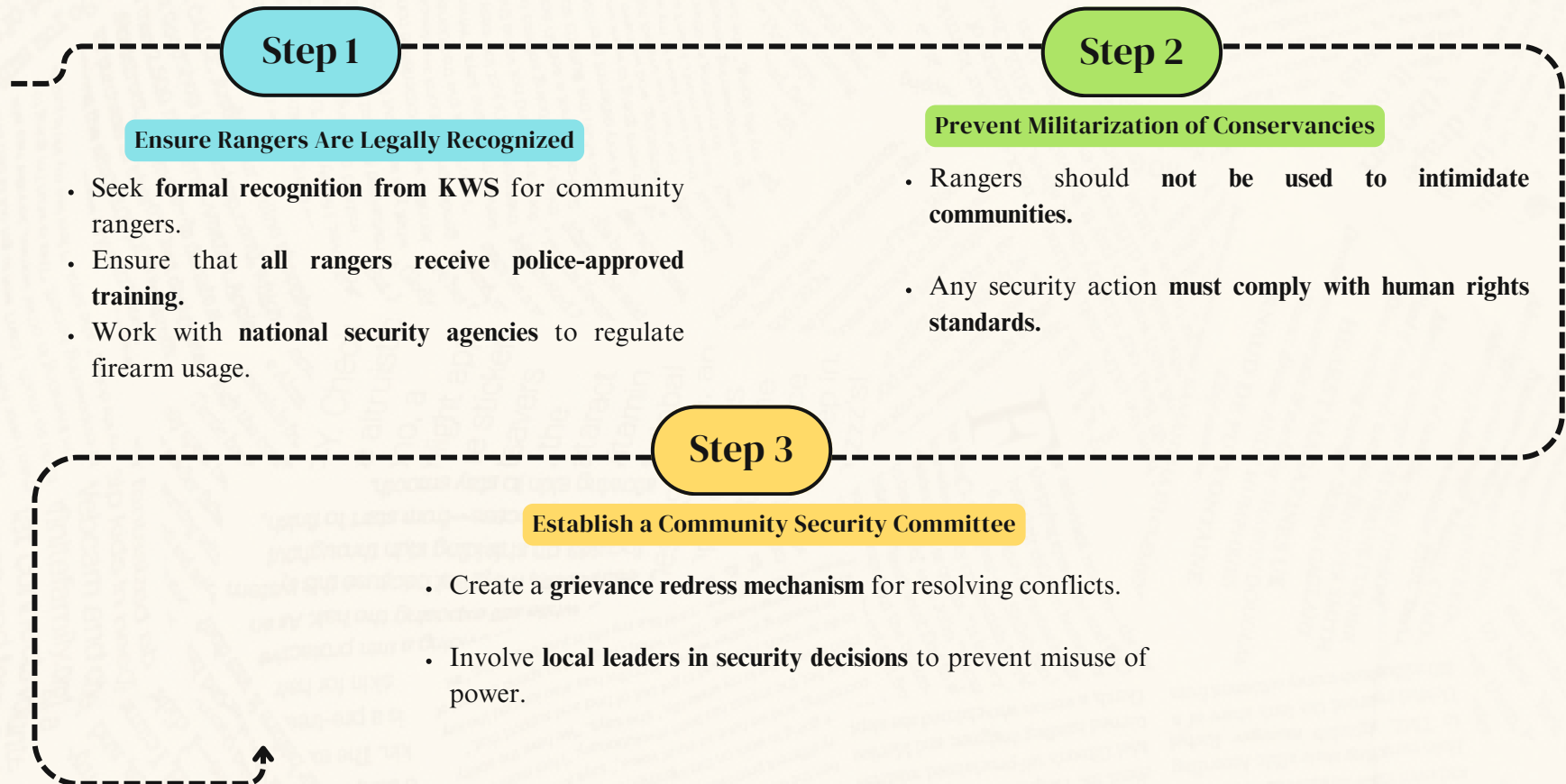


## 4. Lawful and Regulated Security Operations

### Key Legal Requirements

- **National Police Service Act (2011)** – Outlines who can carry firearms and conduct security operations.
- **Wildlife Conservation and Management Act (2013)** – Defines the role of community rangers.
- **Kenya's Arms Act (Cap 114)** – Regulates the licensing of firearms.

### Practical Steps.



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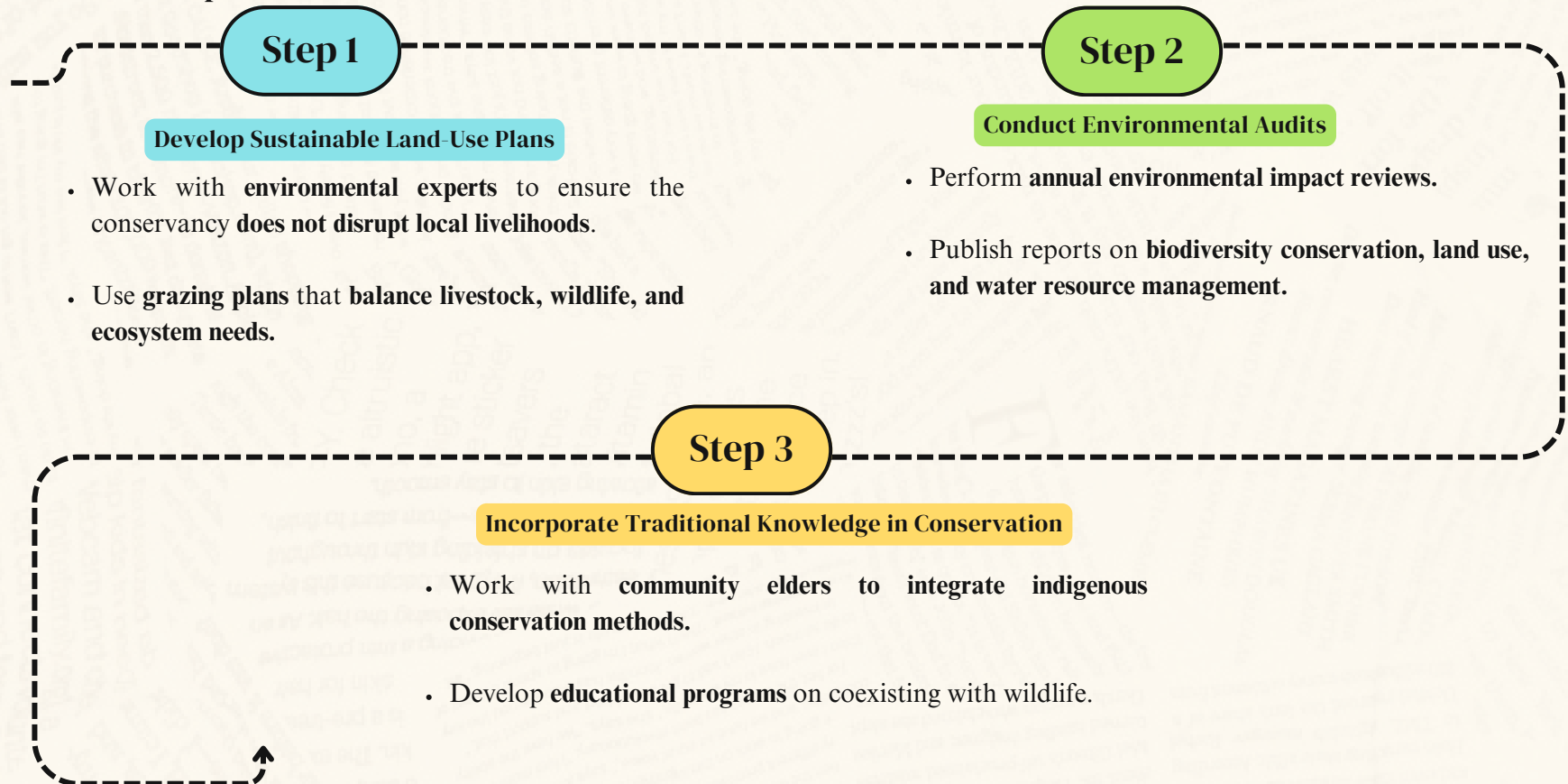


## 5. Sustainable Environmental and Wildlife Management

### Key Legal Requirements

- **Environmental Management and Coordination Act (EMCA, 1999)** – Requires that conservation activities must be environmentally sustainable.
- **Article 42 of the Constitution** – Guarantees the right to a clean and healthy environment.
- **Wildlife Conservation and Management Act (2013), Section 76** – Ensures that wildlife resources benefit local communities.

### Practical Steps.



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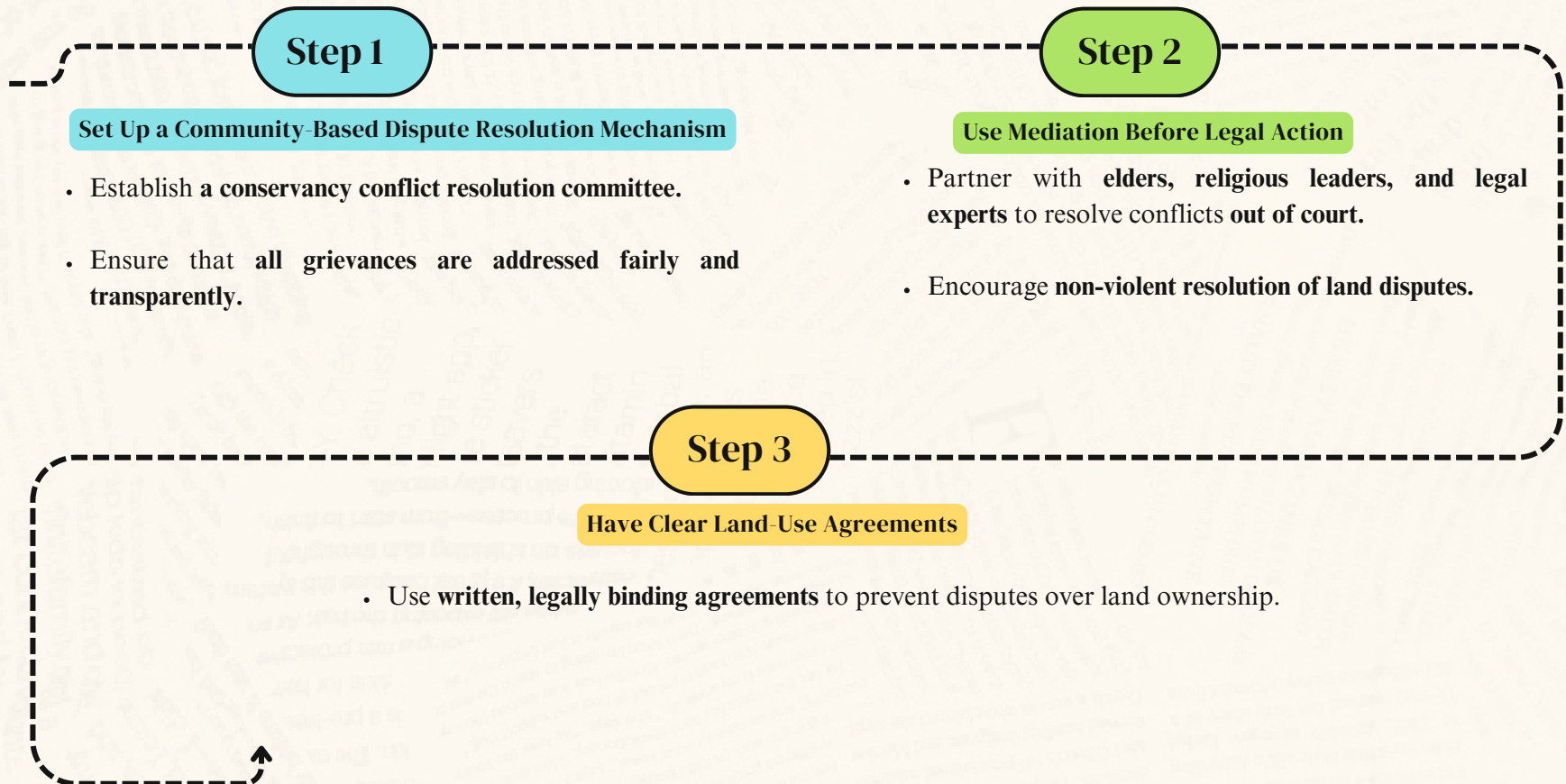


## 6. Fair Dispute Resolution Mechanisms

### Key Legal Requirements

- **Community Land Act (2016), Section 23** – Encourages **alternative dispute resolution (ADR)** for land conflicts.
- **Constitution of Kenya, Article 159(2)(c)** – Promotes **use of mediation and arbitration.**

### Practical Steps.



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## **Conclusion: How to Avoid Legal Challenges**

To prevent legal disputes like NRT faced in the Osman case, community conservancies must:

- **Obtain all necessary legal approvals** before starting operations.
- **Ensure full, documented public participation** in decision-making.
- **Guarantee fair and transparent revenue sharing** with community members.
- **Avoid use of unauthorized security forces** and ensure lawful ranger operations.
- **Develop sustainable environmental practices** that benefit both the community and biodiversity.
- **Resolve disputes fairly and inclusively** through mediation.

**By following these practical legal and governance steps, conservancies can build trust, prevent conflicts, and contribute to sustainable conservation that respects community rights.**