



**COMMUNITY
LAND
SUMMIT**

PROTECTING THE COMMONS FOR
A SHARED FUTURE

COMMUNITY LAND SUMMIT

4TH EDITION - 2024

13 – 16 November 2024

Kisima Eco Lodge and Spa, Isiolo County, Kenya.



#CLS2024

THEME:

"ENHANCING INDIGENOUS PEOPLES'
COLLECTIVE BARGAINING POWER
TOWARDS CARBON MARKETS."

EXECUTIVE SUMMARY



The 4th Community Land Summit (CLS)¹ took place on November 13 – 16, 2024 at Kisimani Eco Resort and Spa in Isiolo County, Kenya. The Summit was held under the theme “Enhancing Indigenous Peoples' Collective Bargaining Power Towards Carbon Markets”, with a focus on Sustainable Development Goals (SDGs) 13 on Climate Action, and 10 towards Reduced Inequalities, emphasizing enhancing indigenous peoples' collective bargaining power towards carbon markets. Hosting over 400 delegates from East and Horn of Africa Countries – Kenya, Uganda, Tanzania, Democratic Republic of Congo (DRC), Rwanda and Ethiopia – the summit convened and facilitated open conversations between representatives of indigenous peoples, pastoralist communities, hunter-gatherers, civil society organizations (CSOs), county and national government, private sector, researchers and academia, and other developmental actors on contemporary issues concerning indigenous peoples' lands and territories, particularly carbon markets and the need for collective bargaining. effectively analysing the existing carbon market legislations, benefit sharing modalities, and the role of women and minority groups in carbon market initiatives. The summit was made possible by the collaborative efforts of Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT) Kenya, Pastoralists Alliance for Resilience and Adaptation Across Nations (PARAAN Alliance), among other partners.

¹ This is the 4th Community Land Summit co-hosted by IMPACT Kenya, PARAAN Alliance, and with support of other partners. IMPACT Kenya in partnership with PARAAN Alliance and other partners facilitated the 1st, 2nd and 3rd CLS in 2021 (Nanyuki, Laikipia County), 2022 (Nanyuki, Laikipia County) and 2023 (Maralal, Samburu County) respectively. The CLS serve as key platform for learning, sharing and building solidarity towards securing land and territorial rights; natural resource governance, climate justice among others for self-determination of IPLCs, while fostering direct engagement with government, private sector, and other development actors.

While carbon markets aim to incentivize emission reductions and promote sustainable practices towards climate action, carbon trading has emerged as an economic venture focusing on Indigenous Peoples' and Local Communities (IPLCs) lands and territories. IPLCs steward critical carbon-rich ecosystems and bring invaluable traditional knowledge to the fight against climate change. By asserting their rights and leveraging their assets, IPLCs not only contribute to global climate goals but also drive transformative change in their communities. However, engagements with communities point to the fact that most carbon offset projects have been conceptualized without Free, Prior, and Informed Consent (FPIC) and are dotted with minimal or no community involvement in the development phase, with unclear benefit-sharing modalities. Furthermore, anecdotal evidence shows that most carbon trading activities perpetuate inequalities and human rights violations. On the other hand, governments are simultaneously embracing carbon markets as a financial opportunity, while also rapidly enacting legislations aimed at promoting equitable and transparent dealings.

OBJECTIVES

The three-day summit purposed to achieve the following objectives:

- 01.** To create a space for communities at the forefront of addressing climate change and who interface with carbon offset projects to convene, connect, dialogue and engage with governments, carbon project proponents, carbon marketers, and other carbon actors for meaningful community involvement in decision-making processes related to carbon markets.
- 02.** To identify safeguards and potential risks associated with carbon markets, particularly those that may lead to land, territorial, and other human rights violations.
- 03.** To advocate for secure land tenure rights as a fundamental component of climate resilience, cultural preservation, and sustainable development for IPLCs, and demand policy changes needed to guarantee fair compensation, transparency, equitable benefits, and prevent adverse effects in carbon markets.
- 04.** To harness and strengthen collective IPLCs voices and actions to strategically engage carbon credit actors, advocate for transparency for greater transparency, meaningful community involvement, fair benefits-sharing mechanisms, and security over land tenure rights.

Coinciding with the 29th Conference of Parties (COP29) held in Baku, Azerbaijan on November 11 – 22, 2024 under the auspices of the United Nations Framework Convention on Climate Change (UNFCCC), the CLS 2024 contributed to the global discourse on climate action, climate financing, and prospects for carbon trading in advancing SDG 13. The COP29 theme “Investing in a Livable Planet for All” focused on accelerating progress towards climate goals through innovative solutions, enhanced financial support, and inclusive partnerships. While COP29 deliberated mechanisms for advancing carbon markets and equitable climate solutions, the CLS 2024 not only elevated and profiled the opportunities but also raised concerns associated with carbon trading for climate action in the context of IPLCs in East Africa and beyond.

Against the backdrop of growing global investment in carbon markets — estimated to channel billions of dollars into climate solutions — participants explored pathways to ensure IPLCs are no longer perceived as beneficiaries but co-investors and decision-makers in these mechanisms. Discussions revolved around securing land tenure, equitable benefit-sharing, gender inclusion, and transparent governance frameworks.

Key insights from the summit highlighted the dual opportunity and risks that carbon markets present for IPLCs. While these markets offer pathways to climate financing and sustainable livelihoods, they also pose significant existential threats, including potential land alienation, inequitable benefits, and exclusion from decision-making processes. By aligning with the broader climate goals discussed at COP29, the summit emphasized the imperative to embed IPLC rights and leadership in the emerging national and global carbon economy.

Following intense and focused dialogue between the IPLCs, government officials, CSOs and other stakeholders, below are the conclusions, recommendations, and commitments arrived at by delegates in the Summit, further underscored in a joint Declaration available here.....

(...www.impactkenya.org...):

**Secure Land
Tenure Rights is
Foundational:**

Commitment to accelerate land registration and improve tenure security ensuring that IPLCs have power over decision making and negotiation as stakeholders in carbon markets.

**Bridging
Knowledge
Gaps:**

Resolve to demystify carbon markets through widespread community sensitization campaigns, equipping IPLCs with the tools to negotiate equitable agreements anchored on FPIC.

**Prioritizing
Gender
Equity:**

Strong advocacy for integrating women and marginalized groups into decision-making processes to achieve inclusive climate solutions and benefits for sustainable development.

**Transparent
and Fair
Benefit-Sharing**

Recommended frameworks that promote and ensure IPLCs receive their rightful share of financial and non-financial benefits, aligned with Free, Prior, and Informed Consent (FPIC) principles; in a transparent, and accountable manner.

**Bridging
Knowledge
Gaps:**

Calls for East African countries to harmonize climate governance and share best practices to amplify and leverage on IPLCs' collective bargaining power.

The summit reaffirmed that advancing IPLC rights is not only a moral obligation but a strategic necessity for achieving global climate resilience and justice; and that IPLCs at the frontline of climate action must be respected by embracing meaningful engagement, respect for FPIC, and fair and equitable benefit sharing mechanism. As emphasized in the summit's declaration/communique, IPLCs must transition from playing the victim or positioning as passive beneficiaries to take their role as active stakeholders and co-investors in carbon markets. Achieving the shift in mindsets and actions by IPLCs require addressing of knowledge gaps, safeguarding land tenure rights, and institutionalizing transparent governance structures.



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ACRONYMS AND **ABBREVIATIONS**

ASALS - ARID AND SEMI-ARID LANDS

CBO - COMMUNITY-BASED ORGANIZATION

CLAN - COMMUNITY LAND ACTION NOW

CLS - COMMUNITY LAND SUMMIT

CLMC - COMMUNITY LAND MANAGEMENT COMMITTEE

CLOAK - COMMUNITY LAND OWNERS ASSOCIATION OF KENYA

COP - CONFERENCE OF PARTIES

CSO - CIVIL SOCIETY ORGANIZATION

DRC - THE DEMOCRATIC REPUBLIC OF CONGO

ESIA - ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

FPIC - FREE, PRIOR, AND INFORMED CONSENT

GHG - GREENHOUSE GAS

ICC - INDIGENOUS CONSERVATION CORRIDOR

IMPACT - INDIGENOUS MOVEMENT FOR PEACE ADVANCEMENT AND CONFLICT TRANSFORMATION

IPLCS - INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

MTA - MATERIAL TRANSFER AGREEMENT

NLC - NATIONAL LAND COMMISSION OF KENYA

NRT - NORTHERN RANGELANDS TRUST

PARAAN - PASTORALISTS ALLIANCE FOR RESILIENCE AND ADAPTATION ACROSS NATIONS

PFE - PASTORALISTS FORUM ETHIOPIA

PWDS - PERSONS WITH DISABILITIES

SDGS - SUSTAINABLE DEVELOPMENT GOALS

UCRT - UJAMAA COMMUNITY RESOURCE TEAM

UNDRIP - UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

UNFCCC - UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

SUMMIT OPENING CEREMONY

INDIGENOUS PRAYERS

The 4th Community Land Summit began with a rich display of cultural heritage, as community elders from Laikipia and Samburu counties offered traditional blessings. This act symbolized the spiritual connection between indigenous peoples and their ancestral lands and set the stage for a gathering that would delve deeply into issues of land rights, climate resilience, and equitable carbon market participation.

WELCOME REMARKS BY MALI OLE KAUNGA, EXECUTIVE DIRECTOR, IMPACT KENYA

Welcoming the delegates to the CLS 2024 was Mr. Mali Ole Kaunga, the Executive Director of Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT), Kenya. Ole Kaunga welcomed all delegates to the Summit, acknowledging their presence and thanking them for attending the Summit. Reminding the delegates of the Summit theme; *“Enhancing Indigenous Peoples’ Collective Bargaining Power Towards Carbon Markets”* Ole Kaunga reflected on the progressive journey of the CLS since its inception in 2021. The CLS has evolved into a platform that amplifies IPLC voices, providing a shared space to deliberate and address critical issues faced by IPLCs in the East and Horn of Africa such as land and territorial rights, climate change and carbon trading. He challenged IPLCs to reflect on why they remain vulnerable despite their substantial contributions during electoral cycles, urging them to leverage their strength in unity to address contemporary challenges such as carbon credits. He underscored the need for IPLCs’ unity of purpose and collective bargaining, noting the similarities in challenges and opportunities they face in contributing to climate action through nature-based solutions that leverage indigenous knowledge. He called for a collaborative approach with multi-level governments, elected officials, and organizations, emphasizing that IPLCs’ leaders – both elected and traditional – are their greatest assets. Ole Kaunga acknowledged and thanked the leaders present for standing with the people but also urged them to remain accountable by presenting pastoral community issues in parliament and other decision-making forums. He stressed the importance of prioritizing issues such as water access, livestock security, and equitable carbon market participation.

He thanked IMPACT Kenya partners for their collaboration and support that made it possible to convene the summit for four consecutive years; creating a unique platform for IPLCs to connect, share experiences, and dialogue with diverse stakeholders on matters foundational to their lives and livelihoods. He cited issues such as insecure land tenure rights livestock theft, and climate-driven socio-economic pressures that result to loss of livelihoods. He invited participants to reflect and explore solutions to these pressing issues, urging them to do so in the spirit of collaboration, harmony, and mutual respect. Emphasizing the summit’s theme, he urged IPLCs to embrace their role as co-investors in carbon markets.

“Carbon markets are not about charity; they are about business. Let us ensure that this business respects our dignity, land rights, and cultural heritage.” said Ole Kaunga.

He further added, *“Agreements must be transparent, inclusive, and rooted in community Free, Prior and Informed Consent (FPIC). Sensitization and education are key to enabling communities to understand and actively engage with carbon markets while maintaining their right to self-determination.”*

He strongly advocated for a human-rights-based approach to carbon agreements, underscoring the need for respect, recognition, and dignity for IPLCs.

“Communities do not have to choose between participating in carbon markets and retaining their land rights. Rather, any engagement must ensure that rights to land are preserved while allowing communities to chart their own development paths.”



~ MALIH OLE KAUNGA

In conclusion, Ole Kaunga emphasized the importance of ensuring that benefits from carbon markets are distributed fairly, equitably, and without external directives on how communities should utilize the funds. He called for transparency in agreements and accountability in carbon dealings. The summit, he reiterated, was an opportunity to chart a new course – one that places communities at the centre of climate solutions, ensuring their voices and rights are upheld at every step.

REMARKS BY MR. MOHAMMED YUSUF, REPRESENTATIVE – PARAAN

Building on the remarks by Ole Kaunga, Mr. Mohammed Yusuf, representing the PARAAN Alliance – 2024 CLS co-host –extended his appreciation to the delegates for having travelled from far and wide to attend the Summit in Isiolo. He acknowledged the diverse representation from across East and Horn of Africa and expressed gratitude for the collective commitment to addressing pressing issues faced by Indigenous Peoples and Local Communities (IPLCs). He affirmed the commitment of PARAAN Alliance; a coalition made up of 34 indigenous people’s organizations from East Africa, in advancing pastoralist resilience and adaptation to climate change, while building solidarity and amplifying IPLC voices in decision-making processes at both national and global levels. While reaffirming PARAAN's dedication to enhancing IPLCs’ collective bargaining power in carbon markets.



“Land is not just an asset; it is identity and heritage. Without secure land rights, IPLCs cannot meaningfully engage in carbon markets or secure their fair and equitable share of the benefits.”

~ MUHAMED YUSUF

Yusuf emphasized the foundational role of secure land rights in enabling IPLCs to effectively engage in carbon markets, ensuring no one is left behind in the process. However, he expressed great concern over the significant threats IPLCs face in the wake of carbon markets, including displacement and dispossession of their lands. These realities, he stressed, must drive the urgency of safeguarding IPLCs' land tenure as a prerequisite for equitable participation in carbon markets.

Mr. Yusuf reiterated that IPLCs must add value to, and benefit from, carbon market processes, particularly by gaining access to critical information and resources that empower them in the negotiations with investors and decision-making.

He emphasized the importance of the summit as a platform for developing a unified IPLCs position on carbon markets in the region—one that addresses the threats, leverages opportunities, and proposes feasible approaches for equitable and inclusive engagement by all actors. Mr. Yusuf expressed hope that at the end of the summit, delegates would have a shared resolution that aligns IPLCs aspirations and rights with the realities of carbon markets. He invited all delegates to build this collective vision, ensuring that IPLCs' voices are not only heard but also inform policy decision and practices around carbon markets.

REMARKS BY PENINAH NAILANTEI, WOMAN LEADER FROM NAROK COUNTY.

Peninah Nailantei expressed her gratitude to IMPACT Kenya and partners for their effort in amplifying the voices of Indigenous Peoples and Local Communities (IPLCs) especially women. She acknowledged the importance of the summit in empowering IPLCs as well as women to navigate complex issues such as carbon markets.

Ms. Nailantei noted the lack of understanding of what carbon markets and trading entails by most IPLCs especially women in Narok County and across the region. She noted that many community members refer to carbon market proceeds as “Pesa ya hewa” – loosely translating to ‘money from the air.’ This perception, she said, underscores the urgent need for enhanced community sensitization and education to foster a deeper understanding of carbon markets and its implications to their lives and livelihoods. She emphasized that the principle of inclusivity must be central to all carbon trading processes, with the voices of IPLCs including women and the youth playing a pivotal role in ensuring fair and equitable outcomes

She challenged fellow delegates in the summit to seek more information about new and or existing projects that are implemented in their communities including the source of money they directly or indirectly receive as payment for carbon trading or similar initiatives. She asserted that IPLCs can provide or withhold consent for carbon-related projects as governed by the principle of Free, Prior, and Informed Consent (FPIC). She reminded participants of the rights enshrined in the Constitution of Kenya (2010) and the Community Land Act (2016), that recognizes and protect community land rights. These legal frameworks must be leveraged to enhance IPLCs power and capacity to participate meaningfully in carbon markets, securing both their rights and their future. To ensure this right is effectively exercised, she called on key stakeholders to support widespread sensitization on the FPIC approach and its applicability at the community level. She also stressed the importance of translating relevant documents such as legislation, and agreements into IPLC languages to enhance comprehension. Additionally, she advocated for the involvement of local female and male experts to interpret complex carbon market concepts and policies for IPLC communities. These steps, she noted, would empower communities, women and the youth to make informed decisions that safeguard their interests. She expressed her readiness to learn from other summit delegates to gain better insights on what carbon markets entail. She sought to better understand the role of governments, NGOs, CSOs, and other stakeholders in unlocking the potential of carbon markets through a joint, multi-stakeholder approach. She challenged the delegates – especially IPLCs – to ensure they take the lessons learnt from the summit back to their communities. Collaboration, she stressed, was key to creating sustainable, equitable, and inclusive climate solutions.



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REMARKS BY HON. TIYAH GALGALO, COMMISSIONER, NATIONAL LAND COMMISSION

Hon. Tiya Galgalo, commissioner at the National Land Commission (NLC) of Kenya acknowledged the importance of community land registration as a cornerstone for achieving tenure security and fostering investment in community lands. While acknowledging the potential for land-based investment, she noted the slow pace in registration of community land that has hindered efforts to fully unlock the potential of community lands for the benefit of IPLCs.

To address this challenge, she emphasized the need for innovative mechanisms to advance community land registration processes to help accelerate registration efforts while ensuring inclusivity, transparency, and alignment with national policies. She reiterated the commission's commitment to addressing existing bottlenecks and supporting IPLCs in securing their land rights, which are essential for effective participation in emerging opportunities such as carbon markets. She underscored the centrality of land tenure security as a critical enabler for sustainable development, climate resilience, and economic empowerment for IPLCs.



REMARKS BY GERTRUDE NDUKU NGUKU, VICE CHAIR, NATIONAL LAND COMMISSION



Gertrude Nduku Nguku, Vice Chair of the National Land Commission (NLC) of Kenya thanked IMPACT Kenya and PARAAN Alliance for hosting the 4th series of the CLS. She termed the theme of the summit as timely and worth deep engagement noting the following:

- 01.** The Constitution of Kenya (2010) established a transformative framework that recognizes land ownership as individual, communal, and public. This landmark change delegated authority over land to the people of Kenya, making it a critical milestone in the journey toward equitable land governance.
- 02.** Youth engagement in economic contributions demand youth active engagement in land governance. She emphasized the growing recognition of Africa's youth as key drivers of innovative economic contributions to society. She stressed that empowering the youth is essential for realizing the full potential of community-driven initiatives, including climate solutions.

- 03.** Carbon Market Regulation in Kenya (May 2024): She pointed out the prospects of the newly carbon market regulation by the Cabinet Secretary for Environment that aims to ensure that carbon market projects benefit IPLCs directly. The regulation provides a structured framework for equitable engagement in carbon markets, with clear opportunities for IPLCs to participate meaningfully.
- 04.** Strong summit objectives alignment with the global commitments at COP29, impacts IPLCs' ability to contribute to and benefit from global climate initiatives including financing for climate action, and for loss and damage associated to climate hazards.

She elaborated on the role of the NLC in these transformative processes, emphasizing three key areas:

Equitable Public Land Management: The NLC is committed to ensuring that public land is managed transparently and equitably for the benefit of all citizens.

Acquisition of land for investment including compensation for such land.

Monitoring the implementation of the Community Land Act: The commission continues to play a critical role in monitoring the implementation of the Community Land Act to secure communal land rights and enhance IPLC participation in governance.

She called on the summit delegates to profile key policy gaps that need to be addressed by policy makers and share best practices in securing land and carbon rights of IPLCs. She reaffirmed the NLC's unwavering commitment to advancing IPLC land rights in the region and beyond, ensuring that communities including women and youth voices are heard and respected in all land-related decision-making processes. She challenged IPLCs to leverage their collective action to ensure meaningful involvement and decision making in carbon businesses.

REMARKS BY MR. AMOS MULI MUSYOKA, PROPERTY DIRECTOR – STATE DEPARTMENT FOR LAND AND PHYSICAL PLANNING

Representing the Cabinet Secretary (CS) for Lands, Hon. Alice Wahome, Mr. Amos Muli Musyoka delivered her speech to the summit delegates. In her speech, the Hon. Wahome emphasized the importance of addressing land tenure security for IPLCs as an enabling factor for climate resilience.

"This summit is a crucial step towards unlocking the potential of community lands for climate resilience, economic empowerment, and sustainable development," – CS. Hon, Wahome.

The Community Land Act, Cap 287, was highted as a transformative milestone in Kenya's history in securing land tenure rights for IPLCs.

“This legislation rekindled the hopes of communities that their constitutional rights to land ownership could be fully realized. The Act empowers women, minority groups, children, and other vulnerable populations by redefining leadership structures and establishing Community Assemblies as the apex decision-making bodies for community land governance. Through tiered governance structures, including the Community Land Management Committees (CLMCs), we are facilitating meaningful engagement of all community members in decision-making.”

~ CABINET SECRETARY FOR LANDS. HON. . ALICE WAHOME

It was reported that the Ministry of Lands, with the support of county governments and partners, had facilitated registration of over 50 community lands across counties such as Laikipia, Samburu, Turkana, Baringo, West Pokot, and Garissa. These counties have since made significant progress by convening Community Assemblies, developing member registers, and creating bylaws in compliance with the Act. Although the Community Land Management Committees (CLMCs) play a vital role in community land governance, they also face procedural, statutory, and regulatory deficiencies that hinder their effectiveness. To address these challenges, the Ministry, in partnership with the National Land Commission, Namati, and the Kenya Wildlife Conservancies' Association, developed a Community Land Reference Manual. The manual is designed to enhance the capacity of CLMCs and ensure they fulfil their mandate effectively, both pre- and post-community land registration. The Ministry called upon partners to collaborate to support the dissemination of the manual and building the capacity of communities nationwide.

The devastating effects of climate change on communities' livelihoods especially for communities living in Arid and Semi-Arid Lands (ASALs) was underscored. The Ministry reported that it had taken proactive measures, including the establishment of Climate Change Units in every State Department to effectively address climate change issues from a land nexus; while working with communities to integrate traditional knowledge and skills into climate action strategies that enhance mitigation, adaptation, and resilience.

To address rights of IPLCs in view of emerging opportunities such as carbon markets, CS. Wahome noted the imperativeness of integrating carbon markets, conservancies, and artisanal mining into community land governance frameworks. Further, she noted the importance of ensuring that communities derive inherent benefits from these activities through equitable benefit-sharing arrangements. She urged CLMCs to ensure compliance with the FPIC principle when engaging in resource exploitation, including carbon credits. She noted that while the carbon footprints of IPLCs are minimal, their landscapes contribute significantly to global carbon capture. Hence, the contribution needs to be recognized and rewarded. She reaffirmed the Government of Kenya's commitment to safeguarding IPLCs' rights and maximizing their opportunities within carbon markets and other land-based investments for sustainable development.

REMARKS BY MR. GEOFFREY OMODING, COUNTY COMMISSIONER, ISIOLO COUNTY.

Mr. Geoffrey Omoding, County Commissioner of Isiolo County, delivered his opening remarks that underscored the importance of the summit in raising awareness and empowering Indigenous Peoples and Local Communities (IPLCs). He began by expressing his appreciation for the opportunity to participate in the summit, acknowledging its critical role in sensitizing communities on land rights, carbon markets, and sustainable development.

He emphasized the immense potential of Kenya's Arid and Semi-Arid Lands (ASALs), particularly in the Northern Kenya region, as hubs of national heritage, economic opportunities, and ecological value. However, he noted that unlocking this potential requires deliberate effort to foster peace and security across the ASALs. In Northern Kenya, peace and security are foundational enablers for investment, sustainable livelihoods, and economic development. Reflecting on his leadership in Isiolo County, Mr. Omoding expressed optimism about the region's improving security situation, noting the reduction in crime rate in Isiolo that continues to create conducive environment for development and investment. He called upon all stakeholders to dedicate more efforts in addressing retrogressive cultural practices such as cattle rustling that undermine peace and security in the region, emphasizing the importance of community dialogue and education in fostering positive change.

To enhance security, Mr. Omoding shared that the government is considering the use of drone surveillance as a modern approach to monitoring and addressing security challenges in the ASALs. He emphasized the government's commitment to securing resources and ensuring the prosperity of ASAL communities, acknowledging that security is a prerequisite for sustainable development. He also highlighted recent government interventions that have supported communities in Isiolo County during times of crisis. He noted that no livestock was lost during the last drought, thanks to the provision of food and non-food items by the Government of Kenya. Additionally, he commended the government's proactive measures in evacuating people to Samburu County to avert natural disasters, demonstrating a strong commitment to safeguarding lives and livelihoods. In conclusion, Mr. Omoding reiterated his appreciation for the summit's focus on sensitizing IPLCs and stakeholders, fostering dialogue, and addressing critical issues such as land governance and climate resilience. His remarks emphasized the importance of collaboration between communities, local leadership, and national government to ensure peace, security, and sustainable development in Isiolo County and beyond.



SUMMIT OFFICIAL OPENING BY HON. KELLO HARSAMA, PERMANENT SECRETARY, STATE DEPARTMENT FOR ARID AND SEMI-ARID LANDS (ASALS) AND REGIONAL DEVELOPMENT



Hon. Kello Hon. Kello Harsama, Permanent Secretary, State Department for ASALs and Regional Development, delivered his opening remarks that profiled the critical role of Kenya's Arid and Semi-Arid Lands (ASALs) in the country's development, cultural heritage, and climate resilience. ASALs contribute to Kenya's socio-economic and ecological benefits. Reaffirming the value of the summit as a platform to address challenges and opportunities for communities residing in these regions, he thanked the organisers, IMPACT Trust and PARAAN Alliance for the initiative. He noted that ASALs constitute 80% of Kenya's landmass and are home to 36% of the population (approximately 18 million people). These lands, he said, harbour 90% of Kenya's wildlife, making them critical for biodiversity and tourism, while also supporting 70% of the country's livestock, which is a vital source of livelihood for communities and a key contributor to the national economy.

He went on to highlight the government's recognition of ASALs' potential for growth and development across various sectors. With ASALs' rich cultural and natural heritage, they have the potential to attract tourists, while investments in agriculture, mineral exploitation, hospitality, and cultural industries have shown significant promise for economic growth. However, he cautioned that the rising demand for ASAL land has brought new challenges. He noted that there are cases where investors have illegally acquired land from local communities, failing to follow due processes. Hon. Harsama emphasized the importance of sensitizing communities to safeguard their land rights and prevent further loss of communal lands to fraudulent practices. He acknowledged the importance of forums such as the summit in amplifying community voices and equipping them with the knowledge and tools needed to protect their rights. He acknowledged the efforts that by the Ministry of Lands, NLC, and other partners that saw the development of the Community Land Reference Manual that will strengthen community land ownership and governance. The manual, he said, will enable communities better understand their rights and ways of navigating emerging opportunities – such as carbon markets – while ensuring meaningful participation and equitable benefit-sharing. He reiterated the government's commitment to fostering partnerships with stakeholders such as IMPACT Kenya to enhance community sensitization, capacity building, and empowerment. He assured participants that the government would follow up on the resolutions from the summit to ensure their implementation for the benefit of IPLCs.

Looking ahead, he outlined the government's broader plans to unlock ASALs' potential. He announced the launch of a Feedlots Programme in 30 counties, starting with Tana River, Mandera, Wajir, Isiolo, Samburu, and Baringo, among others as a key initiative by the National Government to address food insecurity and improve livelihoods in ASALs areas. He emphasized the importance of fostering transparency and fairness in public-private partnerships, ensuring that community participation is prioritized in all transactions. He reaffirmed the government's commitment to protecting the interests of ASALs communities and maximizing their opportunities in key sectors such as tourism, livestock, and mining. However, he emphasized the power of stakeholders' collaboration, community empowerment, and sustainable development as essential pillars for achieving resilience and equitable development in ASAL areas. Hon. Harsama then declared the summit officially opened, and in a colourful event, auspiciously launched the Community Land Reference Manual; joined by representatives from the Ministry of Lands, IMPACT Kenya, NLCs, Namati, representative of IPLCs, and other stakeholders.

INDIGENOUS PEOPLE'S LANDS AND CARBON MARKETS

INTRODUCTION TO CARBON MARKETS BY DAVID ARACH - NAMATI



The first plenary session, titled *"Indigenous Peoples' Lands and Carbon Markets"*, moderated by David Arachi of Namati, provided foundational information needed to understand definitions, key concepts on carbon credits, and equipping IPLCs with the knowledge about carbon markets mechanisms. David contextualized carbon markets within global climate initiatives, linking the summit theme directly to the efforts under the Paris Agreement and discussions at the coinciding COP29. He explained that carbon markets are an essential mechanism in the global fight against climate change, designed to reduce greenhouse gas (GHG) emissions. By tracing the origins of carbon emissions to mass production and industrial processes reliant on fossil fuels, he highlighted how unchecked emissions exacerbate climate-related challenges such as rising temperatures, droughts, and famines. These challenges, disproportionately affect IPLCs, who are often the least responsible for emissions yet the most vulnerable to their impacts.

David emphasized the critical role of IPLCs as landowners and stewards of their land and territories often the carbon-rich landscapes, asserting their legitimate right to participate in and benefit from carbon markets.

He identified the following key entry points for IPLCs engagement:

- 01. Land Ownership:** IPLCs must be recognized as contributors of critical resources, granting them a rightful say in carbon credit transactions.
- 02. Methodology:** Carbon absorption is measured through soil sampling and other scientific techniques, providing a quantifiable basis for participation.
- 03. Co-Investor Model:** Transitioning IPLCs from being perceived solely as beneficiaries to co-investors would allow them to receive dividends for their land's contributions to carbon markets.

David also highlighted the provisions in Kenya's Climate Change Act, which provides a legal framework for equitable benefit-sharing in carbon markets. Notable provisions include:

- i. Allocation of 40% of benefits from carbon projects to communities for land-based investments.
- ii. Allocation of 25% of benefits for non-land-based investments.
- iii. A robust emphasis on Free, Prior, and Informed Consent (FPIC) to uphold the autonomy and rights of IPLCs in carbon projects.

The session raised critical questions from IPLCs regarding their engagement in carbon markets including the following:

- i. Duration of Projects: Communities expressed the need for clarity on the lifespan of carbon projects and their long-term implications.
- ii. Transition to Co-Investors: Questions arose on how IPLCs would shift from being seen as mere beneficiaries to active co-investors.
- iii. Monetary and Non-Monetary Benefits: Communities sought clarity on both the tangible financial returns and the intangible benefits from their participation.
- iv. Investment of Benefits: IPLCs asked for guidance on how to reinvest monetary gains from carbon credits into sustainable development projects.
- v. Equitable Land Rights: Securing land rights was identified as foundational to ensuring IPLCs receive their fair share of benefits derived from carbon markets. The delegates needed to know why the governments are not fast tracking the documentation and registration of IPLCs land rights.

The session demonstrated that IPLCs are not just participants but key stakeholders in carbon markets. It underscored the need to address critical challenges such as knowledge gaps, land tenure security, and equitable benefit-sharing mechanisms that are transparent. It is time for IPLCs to demand and take their seat as co-investors in carbon markets to ensure fair and equitable benefits, while fostering climate resilience and sustainable development.

CLIMATE ACTION AND LAND RIGHTS



SESSION TITLE: LAND TENURE RIGHTS AND ENVIRONMENTAL JUSTICE

This session brought together representatives from Kenya, Tanzania, Uganda, Ethiopia, Rwanda, and the Democratic Republic of Congo (DRC) to discuss “Land Tenure Rights & Environmental Justice”. Moderated by Everlyne Nairesiae, the session delved into the intersection of climate change and land, featuring community experiences, national frameworks, and practical approaches to achieving environmental justice for IPLCs. Panellists also shared their countries’ unique challenges and opportunities, providing a rich comparative perspective on the subject.

KENYA: COMMUNITY LAND ACT AND OPPORTUNITIES FOR COMMUNITIES

Dr. Ben Koisaba of Kenya emphasized the opportunities provided by the Community Land Act (2016), which emerged as a window of hope for IPLCs following the promulgation of the 2010 Constitution. He highlighted that the term ‘indigenous’ is not explicitly recognized in Kenyan legal framework. However, marginalized communities have gained a platform for seeking their rights. Nonetheless, there is a need for large-scale sensitization to help communities understand and assert these rights. Dr. Koisaba raised concerns about neocolonialism in land ownership, citing recent Laikipia Land mapping done by a Danish Organization that showed 75% of the land is owned by about 35 individuals, leaving less land for local communities’ use. He underscored the importance of the summits in empowering the voiceless, particularly that of women and youth, to amplify their communities’ concerns.

TANZANIA: UJAMAA COMMUNITY RESOURCE TEAM (UCRT)

Mr. Paul Rokonga from Tanzania representing UCRT provided an overview of the Village Land Act (1999), which strengthened IPLCs rights to ownership and access to land. He noted that land ownership in Tanzania is determined through village certificates, granting IPLCs legal protection over their territories. The certificates are issued to individuals and not for collective rights. Despite this initiative by the government of Tanzania, Mr. Paul highlighted key challenges that IPLCs have continued to face including:

- i. Legal and policy disharmony, particularly in cases where community lands are demarcated for wildlife conservation, restricting community access.
- ii. Upgrading areas inhabited by the Maasai into controlled areas further marginalizes communities.

Paulo highlighted the role of Community Land Use Planning, which facilitates conservation while securing community land rights. He called for scaling up these efforts to balance community and environmental interests.

ETHIOPIA: COMMUNITY LAND TENURE SECURITY AND ENVIRONMENTAL JUSTICE

Mr. Tezera, from the Pastoralists Forum Ethiopia (PFE), shared the legal and constitutional protections for pastoral lands in Ethiopia. The constitution recognizes that land belongs to the citizens and nationalities, while the 2007 Land Laws and the 2023 National Rural Land Plan explicitly protect pastoral lands from being appropriated by investors. In his intervention, Mr. Tezera highlighted that

- i. Local institutions safeguard community land under local authorities.
- ii. The new legal framework prohibits pastoral land redistribution and balances investment with land rights.

He also pointed out that gaps mainly in resource conflict resolution mechanisms and compensation frameworks for pastoralists. The Ethiopian government is working to minimize external private sector investment and prioritize local investments by community members. He noted that transparency and accountability is key to ensuring IPLCs land rights are secured and can fairly and equitably benefit from carbon credits.

DEMOCRATIC REPUBLIC OF CONGO (DRC): WAMBUTI COMMUNITY AND LAND RIGHTS

Mr. Venant, the DRC representative, highlighted the plight of the Wambutu community, which was displaced from their ancestral lands when the Kahuzi-Biega National Park was established. Despite independence in 1960, Wambutu community has faced systemic discrimination and has been denied land ownership rights. Recent positive progress includes the enactment of legislation that allows the Wambutu and other IPLCs to own land and seek compensation for past injustices. However, the Wambutu have limited understanding of carbon markets and are yet to benefit from it. Mr. Venant emphasized the need for community sensitization, particularly in local languages, to unlock the opportunities presented by the carbon markets in an inclusive and equitable way especially for IPLCs.

KENYA: MR. FRANK SETEK, REPRESENTATIVE OF A COMMUNITY-BASED ORGANIZATION (CBO)

Mr. Frank Setek, representing Nkishon Community Based Organization (CBO); Nkiloriti (Naibung'a) Community Land reflected on the importance of the Community Land Act (2016) in enhancing environmental justice and protecting community land rights. The Act, he said, has made it possible for IPLCs to:

- i. Acquire legal recognition of their land ownership for identity and livelihood.
- ii. Access registration and governance through local committees.
- iii. Enjoy collective ownership under customary rights.
- iv. Enjoy inclusive decision-making on land governance and use.
- v. Contribute to governance of forests and community resources.

Mr. Setek noted that fraudulent investors continue to exploit IPLCs ignorance on carbon credits, necessitating urgent advocacy and education efforts to secure their rights and spur development.

DR. HASSAN ROBA FROM THE CHRISTENSEN FUND

Representing the development partners, Dr. Hassan Roba of the Christensen Fund elaborated on their approach to supporting community land rights. Over the last decade, the fund focused on enabling communities to capitalize on legal gains, particularly in implementing the Community Land Act in Kenya.

He highlighted the following challenges:

- i. Limited resources have hampered progress in land tenure interventions including registration of community lands.
- ii. Carbon market issues have compounded pre-existing challenges such lack of tenure security, requiring renewed focus and scaled-up interventions.



EQUITY IN CARBON MARKETS: UNDERSTANDING BENEFIT SHARING



The first panel discussion, titled *“Equity in Carbon Markets: Understanding Benefit Sharing,”* brought together diverse perspectives from government officials, private sector representatives, civil society actors, and indigenous community leaders. Moderated by Mr. Wilson Kipkazi from Endorois Welfare Council, and with an emphasis on inclusivity and transparency, the panel explored three key sub-themes: benefit-sharing modalities; Free, Prior, and Informed Consent (FPIC); and transparency in carbon markets. The plenary session featured the experiences and lessons learned on the carbon credit and benefit sharing mechanisms. Contributing to this session were: Tom Putunoi of Musul Community Land, Dickson Ropot from Ilingwesi Community Land, Margaret Super from PARAAN Alliance, Nancy Aol, a community delegate from Uganda, Fancy Kiprotich from Endorois Community, and Ben Lengalen, Director of Samburu National Reserve- County government of Samburu. The session centred on the lived experiences of community representatives and beneficiaries of carbon credit projects, highlighting both challenges and potential solutions.

COMMUNITY PERSPECTIVES

TOM PUTUNOI OF MUSUL COMMUNITY LAND, LAIKIPIA

Tom shed light on the significant knowledge gap surrounding carbon markets at the grassroots level. He noted rampant misinformation, including beliefs that carbon credit transactions are responsible for adverse events like droughts. This lack of understanding, coupled with unclear benefit-sharing criteria, has left communities ill-equipped to question or negotiate their stakes in carbon markets effectively.

DICKSON ROPOT FROM ILGWESI COMMUNITY LAND

Mr. Ropot shared similar concerns as Tom, emphasizing that carbon markets remain a new and largely misunderstood concept for many IPLCs. He called for intensified sensitization efforts to clarify the mechanisms of benefit-sharing and ensure communities understand the value of their participation in carbon projects.

- i. Community involvement in all decision-making levels in carbon project development and implementation to ensure their voices are heard and respected, including FPIC.
- ii. Secure land rights for IPLCs. Insecure tenure rights predispose such investment to risks over ownership and who benefits from its resources. Registration of community land is key to enhance communities negotiating power as an investor and not a recipient of such projects. For instance, in Turkana, harness the benefits associated with natural resources including crude oil and gas has been hindered by inter-community disputes, and competing land claims for lack of secure land rights.
- iii. The benefit sharing mechanisms are often developed without full participation of IPLCs, with regulations that are not responsive to their needs. It is unclear how the 40% community benefit sharing mechanism was derived as they were not consulted.

MARGARET SUPER FROM PARAAN ALLIANCE

Margaret raised critical issues about the lack of clarity in contract agreements for carbon offset projects. She observed that agreements are often signed without adequate community participation or sensitization, leading to mistrust. Margaret questioned the accuracy of carbon measurement processes and suggested re-evaluating past contracts to establish accurate carbon values and benefits to the respective communities. She lamented that communities have yet to realize significant benefits from carbon markets and frequently face external directives on how to spend their earnings, undermining their autonomy. This, she noted, has left communities with numerous unanswered questions about carbon offset projects.

FANCY KIPROTICH FROM ENDOROIS COMMUNITY - BARINGO COUNTY

Fancy highlighted the compounded challenges faced by women in indigenous communities. Cultural barriers and discrimination often exclude women from accessing information and benefits tied to carbon markets. For most IPLCs, women are often disenfranchised of their land rights and do not participate in the land governance decision making process. The lack of land rights for women and exclusion from decision making continues to push them away from carbon market-related decision making and negotiating for benefits. Despite these obstacles, she emphasized women's eagerness to be actively involved in carbon market discussions and benefit-sharing frameworks alongside their communities.

REGIONAL EXPERIENCES

NANCY AOI, COMMUNITY DELEGATE FROM UGANDA

In her intervention, Nancy outlined several challenges faced by communities engaging in carbon markets to include the following:

- i. Information Asymmetry: Communities often lack sufficient knowledge about carbon credits and markets, hindering informed participation.
- ii. Human Rights Violations: Instances of displacement due to land disputes and land grabs have left some individuals coerced into relinquishing their land rights.
- iii. Violation of FPIC: Many agreements proceed without genuine community consent, often secured through manipulation.

To address these issues, Nancy called on all stakeholder to invest and support efforts that:

- i. Enhance inclusive community sensitization on carbon markets and methodologies.
- ii. Decentralize collaborations to ensure IPLCs, and marginalized communities are reached.
- iii. Foster transparency to empower communities with informed decision-making.
- iv. Strengthen collaboration between governments and communities to ensure contract details are clear and understood before agreements are signed.

GOVERNMENT PERSPECTIVES

BEN LENGALEN, DIRECTOR, SAMBURU NATIONAL RESERVE - SAMBURU COUNTY

Mr. Ben Lengalen, Director of the Department of Environment in Samburu County, acknowledged the complexities of equity in benefit-sharing and the challenges governments face in navigating carbon markets, which are still a novel concept to most IPLCs. He emphasized the importance of localized approaches, where county governments tailor carbon market strategies to address the unique contexts in their jurisdictions. Further, he highlighted the critical role that FPIC plays in carbon market projects. While FPIC is enshrined in law, its practical implementation is often lacking. Many communities, particularly in Northern Kenya, face vulnerabilities to climate change leading to high poverty levels, making them hesitant to question or negotiate for equitable stakes in carbon markets. He emphasized the need for ongoing sensitization and capacity building to bridge this gap. To address equity challenges, Ben referenced the Northern Kenya Carbon Credits Project, which is working to sensitize women and encourage their active participation in carbon market governance. He also noted the National Treasury's recent efforts to publish annual collections from carbon markets as a step toward improving transparency.

Despite the said challenges, some good practices and promising approaches were also shared by the panellists, including the development of a regulation by the county government of Samburu that defines the benefits to the communities and that the county government is playing a proactive role to advance the rights of IPLCs including FPIC.

The regulation emphasizes on transparency and accountability from the investors to the communities. Panellists underscored the importance of engaging the community structures such as the Community Land Committees (CLMCs), customary land governance bodies among others to ensure community direct involvement and decision making on matters concerning their land and benefit sharing mechanisms.

Overall, the discussion identified several pressing challenges that hinder equitable participation in carbon markets:

- i. Lack of Understanding: Limited community knowledge about carbon markets perpetuates mistrust and misinformation.
- ii. Information Asymmetry: Agreements are often signed without sufficient community participation or sensitization.
- iii. Unclear Benefit-Sharing Mechanisms: The criteria for distributing benefits among communities remain opaque, especially for those with varying land sizes.
- iv. Violation of FPIC: Communities are frequently excluded from decision-making processes, undermining their rights and ownership.
- v. Gender Inequities: Women face significant barriers to accessing information and benefits tied to carbon markets.

The panel proposed the following recommendations to address these challenges:

- i. Enhanced Sensitization: Governments and other stakeholders should invest in widespread community education to ensure IPLCs understand carbon market methodologies, FPIC, and benefit-sharing mechanisms.
- ii. Strengthened Transparency: Clear communication on the value of carbon credits, benefit-sharing criteria, and contract terms is critical for building trust and accountability.
- iii. Localized Approaches: County governments should develop tailored strategies that address local contexts and promote equity in benefit-sharing.
- iv. Empowering Women and Marginalized Groups: Gender-sensitive policies and capacity-building programs must prioritize the inclusion of women and other marginalized groups in carbon market governance.
- v. Monitoring and Accountability: Mechanisms should be established to ensure agreements are implemented transparently and equitably.

The panel underscored the urgent need for inclusive, transparent, and equitable approaches to benefit-sharing in carbon markets. By empowering communities through education, robust FPIC processes, and clear benefit-sharing mechanisms, IPLCs can engage meaningfully in carbon markets and achieve sustainable outcomes. The session also highlighted the importance of collaboration between the national and county governments, communities, and private sector actors to ensure that carbon markets serve as a tool for climate justice and community empowerment.



GENDER JUSTICE AND CARBON MARKETS – WOMEN AND MINORITY GROUPS IN CARBON MARKETS

This thematic session featured the following speakers: Bernard Loolasho from the Laikipia North Conservancies Association representing PARAAN Alliance, Eunice Lepariyo representing Indigenous Women Council, Judy Oreheya of IMPACT Kenya, Teresalba Sintian representing Minority Group from Loiyangalani, Gertrude Nguku Vice Chairperson, NLC in Kenya and delegates Baryamujura Mahad (Uganda), and Chantal (Rwanda). The discussion centred on the pivotal role of gender inclusivity in carbon markets, particularly focusing on the systemic challenges and opportunities for women and other marginalized groups in carbon project decision-making.

KENYA NATIONAL LAND COMMISSION (NLC): GENDER INCLUSIVITY IN FIVE DIMENSIONS

The Vice Chairperson of NLC, Gertrude Nguku, introduced a comprehensive framework for evaluating gender inclusivity in carbon markets. The framework emphasized five dimensions including Presence, Participation, Cultural Value, and Environmental Value. She stressed that women's roles in decision-making and benefit-sharing must go beyond symbolic representation. She highlighted systemic challenges such as the underrepresentation of women, contract vagueness, insecure land tenure, and the undervaluation of women's contributions to climate resilience and mitigation efforts. To address these challenges, the NLC proposed several solutions:

- i. Strengthening land tenure security to empower women and ensure equitable participation.
- ii. Expanding community sensitization efforts, both geographically and through in-depth education.
- iii. Creating multi-stakeholder forums to foster dialogue among IPLCs, governments, and private actors.
- iv. Supporting grassroots alliances like PARAN to amplify women's voices in climate discussions.
- v. Generating and utilizing gender-responsive data to inform inclusive decision-making.

She further underscored the importance of partnerships to share best practices and capacity-building for women and other marginalized groups.



BARYAMUJURA MAHAD, DELEGATE FROM UGANDA

Baryamujura reflected on the disproportionate impact of climate change on women and the country's nascent experience with carbon trading, emphasizing the disproportionate burden of climate change that women shoulder. Women, being primarily responsible for household tasks such as feeding families, fetching water, and collecting firewood, face unique challenges exacerbated by climate change. He called for gender mainstreaming in carbon market initiatives, ensuring that strategies address the specific hurdles faced by women. He also emphasized the value of peer support, encouraging women to share information and foster solidarity in accessing opportunities in carbon markets.

CHANTAL MARIE UWABABYEYI DELEGATE FROM RWANDA

Sharing her experiences, Chantal delved into the unique challenges and opportunities faced by indigenous women in carbon markets. Despite notable progress in women's empowerment, indigenous women are often left behind due to structural barriers such as poverty and limited resources mainly land.

Chantal highlighted the need for data transparency to ensure equitable benefit-sharing and raised critical questions about the impact of carbon markets on Indigenous identities and ways of life. She reflected on key questions including:

- Does participation in carbon markets alter the cultural identity of Indigenous communities?
- How can the frameworks ensure that communities' traditional ways of life are preserved?

These questions underscored the need for carbon market designs that safeguard IPLCs while promoting participation and inclusive decision-making process.

At the end of the session, panellists provided actionable recommendations to address the challenges faced by women and minority groups in carbon markets including:

- i. Inclusive Participation: Women and marginalized groups must have meaningful roles and responsibilities in decision-making processes.
- ii. Secure Land Tenure: Establishing secure land tenure for women and other vulnerable groups is essential for equitable participation.
- iii. Capacity Building: Programs should invest in building the capacity of women, youth, and persons with disabilities (PWDs) to engage effectively in carbon markets.
- iv. Data Transparency: Transparent data collection and dissemination are crucial to build trust and ensure equitable benefit-sharing.
- v. Solidarity and Peer Support: Women should foster solidarity by sharing information and supporting each other in accessing opportunities.
- vi. Preserving Indigeneity: Carbon market frameworks must safeguard the cultural identities and traditional ways of life of IPLCs.

This session provided invaluable insights into the systemic barriers faced by women and minority groups in engaging with carbon markets. Panellists emphasized that empowering women is not just about equity; it is about leveraging their critical roles in climate resilience and community development. By addressing these challenges and implementing the proposed solutions, carbon markets can become more inclusive, equitable, and impactful for all stakeholders, ensuring that no group is left behind in the fight for sustainable climate solutions.

KEY HIGHLIGHTS FROM DAY 2 – RECAP SESSION

The third day of the Summit commenced with a detailed recap of the previous day's discussions, delivered by Judy, a gender expert from IMPACT Kenya. Her presentation distilled the dynamic engagements of Day 2 into actionable insights. Her presentation highlighted key challenges, opportunities, and recommendations for IPLCs participating in carbon markets including i. IPLCs hold significant power as owners of the land that they steward 80% of Kenya's landmass and 70% of the country's cattle in addition to other livestock. The land resources hold immense potential for meaningful participation in carbon markets and climate resilience. She urged IPLCs to recognize and leverage their strategic assets as bargaining tools in carbon projects negotiations. Most carbon project brokers, tend to erode the potential benefits for communities. Noting that IPLCs are investors, not beneficiaries doing away with intermediaries, can maximize returns and assert their ownership of carbon market initiatives.

IPLCs need to take their seats at the negotiation table for carbon projects to secure short term and long-term interests. Negotiation for fair and equitable benefits from carbon projects requires participatory evaluation of the deal including the value of land and natural assets on the land; transparency of the contract documents and ability to apply FPIC. IPLCs need to strengthen their capacity to review and assess project contracts and call the investors to high standards of transparency before signing. The lack of transparency in calculating and sharing of carbon benefits has created mistrust and uncertainty for communities and investors. Lack of good understanding of agreements or carbon contracts, communities risk exploitation and inequitable benefits.

There is need to bridge knowledge gaps and information asymmetry about carbon projects among IPLCs. This gap can be addressed through tailored capacity-building, education, and sensitization programs to equip IPLCs with the knowledge required to navigate the complexities of carbon markets effectively.

Tenure rights are foundational for successful carbon projects: Lack of strong land tenure rights, IPLCs cannot fully harness the potential of their lands including reaping the benefits of carbon credits. Strengthening land tenure rights must remain a top priority for IPLCs, their organizations, and stakeholders.

Persistent exclusion of women from negotiating benefit sharing modalities further deepen gender inequalities, a systemic issue that prevents them from accessing benefits and diminishes their contributions. There is need for deliberate efforts to include women in decision-making bodies that govern land, forest and other natural resources, promoting gender equity benefit sharing, and ensuring their voices are heard in carbon market engagement.



CARBON MARKETS LEGAL FRAMEWORKS – UNDERSTANDING THE AVAILABLE LEGAL FRAMEWORKS AND THE RIGHTS OF IPLCS



This session, *“Carbon Markets Legal Frameworks: Understanding the Available Legal Frameworks and the Rights of Indigenous Peoples and Local Communities (IPLCs),”* explored legal structures governing carbon markets and their implications for IPLCs. Moderated by Everlyne Nairesiae, the session brought together a diverse panel of legal experts, government representatives, civil society leaders, and IPLC advocates to discuss both national and international legal instruments. The speakers Ruth Okara of Namati Kenya, Halima Hassan from Natural Justice, Fanuela Farsitao from Laikipia Conservancy Association, Kennedy Mugume from Uganda, Jaldesa Wako from Ethiopia, and Glory Mulaki from Tanzania – featured their experiences, shedding light on challenges, opportunities, and actionable solutions for advancing IPLC rights in carbon markets.

KENYA'S EXPERIENCE: CLIMATE CHANGE ACT AND CARBON MARKET REGULATIONS

Ruth Okara of Namati, presented Kenya's legal landscape, highlighting the Climate Change Act (2023 amendment) and the Carbon Market Regulations (2024) as key frameworks that have direct impact on carbon markets in Kenya. While acknowledging that the legislation is progressive, she also pointed out critical gaps that needs addressed including:

- i. Community Benefits: The Act mandates that 40% of proceeds from carbon offset projects benefit IPLCs. However, transparency issues arise with the provision that this allocation is calculated ‘minus the cost of doing business’, making it opaque.
- ii. Free, Prior, and Informed Consent (FPIC): Communities have the right to reject projects on their lands, but this must be documented in writing, raising concerns about whether FPIC is genuinely embraced and respected.

- iii. Unclear Carbon Rights: The legislation lacks a clear definition of 'carbon rights,' leading to confusion about ownership and benefit-sharing.
- iv. Land Governance Gaps: Decision-making for unregistered community land remains ambiguous, placing excessive responsibility on Community Land Management Committees (CLMCs), a situation that can also be exploited by other invalid structures.

Ruth concluded that while Kenya has made significant legislative strides, public participation during legislative processes and transparent benefit-sharing mechanisms must be improved to make the processes and outcomes inclusive and equitable.

TANZANIA'S EXPERIENCE: INSTITUTIONAL FRAMEWORKS AND COMMUNITY RIGHTS

Glory Mlaki shared insights from Tanzania's Environmental and Carbon Trading Legislation (2002) and the Village Land Act, both of which recognize customary land rights. However, she identified some key challenges:

- i. Institutional Gaps: While the legal framework outlines requirements for carbon offset projects, institutions remain heavily government-controlled, leaving IPLCs underrepresented.
- ii. Top-Down Approach: The exclusion of communities during regulation formulation results in policies that fail to address IPLC interests.
- iii. Implementation Challenges: Policy-practice gaps persist, particularly in community inclusion during benefit-sharing processes.

She emphasized the need for decentralized governance and greater community participation to ensure equity and inclusivity in the process and outcomes for sustainable development.

UGANDA'S EXPERIENCE: RIGHTS-BASED GAPS

Kennedy Mugume highlighted Uganda's legal commitments to IPLC rights, noting the country's ratification of the Paris Agreement. However, he identified key gaps:

- i. Community Exclusion: IPLCs are often treated as beneficiaries rather than co-investors, which perpetuates marginalization.
- ii. Human Rights Violations: Issues such as displacement, land grabs, and livelihood disruptions are common in poorly managed carbon projects.
- iii. Unsustainable Practices: The replacement of natural forests with exotic species for carbon credits disrupts ecosystems and food security.

Kennedy called for a rights-based approach, community education, and collaborative governance to address these challenges.

ETHIOPIA'S EXPERIENCE: IMPLEMENTATION CHALLENGES

Jaldesa from Ethiopia outlined legal provisions that recognize the rights of over 80 ethnic groups under the country's constitution. However, challenges persist such as:

- i. Marginalization of Communities: IPLCs are often excluded from decision-making due to institutional bias.
- ii. Inadequate Legal Compliance: Weak enforcement of laws undermines community rights.

Jaldesa emphasized the need for institutional reform and community education to strengthen IPLC engagement in carbon markets.

PERSPECTIVES FROM CIVIL SOCIETY AND CONSERVANCIES

HALIMA HASSAN (NATURAL JUSTICE): Halima underscored the role of legal compliance in safeguarding community rights. She highlighted tools such as their FPIC framework portal, which vets projects for compliance, amplifies community interests, and fosters transparency.

FANUEL (LAIKIPIA CONSERVANCY): Fanuel stressed the importance of Environmental and Social Impact Assessments (ESIA) and adherence to FPIC principles. He also called for enhanced community education on carbon markets and equitable benefit-sharing mechanisms.

Following robust engagement with the summit delegates through questions and answer session, the following as summary of core issues and recommendations to address them:

- i. Strengthen Community Education: Launch localized education programmes to demystify carbon markets and their processes, and empower IPLCs to understand their legal rights, responsibilities, and benefits.
- ii. Enhance Legal Frameworks: Clarify definitions of carbon rights, ensure public participation in legislative processes, and implement mechanisms for enforcing FPIC.
- iii. Enhance Transparency: Establish platforms for monitoring and reporting on carbon project processes, proceeds and location where they are taking place.
- iv. Foster Collaboration: Promote partnerships between communities, governments, and private actors to co-create solutions that align with community priorities.
- v. Policy-Practice Gaps: Align laws with ground realities through inclusive governance structures that prioritize IPLC participation.

Overall, the session highlighted the urgent need for inclusive and transparent carbon market frameworks that prioritize IPLC rights. By addressing the gaps in legislation, implementation, and education, stakeholders can ensure that carbon markets serve as a tool for climate resilience and equitable development. The questions raised provided critical insight into IPLCs' challenges, underscoring the importance of continued dialogue, capacity building, and collaboration across the key actors.



COLLECTIVE BARGAINING IN CARBON MARKETS – ADVOCACY STRATEGIES FOR EQUITABLE BENEFIT-SHARING MODALITIES



The session, “Collective Bargaining in Carbon Markets: Advocacy Strategies for Equitable Benefit-Sharing Modalities,” brought together a diverse panel of speakers representing grassroots organizations, community-based networks, and government agencies. The discussion focused on strategies for empowering IPLCs to advocate for equitable carbon market agreements, ensure inclusivity, and claim their rightful benefits. The session provided practical insights into existing challenges, proposed strategies, and actionable recommendations for achieving fair outcomes in carbon market participation. Below are highlights from the session panellists’:

PAUL CHEPSOI OF THE COMMUNITY LAND OWNERS ASSOCIATION OF KENYA (CLOAK)

Paul outlined CLOAK’s mission to empower IPLCs through land rights to better leverage opportunities on carbon markets effectively. He highlighted several initiatives undertaken by CLOAK to include:

- i. Support for Community Land Management Committees (CLMCs) to strengthen their capacity to better deliver on their roles in land governance and carbon markets.
- ii. Policy advocacy: with a focus on the National Land Policy (2009) as a cornerstone in recognizing community land tenure and initiating the devolution of land administration services, critical for facilitating land registration processes.
- iii. Material Transfer Agreements (MTAs): CLOAK introduced MTAs with mutually agreed upfront terms to regulate access to community resources and ensure equitable sharing of benefits.

- iv. Advocacy for Faster Land Registration by petitioning the Kenyan government to address the slow pace of community land registration, which remains a barrier to equitable carbon market participation.

JANET LENAMALDA NOMINATED MEMBER OF COUNTY ASSEMBLY /COMMUNITY CIRCLE REPRESENTATIVE

Janet focused on the importance of contractual transparency and inclusivity in project agreements. She urged summit delegates to:

- i. Thoroughly interrogate project agreements to understand inclusivity and benefit-sharing clauses.
- ii. Demand clear terms before entering partnerships with investors, particularly advocating for the representation of women, the youth, and marginalized groups.

JACKSON NKAIDURI FROM COMMUNITY LAND ACTION NOW (CLAN)

Jackson highlighted the outcomes of collective bargaining and CLAN's advocacy efforts in unlocking the potentials of community lands in Kenya. He noted that often IPLCs face common challenge that demand collective action for advocacy and influencing of policies and practices by governments and investors. For instance, most IPLCs lack clarity on the 40% allocation of carbon market proceeds and the overall value from which this percentage is derived. CLAN continues to play a key role in facilitating negotiations with investors on behalf of communities, ensuring transparency and fairness in carbon trading agreements. Further, CLAN is reviewing past agreements to analyse the terms of past carbon offset project contracts between communities and investors to help communities better understand their provisions, rights and negotiate better terms in the future.

ARILLE OGOMO – PASTORALIST ALLIANCE FOR RESILIENCE AND ADAPTATIONS ACROSS NATIONS (PARAAN)

He expressed concern over the lack of equitable benefit-sharing frameworks, which often leaves communities vulnerable to exploitation. The need to deal with fraud risks associated with lack of transparency and insufficient oversight during negotiations. This requires NGOs, development partners, and local/national governments to collaborate to provide technical, financial, and legal support to Community-Based Organizations (CBOs) and other IPLCs organisations advocating for equitable carbon markets.



SAMUEL NGEI – GRASSROOTS JUSTICE NETWORK (NOW WITH NAMATI)

Samuel underscored the principles of community engagement in carbon markets, emphasizing transparency, equity, and accountability. He elaborated on the principles as highlighted below:

- i. Environmental Responsibility: Carbon credits should incentivize real reductions in emissions rather than allowing polluters to continue harmful practices.
- ii. Established Community Structures: Investors must work with legitimate community leadership to avoid external exploitation.
- iii. FPIC Compliance: Communities must receive full disclosure of project intentions and terms to uphold Free, Prior, and Informed Consent (FPIC).
- iv. Fair Compensation: Communities should receive at least 50% of benefits for contributing land and resources to carbon projects.
- v. Unified Advocacy: IPLCs must present a collective voice to assert their rights effectively.
- vi. Gender Equity: Ensuring women's inclusion in CLMCs and broader decision-making processes is critical.
- vii. Preventing Exploitation: Communities must resist intermediaries who exploit resources under the guise of representation.

Samuel also encouraged women to actively push for fair and equitable benefit-sharing mechanisms, ensuring their voices are heard in all negotiations.

MOUDA ELSON, DIRECTOR OF ENVIRONMENT IN THE COUNTY GOVERNMENT OF LAIKIPIA

Mouda reinforced the critical role of devolved governments in supporting IPLCs. He asserted that

- i. County governments back community-led conservation efforts through robust forest legislation that enable development of Forest Management Plans.
- ii. Counties are integral in facilitating the registration of community lands, a prerequisite for participation in carbon markets.
- iii. Counties have put efforts to ensure that contracts signed between communities and investors are legitimate and equitable.
- iv. Counties work to educate and mobilize communities around carbon markets, emphasizing the broader benefits of conservation, including economic, health, and ecological sustainability.
- v. Implementation of legal frameworks plays a key role in creating an enabling environment for carbon markets. For instance, the Constitution of Kenya (2010) and the Community Land Act of 2016 as good examples of laws that give power to IPLCs to govern their land.

NICHOLAS LOROT MEMBER OF COUNTY ASSEMBLY, BURAT WARD

Nicholas Lorot, a Member of County Assembly of Burat Ward in the County Government of Isiolo affirmed the issues discussed by the panellists' noting the need for national and devolved governments to set aside resources to support conservation efforts.

The county of Isiolo host several conservancies and has been able to support conservation efforts, education efforts through bursaries, and economic activities such as construction of Tourism Bandas, etc. He called on partners to prioritize community sensitization on conservation efforts and carbon market opportunities noting the country has progressive legislations that aims to secure land their land rights.

Below are reflection points and recommendations drawn from this session:

- i. Accelerate Land Registration: Governments should prioritize community land registration, streamlining processes and addressing barriers like bureaucratic delays and resource constraints.
- ii. Strengthen Collective Bargaining: IPLC organizations should receive technical and financial support to enhance their capacity for collective advocacy in carbon market negotiations.
- iii. Promote Transparency: Governments and investors must disclose project terms, benefit-sharing criteria, and financial flows to build trust with IPLCs.
- iv. Support Gender Equity and Social Inclusion: Gender- responsive policies and capacity-building programs should be implemented to ensure women, and the youth play a central role in carbon market governance.
- v. Expand Sensitization Efforts: Multi-stakeholder forums should be organized regularly to educate communities about carbon markets, their rights, and strategies for engagement.

This session reinforced the transformative potential of collective bargaining in advocating for equity and transparency in carbon markets. By addressing systemic barriers, empowering marginalized voices, and ensuring compliance with legal frameworks, IPLCs can leverage carbon markets to secure sustainable livelihoods while safeguarding their rights and resources. The advocacy strategies presented during the session including with governments at national and regional level provide a clear roadmap for achieving just and equitable outcomes in carbon projects.





COMMUNITY-LED SUSTAINABLE CLIMATE SOLUTIONS, INNOVATION, AND BEST PRACTICES



The session brought together Indigenous Peoples and Local Communities (IPLCs), civil society organizations (CSOs), and government representatives to share innovative approaches and success stories. The discussions focused on leveraging carbon markets and sustainable practices to benefit communities while advancing global climate solutions. Panellists provided practical insights into community-driven models that foster sustainability, inclusivity, and resilience. Below are highlights from the panellists.

CONSERVANCY APPROACH TO SUSTAINABILITY

MR MOHAMMED SHIBIA, DIRECTOR NORTHERN GRASSLANDS CARBON CREDIT PROJECT FROM NORTHERN RANGELANDS TRUST (NRT)

Mohammed highlighted the success of conservancies as a model for community-led conservation. With work spanning vast areas of Kenya and extending into Uganda, NRT conservancies protect critical ecosystems while offering IPLCs opportunities to derive livelihoods and engage in climate solutions through carbon offset projects. Mohammed emphasized that these community-driven initiatives not only restore ecosystems but also empower communities economically and socially, making conservancies scalable models for sustainable development.

ESTHER SOLITEI REPRESENTING SOILS FOR THE FUTURE AFRICA

She provided a detailed overview of the phased approach required for communities to successfully enter carbon offsetting projects.

The steps include:

- i. Community Participation in Agreement Signing: Transparency and inclusivity are paramount, with community members required to be present during the signing of project agreements.
- ii. Pre-Agreement Processes entail:
 - a. Mapping project areas.
 - b. Verifying the mother title to confirm land ownership.
 - c. Calculating the acreage to estimate the carbon offset potential.
- iii. Exclusivity of Agreements: Once signed, no other carbon project developer can enter into a similar agreement with the community, ensuring integrity and accountability.
- iv. Disbursement and Auditing: Following agreement signing, funds are disbursed to the community, and periodic audits are conducted to ensure financial transparency.

The above steps aim to protect communities from exploitation and ensure they receive their rightful benefits from carbon offsetting initiatives.

PAUL ROKONGA REPRESENTING UJAMAA COMMUNITY RESOURCE TEAM ARUSHA, TANZANIA

He shared the organisation experience in organizing land to attract investors. He underscored the importance of organizing community land to attract credible investors and safeguard community interests.

He emphasized the need to sensitize communities to the opportunities linked to their land and why is important to prepare and be ready for investments such as carbon projects.

By sensitizing and educating communities, they will be able to recognize and avoid fraudulent actors who exploit IPLCs knowledge gaps about carbon markets for their individual gains. He shared a step-by-step guide to ensure communities' rights are upheld during investment processes, emphasizing the role of legal and procedural safeguards against exploitation.



DAVID KITAWI, TAITA TAVETA COUNTY REPRESENTATIVE

He shared their experience in managing carbon project that has been operational for over 11 years. Despite the lack of formal land registration and contracts, a unique agreement between the investor and private farms facilitated community participation. The initiative's is well recognized for its tree nursery model that: allows the investor to purchase seedlings from the community for planting on project lands. This circular model created a sustainable income stream for community members. Involving community members in this project demonstrate the potential for innovative and inclusive climate solutions even in unregistered community land areas.

The session concluded with discussions on areas of convergence and actionable solutions for community-led climate solutions.



The following strategies were emphasized:

- i. The need to stress the importance of continued community education on the opportunities and risks associated with carbon markets, enabling informed participation.
- ii. Multi-stakeholder collaboration and partnerships among governments, donors, CSOs, and IPLCs were identified as crucial for fostering sustainable solutions. Inclusive and equitable carbon benefit sharing can contribute to IPLCs development, leveraging on nature-based solution such as conservation, responsible forest and land governance; to improve their livelihoods and for sustainable climate solutions.

SUMMIT DECLARATION



The 4th Community Land Summit ended on a powerful and inspiring note, with a resounding collective call to action by the delegates to advance the rights, opportunities, and leadership of IPLCs in carbon markets and sustainable climate solutions while leveraging their collective bargaining power. This session profiled key themes, lessons, and outcomes of the summit, emphasizing actionable steps to translate the momentum into tangible and measurable outcomes for IPLCs. The summit delegates underscored the need to prepare and strengthen the capacity of IPLCs to engage with governments and the private investor for potential investment opportunities.

These include but are not limited to the following:

- A. *Community Mobilization and Sensitization to empower IPLCs with knowledge and tools required to meaningfully engage in carbon markets by:*
 - i. Demystifying carbon markets. This involve breaking down complex mechanisms of carbon trading to ensure IPLCs fully understand it, their rights, roles, and benefits.
 - ii. Targeted campaigns that include women, youth, and marginalized groups are needed to foster their active participation in decision-making in the governance of land, natural resources, and benefit-sharing associated with carbon offset projects.
 - iii. Collective bargaining through mobilization, organising and rallying behind common causes including advocacy and influencing of policies that secure IPLCs land and natural resource rights, and other fundamental rights as defined in UNDRIP.

B. Collaborative Approaches:

- i. Participants emphasized that multi-stakeholder collaboration is vital for achieving sustainable outcomes. Specific recommendations included:
- ii. Harmonization of Efforts: Governments, civil society organizations, investors, and community leaders must align on priorities such as land registration, land use planning, community led conservation efforts, and equitable benefit-sharing.
- iii. Cross-border collaboration is key for experience sharing and to enable development of common regional frameworks and adopt best practices to ensure alignment and responsiveness to IPLCs needs.
- iv. Accountability and transparency are key to build trust and reduce conflicts over land and natural resources. There is need to establish a coordination and monitoring mechanisms that could serve as reference/thinktank group for IPLCs on issues of carbon projects.

C. Community Empowerment:

- i. The summit emphasized on the rights for IPLCs to be treated as investors in carbon markets, rather than passive beneficiaries. Participants called for:
- ii. Strengthening land tenure rights: Secure land rights is foundational step for IPLCs to engage effectively in carbon markets.
- iii. Fostering collective bargaining power: Equip communities with advocacy tools and strategies to negotiate favourable terms in carbon agreements.
- iv. Leveraging traditional knowledge: Recognize and integrate IPLCs' rich traditional knowledge and land stewardship practices into climate solutions.

The summit profiled the critical role of and reaffirmed IPLCs as key contributors to sustainable climate solutions. By prioritizing IPLC organizations, information dissemination about carbon markets, and through collective action they will secure stronger and more equitable benefits; protect and sustainably use their natural resources to support global climate resilience while safeguarding their land rights, cultural heritage, and livelihoods. The collective declaration by the summit delegates can be accessed [...www.impactkenya.org.....](http://www.impactkenya.org)

SUMMIT CLOSING SESSION

The summit concluded with delegates reaffirming their commitment to supporting IPLCs to:

- i. Implement the summit resolutions: Ensure the collective resolutions agreed upon at the summit are translated into actionable programs and policies.
- ii. Advocate for Policy and Legislative Reforms: Push for legal and regulatory frameworks that prioritize IPLC rights to land and natural resources and foster equitable benefit-sharing in carbon markets.
- iii. Strengthen Partnerships: Build alliances across governments, CSOs, and private actors to foster inclusive, transparent, and sustainable carbon markets for climate solutions.

This session featured the IPLC representatives; Peninah Sailantei, Tom Putunoi, Hon. Hassan Shano; and Irene Senei, the representative of IMPACT Kenya Board of Directors who provided the closing remarks. In their remarks, they emphasized the need for IPLCs to take the lead in sustainable climate action solutions, with their rights, voices, and contributions fully recognized and respected. They termed the 4th Community Land Summit as one that provided information most needed by IPLCs to make informed choices and decisions on carbon markets. They challenged the delegates to take the lessons learnt from the summit back home and disseminate the knowledge widely to achieve the collective bargaining on carbon markets and benefit sharing mechanisms.

Irene Senei thanked all the stakeholders for attending the summit and for providing their valuable inputs that enabled the successful deliberations and collective resolution underscored in the summit declaration. On behalf of IMPACT Kenya and PARAAN Alliance, she underscored the importance of partnership for the implementation of the summit resolutions to realize the IPLCs desired objectives. She noted that discussions and resolutions arrived at the summit serve as a catalyst for transformative action, equity, and sustainability in carbon markets and beyond.

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