



POLICY BRIEF

Strengthening the Role and Contribution of Coastal Communities in Marine Protected Area Governance and Conservation in Kenya

EXECUTIVE SUMMARY

In 2018, Community Action for Nature Conservation - CANCO in partnership with Technical University Mombasa, Stockholm University and Swedish Society for Nature Conservation initiated a study on Marine Protected Areas – MPAs in Kenya under the auspices of CANCO's Protected Sea Project. The entry point of the study was the Aichi 11 Biodiversity Target of the Convention of Biological Diversity – CBD and Sustainable Development Goal 14 target 14.5 of the Agenda 2030 for Sustainable Development. Both state that by 2020 at least 10 percent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services are conserved through MPA system and other effective area-based conservation measures. The study investigated the MPAs governance types, stakeholders and community perception and gender on MPAs, as well as community and locally-managed conservation areas. The purpose was to determine the progress and contribution of MPAs in enhancing biodiversity conservation, and more important the realization of the Aichi 11 biodiversity targets and the SDG 14.5.

Oceans, coastal and marine ecosystems provide many environmental, social and economic benefits. Yet, reports and reality indicate that oceans, coastal and marine ecosystems are facing greater threats today. The threats arise from adverse human activities such as resource overexploitation, pollution and climate change. Vast majority of oceans and marine ecosystems are unprotected. However, Marine Protected Areas (MPAs) – a popular tool to conserve and protect marine ecosystems and species- has increased. MPAs has increased fish stock and size, biomass and diversity, increased coral cover as well as spill-over effects of fish to nearby adjacent areas. However,



many existing MPAs are not meeting their objectives. In Kenya the percentage area under MPA is less than 1 percent and are not realizing their full potential as effective conservation management tools. State-governed MPAs lack attention to social components and human rights. Community Conservation Areas (CCAs) are rarely acknowledged yet they play an important role in protecting and conserving nature. Despite notable progress in achieving the Aichi 11 Biodiversity target and Sustainable Development Goal – SDG 14.5 that 10 percent of coastal and marine areas are under MPA system by 2020, Kenya is still of the mark at 0.8 percent. It is important to integrate biodiversity, sustainable development and human rights to increase the level of protection and sustainable use and management of coastal and marine ecosystems. However, policy coherence, respect for local traditions and practices, promotion of regulatory frameworks for CCAs operations, ensuring women and gender considerations are embedded and financial and technical support are critical elements in ensuring the contribution of MPAs in post 2020 Biodiversity framework and Sustainable Development Agenda.

INTRODUCTION

In 2010, the signatories to the United Nations Convention on Biological Diversity – CBD agreed on a 10-year strategic plan to halt biodiversity loss and ensure sustainable and equitable use of natural resources during the decade 2011-2020. Kenya, like many other signatories to this convention, made commitments to achieve the 20 biodiversity targets by 2020, commonly known as the Aichi Biodiversity Targets.

The Aichi Biodiversity Target 11, a target specifically for global protected area network states that *“By 2020 at least 17% of terrestrial and inland water areas and 10% of coastal and marine areas of particular importance for biodiversity and ecosystem services are conserved through effectively and equitably managed, ecological representative and well-connected systems of protected areas and other effective area-based conservation measures and integrated into the wider landscape and seascape”*.

Protected Areas, that is, land or sea set aside and dedicated to the protection of biological diversity

and of natural and cultural resources and managed through legal and other effective means, were central to the achievement of the Aichi biodiversity targets. Both terrestrial and Marine Protected Areas (MPAs) were the building blocks of healthy land and seascapes.

Furthermore, protected areas play an important role in achieving Sustainable development Goals (SDGs), particularly, SDG 14 (*Conserve and sustainably use the oceans, seas, and marine resources for sustainable development*) and SDG 15 (*Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forest, combat desertification, and halt and reverse land degradation and halt biodiversity loss*).

SDG 14, target 14.5 states that “By 2020, conserve at least 10% of coastal and marine areas, consistent with national and international law and based on the best available scientific information”.

Marine Protected Areas (MPAs) is a popular tool to conserve and protect oceans and marine biodiversity – ecosystems and specie. There are several categories of MPAs ranging from fully protected areas to multi-use areas. These include but not limited to marine national parks and marine nature reserves. However, the primary objective of all these categories is nature conservation. MPAs can bring many ecological and socio-economic benefits if properly designed, planned and managed, and have appropriate governance framework.

Kenya has two main categories of MPAs, namely, marine national parks and marine reserves. Whereas, marine national parks are strictly no take areas, marine reserves are multiple use areas where artisanal and small-scale fisheries is allowed. The MPAs are Kiunga, Malindi, Watamu, Mombasa, Kisite-Mpunguti and Diani-Chale marine parks and reserves. The governance of these two types of MPAs is by the national government and managed by Kenya Wildlife Service. Despite this, other alternative governance approaches are emerging in marine protected areas management involving the contribution of other jurisdiction, non-state actors and local communities. These include shared governance – collaborative management or joint management, and governance by local communities – local managed marine areas.

Using the UN CBD Aichi biodiversity target 11 and SDG 14 target 14.5 of the Agenda 2030 for Sustainable Development as an entry point, Community Action for Nature Conservation - CANCO in Partnership with Technical University Mombasa, Stockholm University and Swedish Society for Nature Conservation carried out a study on MPAs in Kenya under the auspices of CANCOs Protected Sea Project. This project covered the period 2018 – 2020. The purpose of the study was to investigate the contribution of these MPAs to the achievement of the Aichi 11 and SDG 14.5 targets as well as socio-economic and livelihood benefits of adjacent coastal small-fisher communities. Taking cognizance that oceans and marine resources and MPAs are subject to various jurisdiction, governance and management structures and systems, the study analyzed the MPAs structures and systems in Kenya combined with insights from decision-making authorities and grassroots local marine resource users to provide perspectives and recommendations that can be used to measure Kenya’s progress in achieving the Aichi 11 Biodiversity target and SDG target 14.5 earlier stated. In addition, the study explored the perceptions of local community resource users including small-scale fishers, women in trade of fish and beach operators on MPAs and the factors that shape this perception. Furthermore, the study interrogated whether or not the local stakeholders appreciate and value MPAs and its resources and if they derive any concrete benefits.



The study was carried out in three coastal counties of Mombasa, Kwale and Kilifi.

STUDY APPROACH AND METHODS

The study collected data and information from secondary and primary sources using a variety of research methods and effective stakeholder engagement approaches. Secondary data and information were collated through literature review of relevant and authoritative reports and academic papers from various knowledge repositories and databases. Primary data was collected through field surveys using one-on-one semi-structured interviews, roundtable and focused group discussion with key informants, community of practice and knowledge brokers from government department and agencies at national and county levels, inter-governmental bodies, non-governmental organizations, community-based organization and marine resource user groups. A total of 25 key respondents were interviewed from the following organization: Wildlife Conservation Society, Comtouch-Kenya, Kuruwitu Conservation and Welfare Association, Watamu Marine Association and community leaders from 10 Beach Management Units from the Counties of Kwale, Mombasa and Kilifi. These respondents provided individual and organizational insights and experiences on the process and practice of the subject matter under research. Furthermore, the study carried out focused group meeting with individual grassroots community collective action groups particularly beach management units, boat operators, and associations of fishers (men and women) and women traders in fish and fishery resources.

Prior to the commencement of field interviews in April 2018, the study carried out 3 inception stakeholder and community consultative formative research meetings in Kwale, Mombasa and Kilifi in March 2018. Each meeting had 30 participants drawn from the community marine resource user groups adjacent the marine national parks and reserves, including the small-scale fishers from

respective beach management units. The field interviews were carried out for a period of 3 months between April and June, 2018.

Roundtable expert discussions were held with protected area managers at Kenya Wildlife Service (Headquarters -Nairobi, Coast regional office - Mombasa, and the Marine National Parks and Reserves offices at Kisite-Mpunguti, Mombasa, Watamu and Malindi), Coast Development Authority, National Environment Management Authority, State Department of Fisheries – coast region, Kilifi County department of lands, natural resources and planning, and The Nairobi Convention secretariat at UNEP. Some of the roundtable discussions were done before the initial community meetings while others were done after the field interviews.

The study conducted 2 feedback stakeholders' workshops in May 2019 and March 2020 in Kilifi and Mombasa respectively. The purpose of these workshops was to share the key findings from the study, discuss the way forward and make policy recommendations to be embedded in the final study report.

RESULTS AND DISCUSSION

The coastal zone and marine area in Kenya have rich and productive biodiversity containing diverse ecosystems and species. It provides essential environmental services and supports a variety of socio-economic development and livelihood opportunities. Despite this, the sensitive biodiversity of the coastal and marine area is increasingly being adversely threatened and impacted by a myriad of human activities. These threats include, but not limited to, overfishing and overexploitation of marine resources, illegal, unregulated and unreported fishing, destructive fishing gears and methods, pollution from increased land-based waste generation and poor solid and liquid waste management, emerging large-scale infrastructural and port development, tourism activities, mining and upstream petroleum – oil and gas development.

To address the existing and emerging biodiversity threat Kenya has since the 1960s been establishing a network of MPAs, largely to conserve biodiversity, manage fish stocks and to attract tourists. However, the study has established that the MPA governance systems in Kenya is complex. This complexity is brought about by the type of protection of the marine area and the statutes where they are anchored as well as the governing body or institutions. There are a number of national government entities in charge of biodiversity resource management. They all operate based on their individual laws or Acts. The Kenya Wildlife Service is the lead authority on wildlife conservation managing the traditional MPAs – The Marine National Parks and Reserves as well as biosphere reserves, Ramsar – wetlands sites and Community Conserved Areas (CCA) or Local Marine Managed Areas (LMMA). The Kenya Fisheries Service under the State Department of Fisheries and Blue Economy is responsible for the emergence of community conservation areas (CCAs) or Co-Management Areas (CMAs) which they manage collaboratively with local coastal communities through their Beach Management Units. The Kenya Forest Service is in charge of coastal forests and mangroves. The agency has established Community Forest Associations to collaboratively manage adjacent forest areas, including mangrove through participatory forest management plans. This is a form of CCA or CMA. As a protected marine area type. The National Environment Management Authority also has jurisdiction the mandate to declare CCAs. A number of LMMA are said to have been established using the Environmental Management and Coordination Act. Regardless of the complex governance system and associated bottlenecks, there has been notable



progress towards achieving elements of Aichi 11 biodiversity targets, particularly looking at MPA coverage and coverage of biodiversity and ecosystem services, effective and equitable management as well as connectivity and other emerging effective area-based conservation such as CCA, CMA and LMMA.

The study revealed that only 0.8 percent of Kenya's marine area is officially protected, a far cry from the 10 percent target that was to be realized by 2020 set out under the Aichi 11 and SDG 14.5. The protected areas are largely the MPAs under the management of KWS. However, as indicated earlier, there are many site-based conservation areas set aside and that could potentially contribute to biodiversity conservation. The value of these "other effective area-based conservation measures" need to be clarified and inventoried so that their contribution to the biodiversity target is officially recognized. In addition, although CCAs are set up in a legal manner, they are not officially recognized as part of the national protection. As more CCAs emerge, creating a national regulatory framework would significantly increase the chance of these areas being adequately managed and recognized as valuable assets in protecting the Kenya marine areas. Furthermore, there is need to recognize and protect the tenure and access rights to territories and resources.

The study analyzed the perception among local community resource users adjacent MPAs from the counties of Kwale, Mombasa and Kwale. They consisted of fishers, women fish traders – mama karanga and boat operators. For many years the MPAs in Kenya have been associated with community disapproval and conflict (both perceived and real) between the resource users and MPAs officials. Many community members have traditionally felt left out of MPA planning, implementation and management, thus creating animosity between communities and government. The study finding shows that four drivers are critical in forming positive perception towards MPAs: I) Stronger involvement by local communities II) Trust in MPAs managers, specifically government

officials III) Site-specific pre-requisites such as historical, political and demographic settings, IV) Affiliation such as beach operators, fishers and women in fish traders. Whereas beach operators were more positive towards MPAS as they receive revenues from tourism activities inside MPAS, Fishers and women fish traders were generally least satisfied as their activities are often limited by MPAs spatial restrictions, which in turn adversely impact their access to livelihoods.

The fishers, women in fish trade and beach operators all agree that MPAs have positively contributed to improved fish stock and increase coral cover.

Respondents from both government institution and community groups shared a consensus that the top-down nature of marine conservation in Kenya is progressively transforming into more inclusive process. Although the level of local involvement varies, the respondents, communities unanimous desired to be more involved in setting regulations, monitoring and enforcement activities as key to increase understanding of conservation, laws and policies.

CONCLUSION AND RECOMMENDATIONS

MPAs provide multiple environmental, social and economic benefits. Well managed MPAs protects biological diversity and provide important ecosystem services. Planning and managing MPAs require integrative thinking and practice that considers the rights of all people including local communities. However, complex governance system, lack of policy and sectoral coherence and collaboration of MPAs limited progress towards meeting the Aichi 11 and SDG 14.5 biodiversity targets on marine protected areas. Kenya is far behind the goal of 10 per cent Marine Protected Areas. Although CCAs are emerging, there is lack of attention to community needs and concerns as well as inadequate official recognition and technical support. The knowledge, contribution and role of communities are important in MPAs to meet the various environmental, social and economic targets within the Agenda 2030 for Sustainable Development and the Convention on Biological Diversity. There is need for clearer frameworks in where and how MPAs should be created and managed. In addition to adopting the target for an increase in MPA coverage, a qualitative approach should be taken to improve the existing MPAs. Actions are needed to strengthen the equitable governance and management of protected areas, including through the adoption of mechanisms to address conflicts and human rights. In this regard, social justice and equitable sharing of benefits are critical factors to be considered for conservation endeavors.

The study recommends the need to

1. Ensure policy coherence: This is to improve the level of collaboration and coordination between different sectors and government institutions as well as encourage integrated planning and management at the landscape and seascape level, and cross-sectoral approaches
2. Respect local traditions and practices. This is to ensure approval and success of MPAs. Fundamental principles of participation, environmental justice, social justice, and human rights should be an integrated part of MPAs and co-management regimes for collaborative management.
3. Promote indigenous and locally-led conservation: This is to enhance cultural and biological diversity
4. Create a regulatory framework for CCA operations. A consistent regulatory framework would help ensure consistency among CCAs and would provide a more balanced and accurate view of how these areas are performing.

5. Analyze gender dynamics and account for women: This is to ensure women's roles and contributions as well as gender dimensions in MPA operations are not overlooked. Furthermore, gender equitable participation and benefit-sharing ensured
6. Provide financial and technical support: Ensure adequate and technical support for the establishment and management of CCA as well as for the monitoring of results of MPAs and CCAs from an ecological standpoint. Specific support should be directed to secure women's livelihood and their active participation in management activities

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