



CORPORATE POLICY DOCUMENT

POLICY ON ESTABLISHMENT OF CONSERVANCIES, TRAINING AND MANAGEMENT OF COUNTY RESERVE, PRIVATE AND COMMUNITY RANGERS

DOCUMENT CONTROL

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INTRODUCTION

Kenya conserves its biodiversity through protected area systems in form of National Parks, Reserves and Sanctuaries which cover 8% of the Kenyan landmass. However, these are insufficient for conservation of wildlife. The surrounding community and private lands provide dispersal areas for food, water, security and breeding grounds.

Sessional Paper No. 3 of 1976 recognises community wildlife conservation as a wildlife management strategy. The Wildlife (Conservation and Management) Act (Cap 376) also places emphasis on community wildlife conservation by giving KWS the mandate under Section 3A(i) to advise the Government, Local Authorities and land owners on the best methods of wildlife conservation and management. KWS is also empowered to provide wildlife conservation education and extension services to create public awareness and support for wildlife policies. The Policy and Act aforesaid provide for active community participation in wildlife conservation and management outside protected areas.

One of the functions of KWS is to establish linkages and gain support for wildlife conservation with stakeholders/communities. This function is achieved through the KWS strategic objectives of achieving wildlife industry governance and enhancing partnerships with stakeholders.

BACKGROUND

The land outside Protected Areas is largely under the control of private owners and communities. Their cooperation is essential for the success of conservation activities, as the majority of these lands are subject to a multiplicity of uses some of which conflict with wildlife conservation.

The issues that affect conservation outside protected areas include human-wildlife conflict, wildlife insecurity, space for wildlife, limited technical and financial capacity to manage wildlife, limited wildlife education and awareness and slow implementation of land use policies.

Sessional Paper No. 3 of 1976 places emphasis on wildlife resources to compete with any other form of land use as an economic activity. With proper incentives given to community and private land owners who adopt wildlife as a form of land use, land use practices that are

incompatible with wildlife conservation can be minimized or confined to appropriate areas. This can be achieved through training, capacity building, education, awareness creation and creation of synergies with stakeholders.

POLICY DEVELOPMENT PROCESS

With increased demographic pressure and demand for land for socio-economic development activities, there has been encroachment onto protected areas and wildlife dispersal areas and corridors are rapidly diminishing.

KWS has found it necessary to engage communities to secure more space for wildlife outside the protected areas system. It has assisted in the establishment of private and community Conservancies and has seen the need to put mechanisms in place for professional management of these Conservancies. Training of community wildlife rangers is critical to sustainable wildlife conservation and management outside protected areas.

As a result, the management appointed an internal Committee to develop a policy on the establishment of conservancies, training and management of County Reserve rangers and private and community wildlife rangers.

The Committee conducted a thorough review of relevant documentation including the Constitution of Kenya, Sessional Paper No. 3 of 1975 on Wildlife Conservation and Management, the Wildlife (Conservation and Management) Act (Cap 376), the KWS Strategic Plan (2008 – 2012), the draft Wildlife Policy 2009, the Wildlife (Conservation and Management) Bill 2009 and Sessional Paper No. 3 of 2009 on National Land Policy.

A number of retreats were held by the Committee, stakeholder reviews were carried out and contributions from Divisional and Departmental Heads were incorporated before it was presented to the Executive Committee and the KWS Board of Trustees for approval.

1 RATIONALE

The rationale for this Policy is to harmonise wildlife industry governance and enhance linkages with stakeholders and communities.

SCOPE

The scope of this policy will encompass the establishment of conservancies, training and management of County Reserve rangers, private and community wildlife rangers. Management entails:

- (i) standard procedures for the establishment of conservancies;
- (ii) enforcement and compliance to wildlife laws and regulations;
- (iii) handling of human wildlife conflict;
- (iv) protection of wildlife;
- (v) development and harmonisation of standard operating procedures, code of ethics and standing orders;
- (vi) monitoring and evaluation.

2 DEFINITIONS

2.1 Communication means radio communication, e-mail, telecommunication and correspondence.

2.2 Communication links means radio networks.

2.3 Wildlife Community Conservancy means a sanctuary, Conservancy or group ranch established on community land and managed by a community for purposes of wildlife conservation but does not include a Reserve managed by a Council on land held by such council in trust for the community.

2.4 Conservancy means both community Conservancies and private Conservancies.

2.5 Council means a local authority established under the Local Government Act (Cap 265).

2.6 Director means the Director of Kenya Wildlife Service.

- 2.7 Management** means the supervision of activities of rangers and scouts by Kenya Wildlife Service.
- 2.8 Private Conservancy** means a sanctuary, Conservancy or ranch established on private land and managed by a private individual or organisation for purposes of wildlife conservation.
- 2.9 Ranger** means a person employed by a County, private and community group to work in a Reserve or conservancy for purposes of management and conservation of wildlife including wildlife security.
- 2.10 Reserve** means a wildlife Reserve managed by a County.
- 2.11 Community ranger** means a person employed as a wildlife scout in a community Conservancy or private Conservancy for purposes of management and conservation of wildlife including wildlife security.
- 2.12 Uniform** means the official dress of rangers and scouts and includes headdress, name tags/badges and footwear.
- 2.13 Wildlife Act** means the Wildlife (Conservation and Management) Act (Cap 376).
- 2.14 Wildlife Operation** includes but is not limited to, wildlife security operations, problematic animal control, censors, translocation and veterinary intervention.

ACCRONYMS

AD	Area Assistant Director.
CO	Commanding Officer of Kenya Wildlife Service Field Training School.
DSIC	District Security Intelligence Committee.
KWS	Kenya Wildlife Service.
KWSFTS	Kenya Wildlife Service Field Training School.
PAs	Protected Areas.

3 POLICY STATEMENT(S)

KWS shall:

- i. Establish and register wildlife conservancies;

- ii. Support landowners and communities in training and management of County Reserve rangers and private and community wildlife rangers and build their capacity to sustainably manage wildlife;
- iii. Promote joint ventures in the conservation and management of wildlife Conservancies and sanctuaries;
- iv. Encourage corporate social responsibility initiatives by the County Reserves, private and community Conservancies;
- v. Support the establishment and maintenance of standards and performance measures that evaluate County Reserves, private and community wildlife Conservancies to ensure that they contribute to the broad national wildlife conservation and management mandate;
- vi. Support conservation education, public awareness and capacity building;
- vii. Ensure good governance in the management of County Reserves, private and community wildlife Conservancies.

3.1 LEGAL FRAMEWORK FOR RESERVES, PRIVATE AND COMMUNITY CONSERVANCIES

3.1.1 Constitution of Kenya

Article 62(1)(g) of the Constitution defines public land to include government game Reserves, national parks and government animal sanctuaries.

Paragraph 22(b) of Part 1 of the 4th Schedule of the Constitution places the protection of wildlife as a function of the National Government.

3.1.2 The Wildlife (Conservation and Management) Act (Cap 376)

Section 3A(a) of the Wildlife Act empowers KWS to formulate policies regarding the conservation, management and utilisation of all types of flora and fauna. Section 3A(i) recognises that KWS shall advise the Government, Local Authorities and land owners on the best methods of wildlife conservation and management

Section 18 of the Wildlife Act provides for the establishment of National Reserves and Section 19 provides for the establishment of Local Sanctuaries.

Establishment of conservancies

The Director KWS will declare an area as a conservancy or sanctuary according to sections on Establishment of wildlife conservancies and sanctuaries, Declaration of provisional wildlife conservation areas and management plans and Reversion of provisional conservation areas and section on management plans in the proposed wildlife policy and Bill.

The Director Kenya Wildlife Service shall declare an area as a conservancy and subsequently issue a certificate of registration after the following criteria has been met.

1. A written application to the Director of KWS with the intent to set aside land for wildlife conservation and management;
2. A feasibility study report done at the direction of KWS indicating the acreage, habitat, wildlife species etc of the proposed area;
3. Title documents of the proposed area;
4. A map/plan evidencing that the boundaries of the proposed area have been delineated by a surveyor;
5. The ability to manage funds with an appropriate method for the equitable distribution of benefits derived from the Wildlife Conservancy;
6. A representative list of the persons who are the members of the committee for the purpose of being recognized by the Director as the Conservancy Committee in case of a community conservancy;
7. The constitution of the Wildlife Conservancy providing for the sustainable management of the wildlife resources on the proposed area;
8. The conservation area shall have a management plan according to the KWS PA (protected area) criteria;
9. The conservancy shall enter into an MOU with KWS for the conservation and management of wildlife in the designated area;
10. As part of the administrative structure, the conservancy shall have a Conservancy manager (warden) with clear job description;
11. The conservancy shall have a minimum number of rangers for wildlife and visitor security, problem animal control among others prescribed by Kenya Wildlife Service; and
12. Such other documents as the Director may reasonably require.

The Director shall declare such an area a private or community conservancy by issuing a license or certificate to operate a private or community conservancy and such license shall set out the geographic boundaries in respect of which the conservancy is being declared, and such license or certificate may give conditions under which the conservancy shall be managed.

3.1.3 Powers to use firearms under Police Act and Firearms Acts

Section 53 of the Police Act (Cap 84) provides that individuals who are not Police Officers may volunteer for and be enrolled as Reserve Police Officers. Some Council Rangers and Wildlife Scouts have been enrolled as such and use firearms within the Reserves and Conservancies where they work. Chapter 35 of the Police Force Standing Orders addresses civilian firearm control.

The Firearms Act (Cap 114) licences individuals to carry firearms. Some Wildlife Scouts have obtained licenses to carry firearms in their private capacity.

3.1.4 Legal status of Private and Community Conservancies

Conservancies hold different legal status as they are registered under different legal regimes. Some of them engage in integrated livestock and wildlife management while others focus purely on conservation of wildlife. However, for purposes of standardisation of wildlife management and conservation, this policy shall apply to all Conservancies that host wildlife equally.

3.1.5 Functions of Conservancies

Conservancies contribute majorly to conservation and management of wildlife and serve as:

- Breeding grounds.
- Wildlife dispersal areas and corridors.
- Protected Area buffer zones.
- Eco-tourism and recreation facilities.
- Habitats for wildlife and endemic species.
- Education and research.

3.2 RECRUITMENT, TRAINING AND EXIT

3.2.1 Recruitment

- The Conservancy or County Reserve shall make an application to the District Security Intelligence Committee (DSIC) to vet all scouts recruits.
- A Certificate of good conduct shall be mandatory.
- The recruits shall be of good health and physique.
- The recruit must be a Kenyan citizen and must have attained the age of 18 years and should not be more than 40 years of age.

3.2.2 Training

Requirements for training

- All applications for training shall be made to the Director.
- All application to the DSIC shall be recommended by the Councils and Conservancies through the respective area warden.
- The DSIC shall be responsible in vetting all scouts before admission to KWSFTS for training.
- All applicants must possess a valid certificate of good conduct and must be holders of a national identity card of passport.
- The minimum number of trainees shall be determined by the CO of Manyani. Several Councils and/or Conservancies may come together to raise the number.
- The CO shall only accept recruits who meet the standards set in this Policy.

Duration of Training.

- The course duration shall be 3 months (90 days).

Curriculum.

- The KWSFTS shall prepare a curriculum tailor made to meet the training needs of the rangers and that will include lessons on Human Rights as per the Constitution of Kenya.

3.2.3 Collaboration, monitoring and evaluation.

- The area wardens in liaison with the DSIC and Reserves and Conservancy management shall monitor the operations of rangers and scouts.

- The area wardens, County reserves, Conservancies and DSIC shall maintain personal records with respect to rangers and scouts.
- The area wardens shall hold quarterly meetings with Reserve and Conservancy management and DSIC to review the performance and operations of the wildlife scouts.
- The area warden shall submit quarterly reports on wildlife scouts to the AD.

3.2.4 Exit and Discharge.

- There shall be procedures for exit of rangers.
- Exit and discharge shall include retirement, resignation, dismissal, structural adjustment or removal by the Reserve or Conservancy management.
- The Reserve or Conservancy shall maintain a record of all rangers who have exited from their service with a copy to the DSIC and the area Warden.
- The Reserve or Conservancy shall issue a discharge certificate to those who exit for any other reason other than by those who are dismissed or removed by the management on disciplinary grounds.

3.3 ADMINISTRATION AND MANAGEMENT

An established Conservancy shall have a Conservancy manager (warden) who shall be in-charge of the day to day operations of the conservancy.

The Conservancy Manager shall have the following qualifications:-

- 1) The manager must possess a diploma in wildlife management from a recognized Training Institute
- 2) The manager must possess a valid certificate of good conduct and must be holders of a national identity card or passport;
- 3) The conservancy shall develop a clear job description for the Conservancy Manager in liaison with KWS.

3.3.1 Uniform/Dress Code.

- The Conservation Manager and the Rangers shall wear a uniform which shall be approved by KWS in consultation with the National Uniform Review Committee.
- Uniform shall only be worn when the ranger is on duty.

- On exit or discharge, the management of the Reserve or Conservancy shall ensure that the uniform is surrendered back to them.

3.3.2 Registration of Conservancies and community Rangers.

- Upon establishment, a conservancy shall be issued with a Certificate of Registration by KWS;
- A database shall be maintained by the respective area Warden for all Conservancies and shall contain details of the acreage of each Conservancy and the species therein.
- A database shall be maintained by the respective area warden for all scouts in his area of jurisdiction which shall contain their personal details.

3.3.3 Code of Ethics.

- Each County reserve and Conservancy shall develop and implement a Code of Ethics in consultation with the respective area warden.

3.3.4 Standing orders.

- Each County reserve and Conservancy shall develop and implement Standing Orders in Consultation with the respective area warden.

3.3.5 Job Descriptions for Conservancy managers and rangers and scouts.

- County reserves and Conservancies shall develop job descriptions for the rangers.
- County reserves and Conservancies shall develop a clear structure showing the reporting lines of their rangers;
- Deployment of rangers within the conservancy shall be done in accordance with Standard Operating Procedures.

3.3.6 Discipline.

- County reserves and Conservancies shall develop a guideline for enforcing discipline.

3.3.7 Standard Operating Procedures.

- County reserves and Conservancies shall operate within KWS standard operating procedures on matters touching on human wildlife conflict, wildlife security and trophy handling.
- County reserves and Conservancies shall also develop their own standard operating procedures to govern the management of their Reserves and Conservancies.

3.3.8 Handling and storage of arms, ammunition and trophies

- It shall be the responsibility of County reserves and Conservancies to ensure the safety and proper use of arms and ammunition within their custody in conformity with the procedures of the Kenya Police.
- It shall be the responsibility of County reserves and Conservancies to ensure the custody and safety of all recovered trophies before surrendering them to the respective area warden.
- All recovered trophies shall be reported immediately and surrendered within 48 hours to the respective area warden.

3.4 COLLABORATION/LINKAGES

3.4.1 Security and wildlife protection

- Rangers shall be required to ensure security of wildlife and visitors within their jurisdiction.
- Rangers shall carry out wildlife operations with KWS within their jurisdictions as may be determined by KWS from time to time.

3.4.2 Human wildlife conflict

- Rangers shall report all human wildlife conflict incidents to the respective area wardens.

3.4.3 Communication

- Communication is a critical tool that supports wildlife conservation and management.
- Reserves and Conservancies shall be required to make real time and regular reports on threats to wildlife and visitors to the respective area warden.
- Reserves and Conservancy management shall be required to establish communication links with their respective area wardens.

3.4.4 Education and awareness creation

- KWS through area wardens shall continuously carry out conservation education and awareness programmes to sensitise the County reserves, Conservancies and the surrounding communities.

3.4.5 Meetings

- KWS Wardens shall hold not less than 4 meetings a year with County reserves and Conservancy management in his area of jurisdiction to address issues related to wildlife conservation.
- The minutes in respect to these meetings shall be sent to the respective area Assistant Director.

3.4.6 Capacity building

- KWS shall assist in the capacity building of the management of community Conservancies to sustainably conserve and manage wildlife.
- KWS shall support management of Reserves and community Conservancies to establish linkages with development partners for funding.

3.4.7 Wildlife enterprise

- KWS shall assist Reserves and community Conservancies to become viable enterprises so that they can become self sustainable.

3.5 IMPLEMENTATION STRATEGY

The implementation of this policy shall be spearheaded by KWS in liaison with County reserves and Conservancies. The implementation strategy shall cover the following areas:

- KWS shall carry out an inventory and establish a database on all existing Conservancies and their status.
- KWS shall conduct education and awareness programs on the policy for KWS wardens, Reserves and Conservancy management.
- KWS shall support in development of documents and instruments required under this Policy.
- KWS shall establish monitoring and evaluation systems towards attaining the broader KWS objective of wildlife industry governance to enhance wildlife conservation.

4 REFERENCES

- 4.1 The Constitution of Kenya.
- 4.2 The Wildlife (Conservation and Management) Act (Cap 376).
- 4.3 The Police Act (Cap 84).
- 4.4 The Firearms Act (Cap 114).
- 4.5 Police Force Standing Orders.
- 4.6 Sessional Paper No. 3 of 1975 – A Statement of Future Wildlife Management Policy in Kenya.
- 4.7 Sessional Paper No. 3 of 2009 on National Land Policy.
- 4.8 KWS Strategic Plan (2008 – 2012).
- 4.9 Draft Wildlife Policy 2009.
- 4.10 The Wildlife (Conservation and Management) Bill 2009.

5 REVISION HISTORY

Version No.	Document Section	Date of Revision	Details of Changes in this Revision
1	N/A	October 2010	New policy and guidelines strategy for community engagement