



# East African Indigenous Peoples' Land Summit

FINAL DECLARATION/  
COMMUNIQUE



# East African Indigenous People Land Summit 2022

## Final Communique



The East African Indigenous Peoples' Land Summit 2022 is co-convened by IMPACT Kenya and PARAN Alliance, in collaboration with other partners. The Summit is held under the theme: Amplifying Collective Voices of Indigenous Peoples through Inclusive Dialogues and Learning to Enhance Land Rights for Livelihoods and Conservation in East Africa. The Summit builds on the success of the first ever Community Land Summit in Kenya held in December 2021 in Nanyuki Town, Kenya; co-convened by IMPACT Kenya and the National Land Commission.

We, 350 representatives of Indigenous Peoples, our organizations, and networks in the East Africa Community (Kenya, Uganda, Rwanda, Tanzania, Burundi, DRC and Ethiopia)- including Pastoralists, wetlands and forests dwellers, hunters and gathers, women, the youth and Persons with Disability (PWD); representatives of the Kenya National Land Commission (NLC), and the Ministry of Lands and Physical Planning (MLPP), the County Governments (Laikipia, Samburu, Isiolo, Turkana, Mandera, Marsabit), East Africa Legislative Assembly (EALA), African Union Inter-African Bureau for Animal Resources, AU-IBAR, and Civil Society Organizations (CSOs); participated in the East African Indigenous Peoples' Land Summit held on 22 – 24 November 2022 in Nanyuki, Laikipia County, shared our experiences, lessons learnt challenges, opportunities and aspirations regarding our land rights, livelihoods and conservation efforts, do make this declaration:

## Preamble



- » We affirm our ancestral role in the conservation of our land and nature, and continued commitment to have functional and robust ecosystems for sustainable livelihoods for future generations, and biodiversity conservation anchored on IPs philosophies.
- » We celebrate our indigenous knowledge, and cultural diversity that leverage and connect our shared efforts and advance the relationship between people, land, and nature, as a core principle for livelihood development, conservation, and sustainable development.
- » We recognize and affirm the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007) that enshrines among others our rights to land and territories, and meaningful participation in decisions that affect our lives.
- » We emphasize the importance of our visibility, equity, representation, and meaningful participation in policy decisions that impact on our collective and individual rights, lands, territories, and resources including our livelihoods and conservation efforts.
- » Welcome the decisions arrived at COP27 on Loss and Damage and call for speedy implementation by Parties and facilitate direct access of the resources by IPs worst affected by climate induced hazards.
- » Affirm the IPLCs recommendations for APAC 2022



## We Recognize that:

- » Land tenure security is a critical ingredient for rangeland management and pastoralism development and the increased interest on land mostly owned by IPs by government and private entities on pose a threat to land tenure security, lives, livelihoods and biodiversity conservation.
- » Our governments as a longstanding signatory of the Universal Declaration of Human Rights, the African Charter of Human and Peoples Rights, International Covenant on Civil and Political Rights (ICCPR 1966), the International Covenant on Economic, Social and Cultural Rights (ICESCR 1976); the Convention Concerning Indigenous and Tribal Peoples in Independent Countries (No. 169) of the International Labour Organization (ILO) that provides for IPs land rights, gender equality and Free Prior and Informed Consent (FPIC).
- » Efforts by our respective governments, sub-regional and regional governmental organisations, and structures such as the AU, East Africa Community (EAC), EALA, Intergovernmental Authority on Development (IGAD) and others in providing for and strengthening policies, legislations and legal rulings/jurisprudence that recognize indigenous people, protection, registration, management, and administration of their land rights, livelihoods, and promote meaningful participatory consultation as a tool for inclusive socio-economic, environmental, and political development in East Africa, such as the Law on Protection of Indigenous



*Land tenure security is a critical ingredient for rangeland management and pastoralism development.*



People in DRC, Kenya's Community Land Act 2016, the African Court on Human and Peoples' Rights on the Mau Ogiek land rights, an injunction granted by the East Africa Court of Justice prohibiting the Tanzanian government from evicting the Maasai communities from four Maasai villages in northern Tanzania, and several other national

court rulings that seek to prevent harassment and eviction of IPs from their ancestral land.



**Selina Chumchum,**  
Indigenous People Representative from Turkana



**Benjamin Mutambukah,**  
Indigenous People Representative from Uganda



**Ramu Kaisi Masafiri,**  
Indigenous People Representative from DR Congo



## We note with great concern that:

- » Indigenous peoples continue to struggle to secure legal recognition of their land, territories, waters and their legal and cultural identity, and other human rights with cases of historical injustices still pending in various national and regional courts.
- » Lack of secure land and territorial rights of IPs continue to pose risks of alienation of IPs land and territories by governments, local and international investors, without Free Prior and Informed Consent (FPIC) contrary to international laws.
- » Despite progressive policies and strategies, women and girls continue to face several barriers to securing their land rights including cultural norms, and lack of awareness for their legal rights including inheritance rights. The increased cases and threats of forced eviction and displacement of IPs from their ancestral lands, loss of life, land and livelihoods, and subsequent criminalization of community livelihoods over contested landscapes and waters.
- » Slow processes and lack of commitment by national and sub-national governments in facilitating documentation and registration of IPs land, and in resolving land disputes.
- » Some of the new models of conservation often presented as Conservancies, and Wildlife Management Areas (WMAs) pose a significant threat to conservation, hence not tenable to advance community livelihoods and achieve biodiversity conservation. Often such conservation models lack transparency, meaningful and inclusive participation of IPs at all levels, with unequal access to ecosystem-based resources and benefits sharing with IPs.
- » Failure by governments and private investors to embrace and enforce the implementation of the principle of Free Prior and Informed Consent (FPIC) in acquisition of IPs land, disregarding their rights to decision making, negotiation for benefit sharing, fair valuation, and compensation in a timely manner.
- » The attempt by some governments and private investors to pilot test a new 'land investment model' that seek to equate and replace fair and meaningful compensation of IPs land with Corporate Social Responsibility (CSR).
- » Increased land degradation and impacts of climate induced hazards disproportionately affect IPs, men women, boys and girls, and persons with disability; reduce land productivity, increased poverty, hunger, weakens resilience and adaptation capacities; and at times have to bear the burden of climate mitigation actions and efforts implemented by governments such as evictions from our land and territories to pave way for Green Energy Projects (solar, wind, and hydropower projects) implemented without FPIC.
- » Increased cases of inter and intra community, pastoralist-farmers, and human-wildlife conflicts attributed to competition over land, water and pasture leading to loss of lives, property and livelihoods, with women and

children disproportionately affected.

- » Inadequate, and or lack of national and sub-national/county level coordination mechanisms, policies and strategies for livestock production, marketing and value addition continues to put IPs pastoralist communities' livelihoods at risk of major losses due to climate hazards such as drought.
- » Lack of sex disaggregated data on IPs social and economic aspects needed to inform their needs and potential hinders development and implementation of gender responsive policies on pastoralism, livelihoods, and conservation.



## We commit to:

- » Harmonize, implement, review, and develop policies that provide and strengthen legal recognition of IPs, their land, and territories.
- » Document and register all IPs land and territories for legal recognition of their tenure rights as key ingredient for rangeland management, conservation, and pastoralism development and conservation efforts – e.g., learning from the success of the implementation of the Kenya Community Land Act, 2016.
- » Extend the principle of Free, Prior and Informed Consent as ruled once and for all by the African Court in June 2022 as applying to IP, to all land and water dependent local communities and applied in all proposals which affect local lands, waters, and resources.
- » Embrace and enforce the fair and meaningful compensation, and benefit sharing that takes into account the right value of IPs land and its bundle of rights to avoid commodification of land (e.g., need for pay for annual rent, and not one time compensation for long term use of IPs land where infrastructure is developed, or trade in carbon credit, etc). Fair and meaningful compensation of IPs land and territories should never, and under any circumstances be equated to CSR as this will negate their human rights.
- » Prioritize access to justice and resolve historical and current land injustices including those related to nservation through compensation, reparations, and restitution for the loss of land, territories, and livelihoods by IPs without FPIC by establishing robust grievance and redress mechanisms that are transparent, fair, and promote access to justice and rights for IPs.

- » Deliberately mainstream gender and youth affairs in land management, conservation efforts at policies and program interventions including those related to land and natural resource governance, and conservation efforts to ensure women, youth and persons with disability have secure tenure rights and equal opportunities to participate in decision making.
- » Promote and provide adequate financing for integrated pastoral rangeland use and management including cross boarder initiatives and programs that enhance water, pasture and other ecosystem services for sustainable livelihoods, foster peace, and security. For instance, 2019 Kenya -Uganda Karamoja cross boarder natural resources sharing agreement, Dedha tradition system among Borana, use of totems, and others best practices.
- » Strengthen IPs capacity in gender responsive climate mitigation, adaptation, and disaster risk reduction to reduce exposure to climate induced hazards including early warning, use of green energy, water harvesting, destocking, etc
- » Promote and strengthen IPs capacity in gender responsive alternative dispute resolution to advance their land and natural resource rights.
- » Promote and strengthen capacities of IPs in adoption of gender responsive new technologies in rangelands management for livelihoods and ecosystems conservations to improve, complement and diversify traditional livelihood systems and approaches such as provision of livestock insurance and access to long term credit facilities, more productive fodder crop, and removal of invasive species.
- » Develop/review policies that promote livestock production, market access and value chain development in rangelands including cross-border livestock trade, market access, and off taking programs.
- » Document IPs knowledge and protect their intellectual property rights including those related to their culture, knowledge, livelihoods, and conservation efforts among others.
- » Undertake participatory, inclusive and gender responsive environmental and social impacts assessment on land-based investment projects and disseminate findings through mediums and languages that IPs understand

and can engage.

- » Review strategies and models of conservation to do away with protected areas and embrace community-led conservation efforts as a means for sustainable livelihoods and biodiversity conservation anchored on IPs knowledge that uphold the relationship and interaction between people, land, and nature.
- » Facilitate equitable access to land, water and other ecosystem-based services for Ips, promote ADR and implement decision that repealed Declaration on the 3 miles Strip in Kenya to allow communities in Garissa to access water from River Tana.
- » Strengthen policy makers knowledge and understanding of IPs life and livelihoods including pastoralism, hunter and gatherers, demystifying, and deconstructing perceptions of and narratives that these are non-productive practices carried out on idle lands.
- » Respect and uphold the rule of law and international commitments on the rights of IPs and facilitate community sensitization on their rights to land and natural resources and how to access justice when those rights are violated.
- » Follow up and implement the COP27 decision on financing for loss and damage to benefit IPs negatively impacted by climate change hazards.



# EAIPLS 2022 Participants List

## Government Officials

- |  |   |
|--|---|
| 1. Gershom Otachi – NLC Chairman                     | 19. Elizabeth Wekesa-Deputy Director - Land Adjudication and Settlement |
| 2. Hon. Tiyah Galgalo – NLC Commissioner             | 20. Thomas Lengonop - CEC Lands   |
| 3. MICHAEL IRUNGU KAGWE – PS Representative          | 21. Jacinta Katee - NLC   |
| 4. Bernard Opaa – Deputy Director, Natural Resources | 22. Nenela lengees - Samburu  |
| 5. Losenge David – CECM Lands, Samburu               | 23. Anne Lekimain - Samburu   |
| 6. Odhiambo Okoth – Registrar, Samburu               | 24. John LOLKITEKUI - NLC Samburu                                       |
| 7. Jacinta Katee - National Land Commission          | 25. Sara Eunice - Samburu county assembly                               |
| 8. Caroline Lentupuru - NGECE                        | 26. Jacob Elisha - Mca Samburu  |
| 9. Isacko Salesa - NGECE                             | 27. Mohamud Sharif - NLC, Isiolo  |
| 10. Anthony Alyaro-NGECE                             |   |
| 11. Fatuma Ibrahim - EALA                            |   |
| 12. Abdi Kadir - EALA                                |   |
| 13. Guyo Golicha - NDMA Laikipia                     |   |
| 14. John LOLKITEKUI - MCA                            |   |
| 15. Leakono Beranard - MCA                           |   |
| 16. Partict Leerte - MCA                             |   |
| 17. Easter Lenolkulal - MCA                          |   |
| 18. Steve Lemeteki - SCA                             |   |

## Development Partners

- |   |  |
|---|--|
| 1. Dr. Hassan Roba - The Christensen Fund | 9. Sarah Ossiya - African Union                    |
| 2. Dr.Atsbaha Gebre-Selassie - Misereor   | 10. Ahmed Elbeltagy - African Union                |
| 3. Eileen Wakesho - NAMATI                | 11. Dr. Ameha Sebsibe - IGAD                       |
| 4. Simon Fischer - WFD                    | 12. Beatrice Lempair - NRT                         |
| 5. Nyaguthi Chege - Natural Justice       | 13. Isaac Tobiko - CLAN                            |
| 6. Sophie Adhiambo - Natural Justice      | 14. Faith Ngina - KWCA                             |
| 7. Barbara Linkoi - FIMI                  | 15. Pascalia Ogutu - Horn of Africa Representative |
| 8. Everlyne Atieno-FAO                    | 16. Wyanie Bright - USAID-KUZA                     |

## Civil Society Organizations Representatives

- |   |   |
|---|---|
| 1. Makambo Lotorobo - Friends of L. Turkana                                   | 14. Edward Lemotou - Gurapu CBO                                     |
| 2. Haji Mohamed Mwakio - Taita Taveta   | 15. Eunice Lepariyo - Baringo Women and Youth Organization          |
| 3. Paul Lekapana - Gurapau  | 16. Josphine Ndirias - Mukogodo Girls Empowerment Program           |
| 4. Dr Hussein Isack - Kivulini trust  | 17. Margaret Seraiyon - Pastoralist Peoples Initiative              |
| 5. Liban Golicha - LEARN-Waso   | 18. Linda Lissah - Maasai Cultural Heritage                         |
| 6. Mohamed Dida - Indegenous Strategies and Institution for Development[ISID] | 19. Rose Putunoi - Twala Women Group                                |
| 7. Gladys Losike - Samburu Women Trust  | 20. Juliana Rono - Nasaru Women-Kajiado                             |
| 8. Grace Lolim - Isiolo Gender Watch  | 21. Gabriella Lorere - Samburu wellbeing initiative for all (SWIFA) |
| 9. Jacinta Silakan - Sangida foundation                                       | 22. Wilson Kipkazi - Endorois Welfare Council                       |
| 10. Rose Orguba - Feiyah Action Network                                       | 23. Issa Mohamed - Isiolo Conservationists Trust (ICT011)           |
| 11. Shoba Liban Golicha - Pastoralists Women for Health& Education (PHWE)     | 24. Silvanna Lesuuda - Nest CBO                                     |
| 12. Agnes Leina - Ilaramatak Community -Kajiado                               | 25. John Ekai - Turkana Empowerment Advocacy GROUP                  |
| 13. Emma Akai - Isiolo Peace Link   |   |

- |   |   |
|---|---|
| 26. Makambo Lotorobo - Friends of Lake Turkana                      | 29. David Koskei - Ogiek Youth Leader         |
| 27. Christiana Louwa - The Elmolo Forum                             | 30. Abdirahman Osman - Waso Paralegal Network |
| 28. Hussein Tadicha - Center for Research & Development in Drylands |   |

## Resource Persons

- |                             |                                  |
|-----------------------------|----------------------------------|
| 1. Linus Kaikai – Moderator | 3. Everlyne nairesiae-Rapporteur |
| 2. Tina Kulamo- Moderator   |                                  |



## East African Delegates

### Tanzania



- |                       |                     |
|-----------------------|---------------------|
| 1. Moi Sikorei        | 9. Mary Ngulupa     |
| 2. Naishorwa Masago   | 10. Naomi Ngiria    |
| 3. Manyara Karia      | 11. Lebanguti Moson |
| 4. Napir Engidong     | 12. Samwel Sadira   |
| 5. Mary Millya        | 13. Maanda Ngoitiko |
| 6. Thadeus Clamian    | 14. Mary Morindat   |
| 7. Nablou Nguyu       | 15. Napiri Mukare   |
| 8. Dismas Ole Meitaya |                     |

### DR Congo



- Adela Weteshe Kakubwami
- Olive Imani Masumbuko
- Makuluka Mukumo Guy
- Ramu Kaisi Musafiri
- Birindwa Mwenge Thierry

### Burundi



- Kamari Evariste
- Nibigira Marie
- Ndihokubwayo Gervais
- Honorable Bayaga Evariste

### Ethiopia



- Dhiba Aden Ibro
- Boru Roba Bukura
- Hawai Isack Ali
- Kule Boru Duba
- Guyo Golicha Sara
- Gemechu Berhanu

### Rwanda



- Ntamunozza Eliel Charon
- Mukayiranga Monique
- Ntiriburakaryo Aron
- Callixte Hategekimana

### Uganda



- Benjamin Mutambukah
- Brians Agaba
- Elizabeth Katushabe
- Pius Loupa
- Zakayo Augustine Alex
- Olivia Matuna



## EAIPLS 2022 Participants List



## EAIPLS 2022 Participants List



### Isiolo County

1. Adan Tadicha
2. Jillo Buke
3. Abdia Hussein
4. Kushu Dalacha
5. Ekai Peter
6. Jarso Halkano
7. Gubal Baricha
8. Adan Wario
9. Kuesho Bile
10. Salante Leburkash
11. Abdirahaman Osman
12. Buke Gollo

### Samburu County

1. Aloice Losike
2. Laurence Lorunyei
3. Henery Lomelo
4. Jane Nakinyi
5. Kaunda Lenamparasio
6. Martha Leparachao
7. Eunice Lolocho
8. Kasao Learat
9. Bulari Lololki
10. Joseph Lepariyo
11. Retet Lekermu

### Laikipia County

1. Rosemary Nenini
2. Tom Putunoi
3. Ratinoi Shuel
4. Nancy Tausi
5. Redempta Letai
6. Elizabeth Maskonte
7. Thomas Naiptari
8. Franck Setek
9. Yoakim Kuraru
10. James Lentula
11. Korriani Parkusaa

### Lamu County

1. Somo M Somo
2. Raya Famau
3. Mohamed Yusuf Noor

### Nakuru County

- |                         |                   |
|-------------------------|-------------------|
| 1. Kennedy Kipng'eno    | 5. Simon Pargesui |
| 2. Maureen Sekeyan      | 6. Sarah Osas     |
| 3. Ann Tunai            |                   |
| 4. Christopher Kipkones |                   |

### Marsabit County

1. Paul Lekapana
2. Galm Dabaso
3. Chuluke Duba Katelo
4. Daniel Isole
5. Guyo Halkano Boboo
6. Edin Ali Buri

### Narok County

1. Malano Saiguran
2. Lentoyian Sululu
3. Kampei Kuaet
4. Rise Sunkuyia
5. Dominic Ndorko
6. John Parani Kikonya

### Kajiado County

1. Isaac Tobiko
2. Thomas Metian
3. John Marona
4. Joel Karori
5. Elizabeth Wekesa

### Mandera County

1. Halima Sadiya Hassan
2. Rashid Mohamed Diis
3. Abdhakim Hashim
4. Hassan Mohamed
5. Hassan Barow
6. Anisa Ahmed Muhumed

### Baringo County

1. Eglu Jebichii
2. Paul Chepsoi
3. Richard Yegon
4. Gladys Kiplagat
5. Thomas Lengonop

### Taita Taveta County

1. Mwaiseghe John
2. Paul Oling'a
3. Benjamin Mwadeghu
4. Hebei Mwakio Kidede
5. Gertrude Mwangoma
6. Elizabeth Mkongo

### Siaya County

1. Gladys Oking
2. Anna Anyango

### Kilifi County

1. Trevenia Manga
2. Margaret Lughane

### Kitui County

1. Rosemary Muthoni
2. Sarah Makau

### Homabay County

1. Mary Omwanda
2. Faith Ochieng

### Mombasa County

1. Jane Kigen
2. Denis Orioki
3. James Ketta

### Turkana County

- |                  |                  |
|------------------|------------------|
| 1. Charles Lokai | 4. Esekon Selina |
| 2. Sammy Lochok  | 5. Madina Lokiru |
| 3. John Ekai     | 6. Wilson Lochoi |

### Wajir County

1. Sharmarke Yusuf
2. Osman Abdille
3. Mohamed Yussuf
4. Mohamed Ali

### Garissa County

- |                          |                                |                          |
|--------------------------|--------------------------------|--------------------------|
| 5. Muna Sheikh Abdullahi | 1. Abdinasir Abdirizak (Ahmed) | 4. Yasmin Mohamed        |
| 6. Mohamed Dagane        | 2. Mohamed Yussuf              | 5. Abdirizak Haji Khalif |
| 7. Mukhtar Seraqr        | 3. Fardowsa Odowa              | 6. Abdirashid Mohamed    |

## Partners:



# East African Indigenous Peoples' Land Summit

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