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NEWS RELEASE

**PHASE III OF THE REPOSSESSION OF FORESTLAND IN THE MAU FORESTS COMPLEX,
WITH FOCUS ON THE MAASAI MAU TRUST LAND FOREST**

NAIROBI – 4th February 2010: Government preparations for the next phase of the repossession and restoration of the Mau Forests Complex are now complete. This follows last year's successful repossession of about 21,000 hectares of forestland during Phases I and II that involved South Western Mau and Eastern Mau Forest Reserves.

Phase III will be spearheaded by the Ministries of Lands, Local Government and Forestry and Wildlife with support from other line ministries and agencies, including the Office of the President, the Kenya Wildlife Service, the Kenya Forest Service and the Narok County Council.

Phase III entails the recovery of titled forestland in Maasai Mau trust land forest. The Maasai Mau is an indigenous trust land forest, covering some 45, 800 hectares, and managed by the Narok County Council.

Decades of Destruction

Over the last decade, some 43 per cent of the Maasai Mau trust land forest was allocated to individuals and companies leading to massive destruction of the forest cover. Forest destruction derived mainly from two illegal / irregular land allocation processes:

- a) ***Western part of Maasai Mau (often referred to as Sierra Leone)***: In the late 1990s, during the sub-division of five group ranches¹, title deeds were issued well in excess of the group ranches' originally adjudicated areas. This "ballooning" of the group ranches led to massive encroachment into the Maasai Mau trust land forest, by at least 17,101 hectares.
- b) ***South-eastern part of Maasai Mau (Nkareta area)***: The re-declaration of the adjacent adjudication sections to conform to the recommendations of the 1986 Presidential Ole Ntutu Commission was not done for one adjudication section, namely Nkareta. This enabled claims on an extensive area (2,752 hectares) in Maasai Mau trust land forest beyond the Presidential Ole Ntutu Commission boundaries.

Upcoming interventions

Over the past few months, the Government has been actively engaged in preparing for the phase III of the repossession of forestland in the Maasai Mau trust land forest, with particular regard to two key activities: survey and marking of boundaries as well as, analysis of land ownership:

Survey and marking of the boundaries

- a) Over the last few months, the Government has successfully secured the funding for the survey and the marking of the boundaries of the Maasai Mau trust land forest;

¹ Sisiyan (Ilmotiok Adjudication Section), Nkaroni, Enosokon and Enakishomi (Ololulunga Adjudication Section) and Reiyio (Nkobon Adjudication Section).

- b) The boundaries that will be surveyed are based on official government records that were analyzed by the Mau Task Force. This enabled the Task Force to determine the official boundaries of the 22 forest blocks in the Mau Forests Complex. These official boundaries are held on a map signed by the Director of Surveys and the Director of Kenya Forest Service on 3 March and 25 February, 2009, respectively. The survey and marking of the boundaries will be based on that Map; and,
- c) The Department of Surveys, Ministry of Lands, will undertake the survey from the month of February 2010.

Analysis of the land ownership

- a) In the implementation of phase III, compensation and resettlement will be guided by the recommendations of the Mau Task Force Report. To ensure that the process will be implemented in accordance with the Constitution and the laws of Kenya, the Interim Coordinating Secretariat established a Committee of Legal Experts;
- b) The Committee of Legal Experts has already started its work and will need several months to complete the task; and,
- c) Compensation and relocation will only commence once the work carried out by the Committee of Legal Experts is duly completed.

In addition to the above-mentioned activities a number of other interventions have already been implemented towards the restoration of the Maasai Mau trust land forest, with the support of development partners as well as local partners. The Spanish Government through UNEP, supported a Community Based Integrated Forest Resource Conservation and Management (COMIFORM) Project in the Maasai Mau trust land forest. The key partners include UNEP, Ewaso Ngiro South Development Authority, Narok County Council, Green Belt Movement, East Africa Wild Life Society and local communities. The main activities are:

- a) ***Development of a Management Plan for the Maasai Mau:*** The management plan has been developed in a participatory manner with the relevant Government bodies and the local communities and has been signed;
- b) ***Development of business plans for key economic activities:*** Business plans have been developed to promote alternative income generating activities, including bee-keeping, dairy goats, energy briquette production and timber production and processing;
- c) ***Establishment of tree nurseries and woodlots:*** Tree nurseries and woodlots have been established in 24 schools surrounding the Maasai Mau trust land forest and schools have been provided with water tanks;
- d) ***Forest restoration, including replanting.*** Three leading corporate organisations, one parastatal and one non-governmental organisation, have joined hands to support the rehabilitation of the Maasai Mau trust land forest. They are: Equity Bank, East African Breweries Ltd, Nation Media Group, Kenya Wildlife Service and the Green Belt Movement. Together, they have committed Ksh50 million towards forest restoration. To date, they have already planted 25,000 trees in the Maasai Mau trust land forest near Naisoya in Narok District.

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Notes to the editors:

In mid 2008, the Government embarked into a systematic approach towards resolving the complexity of issues in the Mau, while involving the large range of concerned

stakeholders. A multi-stakeholder Task Force was established to assess, build consensus and make recommendations on the rehabilitation of the Mau.

The report of the Task Force was completed and submitted to the Government in March 2009. It was approved by the Cabinet on 30 July 2009 and Parliament on 15 September 2009.

In line with the Task Force recommendations, an Interim Coordinating Secretariat was established in the Office of the Prime Minister in September 2009. The mandate of the Interim Coordinating Secretariat is primarily to coordinate the implementation of the Mau Task Force recommendations. This coordination is to ensure an orderly, systematic and timely implementation involving the relevant Government's Ministries and stakeholders. The actual implementation is carried out by the relevant Ministries and stakeholders based on their mandate and capacity.

Progress made during Phases I and II

The first two phases of the repossession of forestland in the Mau are almost complete. Phase I concerned the repossession of three forest areas that were excised from Eastern Mau Forest Reserve in 2001, but were yet to be allocated or occupied. The Government is at an advanced stage in the process of re-gazetting two of these areas. The third area, called Mariashoni, has been traditionally inhabited by Ogiek. The Interim Coordinating Secretariat is setting up a committee to work with the Ogiek in the rehabilitation of that forest area.

Phase II concerned the repossession of approx. 19,000 hectares in South Western Mau Forest Reserve of largely bamboo forest that have been encroached by illegal squatters. These squatters had no documentation to support their occupation of the forest. In addition, the area encroached has never been set aside by the Government for settlement. It is still and remains a protected forest reserve.

The repossession of the 19,000 hectares was completed last December. The removal of the squatters took place peacefully, with the squatters leaving voluntarily the forest and

the forest guards providing assistance. However, the return of the squatters to their former homes was stopped by some political leaders who demanded that the squatters be resettled or compensated. This was not provided for in the Mau Task Force report as it would create a dangerous and unsustainable precedent that would encourage people all over the country to invade government land in the hope of compensation. The Government has, however, mobilized several Ministries to assist the squatters returning to their home and to provide livelihood support to help them rebuild their lives.

To date, some 21,000 hectares of forestland in the Mau have been repossessed since the implementation of the Task Force report started some five months ago.

In addition to the recovering of forestland, the Government has implemented a number of activities in support of the restoration of the Mau forest ecosystem, in particular with regard to: water catchment management; forest restoration including tree planting; law enforcement; Ogiek resettlement matters; and, resource mobilization.
