



5TH ANNUAL INDIGENOUS WOMEN NATIONAL CONFERENCE



Strengthening Indigenous Women Land Tenure Rights
and Protection of Unregistered Community Land in the
Framework of Community Land Act 2016

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EL BORAN RESORT AND SPA, ISIOLO COUNTY, KENYA

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Acronymns

ACHPR	Africa Charter on Human and Peoples Rights
ACHPR	African Commission on Human and Peoples Rights
CEDAW	Convention on Eradication of All Forms of violence Against Women
CLA	Community Land Act
COK	Constitution of Kenya
ICCPR	International Covenant on Civil and Political Rights
ICESR	International Covenant on Economic Social and Cultural Rights
ICESR	International Convention on Economic Social and Cultural Rights
ICCPR	International Convention on Civil and Political Rights
ILO	International Labour Organization
IWC	Indigenous Women Council
KLA	Kenya Land Alliance
NLP	National Land Policy
SWT	Samburu Women Trust
UDHR	Universal Declaration of Human Rights
UPR	Universal Periodic Review
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
PWD	Persons with Disabilities

1. Context



1.1 Indigenous Peoples in the context of Kenya

For purposes of governance, development and protection and promotion of the rights and fundamental freedoms of indigenous peoples, there has been need for proper identification of this section of society classified as “indigenous peoples”. There are two significant definitions of indigenous people which are often endorsed by government and agencies and sometimes Indigenous people. Article 1 of the ILO Conventions No. 169 1989. According to Article 1 (a) of the ILO Convention, Indigenous peoples are defined as being; *“peoples... on account of their descent from the population which inhabited the country or geographical region to which the country belongs, at the time of the conquest or colonization ...who irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions...”* This description is valid in North and South America and in some parts of the Pacific.

In most of the world, there is very little distinction between the time at which tribal and other traditional peoples arrived in the region and the time at which other populations arrived. Indigenous people, including mobile peoples, and local communities live in most of the high biodiversity regions in the world. The mobile people i.e. nomads, pastoralists, subsistence fisher communities, subsistence shifting agriculturalists and hunter – gatherers), means a subset of indigenous people whose livelihoods depend on extensive common property, use of natural resources and whose mobility is both a management, strategy for sustainable land use and conservation and a distinctive source of cultural identity. *Their physical, cultural and spiritual survival and wellbeing is inextricably linked to the maintenance of the multiple relationships with and their security of tenure over their traditional lands, territories and resources.*

Most indigenous peoples have a link to the land they have traditionally occupied. Peoples in countries who regard themselves and are recognized by others as Indigenous on account of their descent from the population which inhabited the country or a geographical region to which the country belongs at the time of conquest or colonization or establishment of present state boundaries and who irrespective of their legal status, retain or wish to retain some or all of their own social, economic, spiritual, cultural and political characteristics and Institution. Former Special Rapporteur appointed by the UN sub-commission on the prevention of Discrimination and the Protection of Minorities Jose R. Martinez Cobo, defined them thus:

“ Indigenous communities, peoples and nations are those which having a historical continuity with pre-invasion and pre-colonial societies that have developed on their territories, consider themselves distinct from other sectors of the society and are determined to preserve, develop and transmit to future generation their ancestral territories and their ethnic identity as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institution and legal systems.



1.2 The Characteristics of the Indigenous People

According to the various commissioned studies, indigenous peoples bear the following common characteristics: -

- Being the first people of a territory;
- Having cultural and sometimes linguistic distinctiveness associated with indigenous identity and beliefs, languages, traditions, needs, aspirations;
- Irrespective of their legal status retain or wish to retain some or all of their social, economic, spiritual, cultural and political systems, institutions, structures, characteristics.
- Politically, socially and economically marginalised;
- A close relationship to land and the sustainable use of natural resources e.g. land; forests; minerals;
- A specific bloodline claim to a specific territory;
- Some indigenous people are physically distinct from the dominant groups;
- They are non – dominant sectors of society and are determined to preserve, develop and transmit to future generation of their ancestral territories.

1.3 Indigenous Peoples clamor for their collective land rights in Kenya

Among Kenya's indigenous peoples land and land based resources form the most important sources of income and livelihoods, health systems, foundation and tangible cultural expressions and spiritual practices. Because of the significance of pastoralism, hunting and gathering, fishing other rural livelihoods, land is the most vital asset for many families and households among indigenous peoples.

However, in Kenya, indigenous peoples have grappled with land dispossessions from the turn of the last century when the country was colonized by the British to this day when the country has been independent for 57 years. Both colonial and post-colonial land policies viewed indigenous people's lands and territories as unoccupied and therefore available for distribution among "development and production conscious" citizens which translated to development of only two land ownership regimes; (a) public and (b) private lands that proved injurious to indigenous people's communal land ownership and management system that had been effectively practiced for centuries.

When the development of a new land policy for Kenya was launched by the government in 2004, indigenous peoples had to forcefully make their way inside venue (Kenya school of Monetary Studies) of the deliberations because they were not part of those invited to spearhead the process, yet they are the custodians of most of the land outside the private and public regimes. This reality underscores the argument by indigenous peoples that they are considered insignificant and their lands and resources are viewed as commonalities for exploitation for the benefits of government, multinational corporations and political functionaries.

However, after crushing the government meeting on land policy and raising their concerns that the government cannot realistically plan for private land estimated at being between 16 and 29 per cent of the country area and public land in estimated at being between 24 and 30 percent of country area



without including the large tracts that are in the hands of indigenous peoples in almost 70% of the Kenya's landmass, a third land holding regime called "community land" was included in the National Land Policy. The 2007 National Land Policy (NLP) forms the basis of article 63 of the 2010 Constitution of Kenya that recognizes and protects community land as the third land regime in the country.

In addition, article 260 of the Kenyan constitution defines marginalized community as; one that, due to its small size, has been unable to participate fully in the economic and social life in Kenya. Secondly it could be a traditional community that out of desire to protect its culture and identity remains uninterested in the social and economic life in Kenya. Thirdly it could be an indigenous community that has maintained a traditional lifestyle and livelihood based on a hunter gatherer economy. Fourthly, the definition covers pastoral persons and communities, nomadic or settled communities that due to geographic isolation marginally participate in the integrated social and economic life. In effect the two articles create space for policies that emphasize the development of effective land rights systems for indigenous peoples through a formal land and resource rights system that fosters economic growth and improves welfare and guarantees ecological integrity.

1.4 Community Land and Gender Rights

In Kenya, women constitute 80% of the agricultural labor force yet they own a paltry 5% of the land (Human Rights Watch 2003a, 16). Studies by the World Bank, United Nations, Africa Union, regional and national organizations such as Kenya Land Alliance (KLA) demonstrate that addressing gender disparities in the establishment and implementation of property rights especially land rights in Kenya can spur growth, development, and human rights.

The tripartite relationship between property rights, development, and gender equality forms the foundational argument for indigenous women's land rights as enshrined in Kenya's

- i) constitutional order,
- ii) institutional arrangements; and
- iii) social-cultural norms.

It is imperative to underscore the salient facts that constitutional order refers to the fundamental rules regarding how society is organized, "the rules for making rules" (Feder and Feeny 1991, 136), institutional arrangements are created within the rules specified by the constitutional order (e.g., laws, regulations, associations, contracts, and property rights in land) and normative behavioral codes, refers to the social, cultural values that legitimize the arrangements and constrain behavior.

It is therefore imperative to acknowledge that indigenous women land rights are legitimate and legal property rights within Kenya's constitutional order, institutional arrangements and normative behavioral codes.

Under international human rights law, women and men are granted the right to equal treatment, own property and cannot be deprived of their property. Land is also by definition a part of property and is fundamentally related to the general wellbeing of women. Land is also central to indigenous peoples social, cultural and economic welfare and therefore indigenous women being members of the said communities therefore enjoy unequivocal entitlement to land as basis of livelihood, social, cultural, ecological and economic wellbeing.

2. Introduction



Due to their peripheral position within the indigenous communities in Kenya, indigenous women have been subjected to discriminative treatment on matters relating to collectively owned land otherwise called community land.

Under article 27 of the 2010 constitution of Kenya, the state has the mandate to protect the minority and the marginalized groups from any form of discrimination this includes women who suffer multiple discrimination (i) for belonging to minority and marginalized communities and, (ii) as disenfranchised sections of the community deprived of the enjoyment of similar rights as those of men. Indigenous women are faced with a lot of challenges from illiteracy, health care, poor infrastructure and negative cultural practices such as FGM and landlessness only guaranteed user rights.

Despite the fact that indigenous women are guaranteed of equal rights in the constitution, they continue to suffer the negative impacts of development and decision making processes as their rights are not taken into consideration in designing and implementation of projects and

programs that have a direct adverse impact on them despite such Constitutional safeguards as article 10 (2) (a) on the importance of the participation¹ of people, protection of marginalized lands and sustainable development and article 174 (c)], that recognizes the right of communities to manage their own affairs and to further their development in addition to article 174 (d) that gives powers of self-governance to the people and enhances their participation in the exercise of the powers of the state in making decisions affecting them such as matters touching on their land. Indigenous women's social and economic development has been impacted negatively leading to high levels of poverty, environmental degradation, illiteracy, ill health and despondency.

¹ The Organization for Economic Cooperation and Development (OECD)'s Development Assistance Committee (DAC) states that stimulating productive energies of people, encouraging broader participation of all people in productive processes, and a more equitable sharing of their benefits, must become more central elements in development strategies and development cooperation; available on http://www.gdrc.org/u-gov/doc-jica_gg.html:



For example, Indigenous women among the Samburu, Maasai and Ogiek have identified that their increased alienation from decision making and dependence on outside tokenist approaches that have been adopted by the predominantly masochistic society that they are part of denies them the opportunity to determine the development and welfare paths of their choice. Indigenous women's continued woes are further compounded by lack of ² articulation of International Human Rights Conventions that Kenya has ratified such as the African Human and Peoples Rights Charter, Universal Periodic Review (UPR), Convention on the Elimination of Discrimination against Women (CEDAW), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), the African Charter on Human and Peoples Rights (ACHPR), and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention 2005.

It is therefore as a result of the foregoing that the Samburu Women's Trust (WST) organized the 5th Annual Indigenous Women National Conference with the aim of Strengthening Indigenous women's land tenure rights and protection of unregistered community land in the framework of Community Land Act 2016. Further the conference sought to explore the contexts of (i) Realizing women's rights to land and other productive resources, and; (ii) Indigenous Women and Climate change resilience

² See: IGAD_LPI_Brief_11-11: Livestock's Contribution to Kenya's Economy: 150% higher than previously Thought: www.igad-lpi.org/publication/docs/.../IGADLPI_Brief_11-11.pdf. Accessed 28rd October 2020

3. Community Land Act 2016 and Indigenous Women



Women' rights in Kenya are ³ formally protected by a robust legislative and policy framework. The 2010 Constitution, significantly secured the rights and fundamental freedoms of women through administrative, institutional, legal and policy frameworks towards gender equality.

However, outcomes for women and girls discerned from various research initiatives and government documents indicate continued discrimination. Further, the 2010 Kenyan constitution has progressive chapters with all the hallmarks of rights based approaches. These include; article 35 on the rights of citizens to access information from the state (including plans to undertake extractive activities within indigenous peoples lands), article 40 on the protection of rights to property (land and non-land) and, article 42 that secures the right to a clean and healthy environment, article 43 on economic and social rights, article 56 that guarantees the rights of minorities and marginalized groups including women, article 63 that recognizes and protects community land, and article 196 on the rights of citizens to participate in the affairs of county governments and article 2, (6) that

recognizes all international treaties ratified by Kenya as part of the country's domestic law all of which have not led to an improved situation and quality of life of indigenous women. One of indigenous women's immediate concerns is therefore to be included, involved and effectively participate as equal proprietors in the implementation of the community Land Act 2016 in order to secure their rights as owners and managers of these lands in accordance with the constitution of Kenya.

³ Connie Ngondi: United Nations Women: Draft Report on discriminatory laws against women and girls in Kenya

3.1 Community Land Act 2016



In accordance with the directives of the Constitution of Kenya (COK) 2010, Parliament has enacted four main land laws:

- i) the Land Act, 2012 (LA),
- ii) the Land Registration Act, 2012,
- iii) the National Land Commission Act, 2012, and
- iv) the Community Land Act, 2016. (CLA).

Some provisions in the first three laws have already been altered by the Land Laws (Amendment) Act, 2016. This include moving supervising authority over community lands from the semi-autonomous National Land Commission to the Government Ministry of Lands. With the Community Land Act (CLA) coming in to force on 21 September 2016, the Trust Land Act Reviewed 2012 and the Land (Group Representatives) Act, 1968, automatically became obsolete.

The 47 County Governments are empowered by the Constitution to enact laws applicable to their counties, providing these are in accordance with national law on the subject such as community land.

The constitution mandated county governments the following regulatory functions over community land;

- i) surveying and mapping;
- ii) boundaries and fencing, and
- iii) trustee functions over unregistered community lands.

The constitution also recognizes customary law which comprises the rules, regulations and norms that a community historically or presently uses to guide its decision-making. These customary laws are prevalent among indigenous peoples' making this the rationale for recognition of customary laws as having legal force, provided these are not inconsistent with the Constitution or statutes.

The following components of the Constitution of Kenya and the Community Land Act that are central to indigenous women tenure rights and provide worthwhile entry points in advocating for indigenous women's tenure rights include;

- i) Article 63 of the Constitution of Kenya that provides for a classification of land known as community land that is vested in the community and held by the community
- ii) **The Community Land Act** provides for the election of: Community Land Management Committees to be elected by a community assembly consisting of all adult members of the community.
- iii) The functions of the Community Land Management Committee shall be to:
 - Have responsibility over the day to day functions of the community
 - Manage and administer registered community land on behalf of the community
 - Coordinate the development of community land use plans in collaboration with the relevant authorities such as County Land Management Boards, National Environment Management Authority, and County Executive Committees on Land, National Land Commission, Ministry of Environment and Natural Resources, Kenya Wildlife Services etc.
 - Promote the co-operation and participation among community members in dealing with matters pertaining to the respective registered community land, and;
 - Prescribe rules and regulations, to be ratified by the community assembly, to govern the operations of the community.
- iv) **“Community Assembly”** in the Act refers to all adult members of the respective community including youth, women and persons with disability and the elderly
- v) **The Community Land Act** states that Community land in Kenya shall vest in the Community and the term “Community” has been defined to mean a consciously distinct and organized group (inclusive of women, youth, persons with disabilities) of users of community land who are citizens of Kenya and share any of the following attributes: common ancestry, similar culture or unique mode of livelihood, socioeconomic (such as pastoralism) or other similar common interest; geographical space; ecological space; or ethnicity
- vi) **The Community Land Act** provides that Community land may be held under any of the following land tenure systems: customary, freehold, leasehold, and such other tenure system recognized under the Act or other written law.
- vii) **Community Land** can also be held as communal land, family or clan land, reserve land, or in any other category of land recognized under the Act or any other written law.
- viii) **The Community Land Act** recognizes customary land rights including the customary right of occupancy meaning customary rights emanating or derived from African customary law (common among pastoralists), customs or practices provided that such rights are not inconsistent with the Constitution or any written law?
- ix) **The Community Land Act** provides that former group ranch and trust land members will own their land as a society approved by the registrar of societies, governed by a constitution written by members of the community land

- x) **The Community Land Act** limits the compulsory acquisition by the State of any interest in, or right over community land? Community land can only be acquired compulsorily;
 - Where compulsory acquisition is, first, in accordance with the law.
 - For Public purposes i.e. infrastructure, mining, military installations, extraction of resources (oil, gas, geothermal, soda ash) and public social amenities
 - Upon prompt payment of just compensation to the person or persons/community, in full or by negotiated settlement
- xi) **The Community Land Act** provides that; agreements relating to investment in community land must be free, open and a result of a consultative process which should involve among other things stakeholder consultations and involvement of the community
- xii) **The Community Land Act** states that a registered community may use alternative dispute resolution mechanisms including traditional dispute resolution mechanisms to settle disputes. However, where all efforts of resolving a dispute fail, a party may institute judicial proceedings.
- xiii) **Each member of the community** has a duty to seek information from the relevant authorities i.e. County Land Management Committee, County Executive Committee on Land, Local Chiefs and Ward Administrators on the implementation of the Community Land Act 2016 especially;
 - Identification of Community Land,
 - Adjudication of Community Land,
 - Election of Community Land Management Committee, and; (iv) Registration of Community Land



4. Pathways Towards Tenure Rights for Indigenous Women



4.1 Statutory Prerogatives

- Indigenous women should use the outlawing of gender discrimination in law, and elimination of discriminative customs and practices related to land and property in land (COK Art. 60) to demand their rights in Community Land
- Indigenous women should invoke the protection of legal matrimonial property and the interests of spouses in occupation of land upon the death of a spouse (COK Art. 68) to secure their rights within community land
- Indigenous women should demand the implementation of the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender (COK Art. 27 (8)) to ensure that they are effectively included in decision making and ownership structures of Community Land
- Indigenous women as bonafide owners of community land or affected persons must be recipients of compensation when community land or family land is compulsorily acquired (LA s. 107).

4.2 Registering Community Property

The Land Act, 2012 (LA) should be invoked by indigenous women in the contexts of legal recognition of customary land tenure and enforcement of land rights arising under all tenure systems and non-discrimination in ownership of, and access to land under all tenure systems” (LA s. 5 (2)).

Indigenous women should also claim their tenure rights under the CLA that protects customary rights held immediately prior to the commencement of the law (CLA s. 5).

Indigenous women should also claim their tenure rights under CLA by seeking responsive rules for regulating the management and administration of community land on the basis of customary norms (CLA s. 2, 37).



Indigenous women can also claim their tenure rights under “individual customary rights of occupancy to community members” through customary law (CLA s. 14).

Indigenous women especially those from pastoralist extraction should demand their tenure rights under the provision that “customs and practices of pastoral communities” are specifically to be taken into account (CLA s. 28)

Indigenous women should advocate for their land rights to be recognized under the unregistered customary land that is under the trusteeship of county governments until these lands are formally identified and registered (CLA s. 6)- a lot of support is required to ensure indigenous women effectively engage in the registration of community land and inclusion in the subsequent structures governing community land

Indigenous women should claim their tenure rights under derivative rights issuing from CLA for individuals, families, and other customary groups or new groups formed by community members, such as a women groups, cooperative or association, to be acknowledged as the owners of rights to particular parts of the community’s domain (CLA s. 14).

Indigenous women should also claim their land rights as individual members, families and groups registered under the lesser title specific to their areas such as house and farm plots (CLA s. 27).

Indigenous women could also claim their tenure rights through the derivative rights i.e. the Community Land Management Committee, subject to approval by the community (CLA Regulations, s. 17).

Indigenous women should claim their land rights under the CLA that enables derivative rights to be governed by customary law, meaning that rules that the community as a whole adheres to if in mutual agreement, individual and family rights may be held for an indefinite duration (CLA s. 14).

Indigenous women can also claim their land rights under the CLA at two levels; the ownership of all the community commons, held under a formal collective title deed, and collective ownership of derivative rights to specified parts of the property, that do not constitute absolute ownership but access and use by all community members or an agreed sub-set of members such as women defined by the Act as “holding or using land in undivided shares by a community” (CLA s. 2).

Indigenous women being the custodian of natural resources are empowered to claim rights under the “sustainably and productively using natural resources for the benefit of the whole community including future generations, with transparency and accountability and on the basis of equitably sharing or accruing benefits” (CLA s. 35).

Above all indigenous women must use the CLA stipulation that there must be “equal treatment of applications for women and men” (CLA, s. 14 (4) (c) (i)) to assert their rights to community land

Further, women belonging to indigenous families by virtue of marriage can claim tenure rights by invoking the provision that women marrying into the community may not be excluded as members, and their rights to land remain unless they divorce and remarry elsewhere (CLA s. 30 (5)).

5. International Instruments Relevant to Indigenous Women Land Rights



5.1 Indigenous women can invoke the following international human rights conventions in seeking their rights within the Community land

- i) Universal Declaration on Human Rights (UDHR)
- ii) International Covenant on Civil and Political Rights (ICCPR)
- iii) Habitat 11 Agenda and Platform for Action
- iv) Commission on the status of women Resolution 42/1, *“Human rights and land rights discrimination”*
- v) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- vi) Commission on Human Rights Resolution 2003/22 *“Women’s equal ownership of, access to and control over land and the equal rights to own property...”*
- vii) International Covenant on Economic, Social, and Cultural Rights (ICESCR)
- viii) Convention on the Rights of the Child
- ix) Beijing Declaration and Platform for Action

5.2 Persons with Disability and Community Land Act

It is a universal human rights principle that persons with disabilities (pwd) shall not be discriminated on grounds of their disabilities and that persons with disabilities shall have the right to equality, personal liberty and to live in a community. In Kenya the **Persons with Disabilities Act** No. 14 of 2003 secures the rights and fundamental freedoms of persons with disabilities. However, among indigenous people's persons with disabilities suffer quadruple marginalization and remain invisible on matters of land and property. However, under section 30 of the Community Land Act on non-discrimination, it states that;

- i) Every member of the community has the right to equal benefit from community land.
- ii) Equality includes full and equal enjoyment of rights of use and access.

- iii) Women, men, youth, minority, persons with disabilities and marginalized groups have the right to equal treatment in all dealings in community land. Community Land No. 27 of 2016 - 17 - [Issue 3]
- iv) A registered community shall not directly or indirectly discriminate against any member of the community on any ground including race, gender, marital status, ethnic or social origin, colour, age, disability, religion or culture.

Persons with disabilities within Indigenous peoples therefore have to invoke the above provision to claim their inclusion in ownership and governance of community land in the spirit of equal opportunity, protection of their rights and full participation.

6. Recommendations



In order to secure the rights of indigenous women within the community land regime the following needs to be urgently articulated;

- Acknowledgment that indigenous women live in a patriarchal society and therefore deliberate synergies with men led institutions must be build and men champions of indigenous women land rights cultivated to catalyze the change of mindsets and paradigm shift in communities
- Considering that indigenous women are operating in a potentially violent environment safety for Human Rights Defenders is essential to ensure sustainability of the advocacy as such measures should be put in place to ensure the safety of all champions, activists and collaborators
- Broad based strategies must be put in place including seeking legal and other means to hold national government structures in the county level accountable through the Commission on Administrative Justice and the or the Office of the Ombudsman in cases where the relevant duty bearers fail to adhere to statutory prerogatives on indigenous women's rights in community lands as well as persons with disabilities
- As a matter of urgency indigenous women and their networks should engage the county assemblies especially the committees that address such sectors as land – to ensure that indigenous women's rights to community lands are well articulated through the requisite county in county legislations and fact finding missions at community level
- Indigenous women and their networks and collaborator should urgently identify opportunities for public participation at ward, sub-county, county and national levels to ensure that their voices and issues regarding community land rights are heard and that the necessary measures are put in place to secure these rights

- Mass citizen education on the rights of indigenous women and persons with disabilities in community land ownership and governance should be undertaken as a matter of urgency to ensure grassroots women and pwd understand and internalize the contents of the Community Land Act and therefore seek accountability from duty bearers
- Indigenous women's' organizations and their partners explore ways to conduct audits of community land registration processes for IWC members undertaking registration of their lands
- Map and develop a database of all funding opportunities available for women at the county level as part of strategic resource mobilisation for the herculean task ahead
- IWC to undertake national and county level engagement targeting national and county governments to petition them on the need to articulate their constitutional prerogatives as regards the rights to community land
- Development of a strategic media civic education on the rights of indigenous women in community land using regional and community radio stations

7. Conclusion



Constitutional provisions that guarantee the rights of women to land and land property forms a foundational basis of seeking the rights of indigenous women in community land.

In order to address the multiple marginalization of indigenous women a sustained effort between grant makers, indigenous men and women and other partners have to be consolidated with a view to making one final push in ensuring vertical and horizontal articulation of indigenous women's rights in ownership, management and use of community lands in Kenya as a constitutional prerogative without which community land may fail to be registered.

In addition, linkages should be enhanced among indigenous peoples' organisations, policy makers, constitutional commissions and county governments to push for participatory implementation of the climate change regulatory frameworks to ensure the recognition of indigenous people's expertise and indigenous knowledge of natural resource management and adaptation in responding to the effects of climate change. Indigenous women are bearers of immense intangible ecological

knowledge that would be instrumental in developing adaptive capacities of communities to climate change, therefore there is need for indigenous people to create a collective voice in pushing for the incorporation of this invaluable knowledge for responsive climate change interventions.

The role of civil society is also another crucial intervention in advocating for indigenous women's and persons with disabilities rights in community land. Civil society must continue to offer civic education and paralegal trainings for the marginalized communities and campaign for better information, participation, inclusion and participation in all processes and structures governing community land.

Strengthening synergies between indigenous women, civil society, county governments, media and legal entities shall be instrumental in seeking adherence to statutory adherence to gender parity in community land ownership and management and use as well as inclusion of persons with disabilities in all aspects of implementation of the community land act.

8. Appendices

8.1 Presentations





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