

**STABILIZING KENYA BY SOLVING FOREST RELATED
CONFLICTS**

Sub-Project 1: FA 2005 Customary Laws and Practice

Legal Pluralism in the Management of Forest Ecosystems in
Kenya- Opportunities and Challenges in Inclusive Governance
(Case Study of Eastern Mau Forest)

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In a world fractured by environmental degradation, political turmoil and economic crises, it is easy to forget that cultures of peace depend on good governance and equitable management and distribution of our natural resources. Sustainable development and improved quality of life of citizens can only be realized if the three core issues of good governance, cultures of peace and equitable distribution of resources are addressed holistically.

Kenya is riddled with conflict and political instability, as was witnessed in the wake of the last two national elections. Much of the violence took place in rural areas, where conflicts and competing claims over natural resources appear closely tangled. The underlying drivers of conflicts and violence however, remain contested and poorly understood. One thing is however clear, the violence and conflicts associated therewith remain closely linked to the competing claims over natural resources and failure to recognize this linkage only precipitates unhealthy competition and leads to further conflict.

Objectives of the Study

This project aims at stabilizing Kenya by solving forest related conflicts+ by way of investigating the multiple drivers of forest related conflicts around the Mau Forest Complex and the role of the Forest Act 2005 in changing patterns of conflict. It departs from the assumption that conflicts are a basic condition of human existence. Accordingly, the project shall aim to endeavor:-

- 1) To improve our understanding of the role of the FA 2005 in changing patterns of forest related disputes in Kenya.
- 2) To examine the type and trends of forest disputes before and during implementation of the Forest Act and mode of resolving them.
- 3) To examine to what extent legal pluralism has hindered and or assisted the conflict resolution processes among the CFA§.
- 4) To examine how these CFA§ have handled or are handling pre-existing forest related power struggles.

6.0 Data Collection

Data shall be collected through desk studies of (a) the FA 2005 including related legislation and background documents to the Act (SP1) and (b) the history of the Mau Forest Complex from the onset of British colonialism in 1885 until the present (SP2); (ii) interviews on the implementation of the FA 2005 from national to community level

- 1) Literature Review/Desktop Analysis;
- 2) Survey Questionnaires;
- 3) Interviews;
- 4) Key Informant Interviews;
- 5) Focus Group Discussions;
- 6) Workshops