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COUNCIL OF GOVERNORS



World
Agroforestry

TOWARDS STRONGER COUNTY ENVIRONMENT COMMITTEES IN KENYA

*A Synthesis of
Guidelines and
Capacity Gaps*



Acknowledgements

Citation

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County Environment Committee



VISION

To be a reputable institution for steering environmental management and restoration for sustainable development in counties.



CEC FUNCTION/ MISSION

To provide oversight, strengthen coordination and accountability in environmental conservation and management, forest and landscape restoration in counties.



VALUES

- Professionalism
- People-driven
- Transparency
- Accountability
- Inclusivity
- Stewardship
- Self-drive
- Integrity
- Sustainability
- Partnership/ Coordination
- Responsiveness
- Sustainable Development



Counties play an important role in reversing degradation trends through their role in supporting implementation of identified restoration options including the national ambitious target to grow 15 billion trees and restore 10.6 million hectares of degraded landscapes by 2032 in Kenya. For these to be achieved, there is need for improved coordination between the national and county governments in implementing restoration strategies aimed at returning our landscapes to a healthy and productive state. Thus, CECs have an essential role to improve coordination of environmental interventions targeting landscape restoration in the country — Gitonga Mugambi, EBS, Principal Secretary, State Department for Forestry, Ministry of Environment, Climate Change and Forestry

Purpose of the Synthesis Brief

The purpose of this synthesis is to:

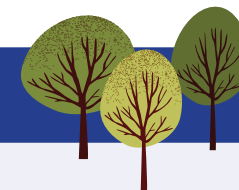
- Create awareness on the initiatives and progress made towards strengthening counties to support and accelerate environmental, forest and landscape restoration in Kenya.
- Provide an overview of three documents developed to enhance operations and performance of CECs. These are:
 - 1 the Terms of Reference (TORs);
 - 2 Capacity Gaps and;
 - 3 Guide to Functional CECs.
- Present priority actions for activating and accelerating operations of CECs.
- Serve as quick guide for training CECs.

NOTE



The guidelines in Section 4.0 can be modified by counties to suite the local contexts.

Commitment of National Government and County Governments to ENVIRONMENT, FOREST AND LANDSCAPE RESTORATION



URGENCY OF FOREST AND LANDSCAPE RESTORATION IN KENYA

The Government of Kenya has enacted a number of policies, laws and plans that aim to restore landscapes so that they can continue to provide valuable ecological goods and services. These include the Constitution of Kenya 2010 that provides for maintaining at least 10% tree cover, the National Environment Policy, 2014, National Climate Change Response Strategy 2010, and Kenya's Vision 2030. Restoring forests and landscapes, and the services they provide, is paramount for improving livelihoods and ensuring people live in a food secure world.

PRESIDENTIAL PRONOUNCEMENTS ON FOREST AND LANDSCAPE RESTORATION

In December 2022, Cabinet approved the national tree growing restoration campaign aimed at growing 15 billion trees and restoring 10.6 million hectares of degraded forest and landscapes so as to scale up forest cover to 30% by 2032.

Additionally, the national government has established the National Landscapes and Ecosystem Restoration Programme for implementation in collaboration with county governments and in partnership with diverse development partners countrywide.

LAND DEGRADATION ASSESSMENTS AND RESTORATION OPTIONS

Le et al. (2014) estimated that about 22 % of the Kenyan total land area has degraded between 1982 and 2006.

Similarly, a study of land degradation assessment (LADA) conducted in 2015 by Kenya Agricultural Productivity Project (KAPP) using remote sensing (RS) and geographic information systems (GIS) revealed that very high degradation affects 27.2% of the Kenya's land mass (MoALF, 2016).

In response to land degradation trends, various collaborative initiatives and programmes supported by national government, county governments and development partners have been established to support forest and landscape restoration (Annex III). These include support of UK/PACT Programme in forest and landscape restoration.

Introduction

Establishment of County Environment Committees

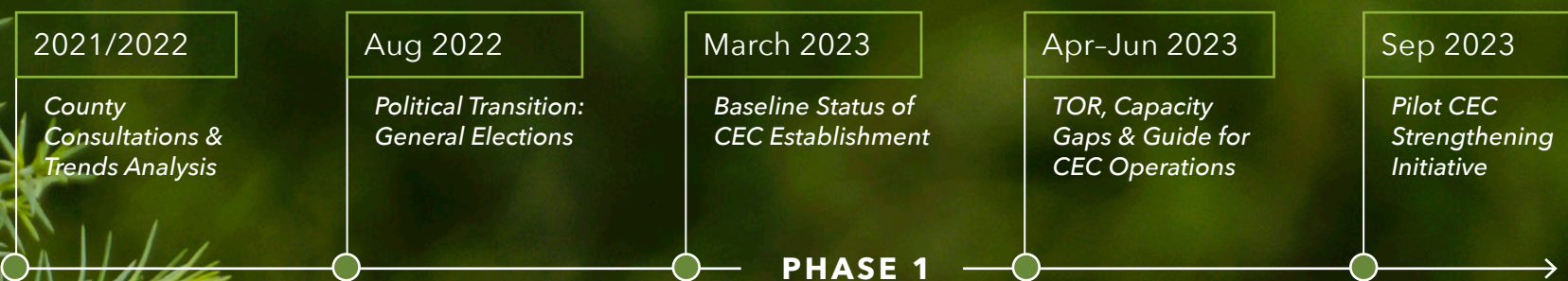
- 1.1. County Environment Committees are legal entities established under Section 29 (1) of the Environmental Management and Coordination Act (EMCA), 1999 (Revised 2015). Further EMCA Section 30 provide that the County Environment Committees shall;
 - a. Be responsible for the proper management of the environment within the county for which it is appointed;
 - b. Develop a county strategic environmental action plan every five years;
 - c. Perform such additional functions as are prescribed by this Act or as may, from to time, be assigned by the Governor by notice in the Gazette.

Collaborative support to strengthening County Environment Committees

- 1.2. Since 2021, World Agroforestry (ICRAF), with the support of UK Partnership for Accelerated Climate Transformation (UK/PACT), has been implementing a project entitled **“Promoting nature-based solutions for land restoration while strengthening the national monitoring technical working group in Kenya.”**
- 1.3. ICRAF through the UK PACT project closely works with Ministry of Environment, Climate Change and Forestry (MoECCF) and Council of Governors (COG), acknowledges the County Environment Committees as one of the most strategic structure for coordinating environmental, forest and landscape restoration initiatives in Counties.

Figure 1 presents the consultative journey towards strengthening of County Environment Committees, between 2021 and 2023, inclusive of a political transition marked by the 2022 general elections.

Figure 1: The CEC Strengthening Continuum



Achievements



Caroline Njoki/CIFOR-ICRAF

PHASE 1

UK/PACT Project on Promoting nature-based solutions for land restoration

- 1.4. Phase 1 of the project involved conducting a series of county engagements and consultations, covering all the 47 Counties.
- 1.5. A trend analysis revealed the need to strengthen CECs as critical structures to support forest and landscape restoration. The analysis identified five barriers to restoration, namely: (1) Financial constraints; (2) Inadequate legislative and policy framework; (3) Weak enforcement of forest and landscape restoration (FLR) related regulations; (4) Low sensitization and inadequate sharing of information on FLR and; (5) Land ownership challenges.
- 1.6. The project recommended the need to strengthen CECs to support forest and land restoration, while using the identified barriers as the entry point for further consultations and capacity strengthening.
- 1.7. As part of its contribution towards supporting national government and county governments to accelerate restoration of environment, forest and landscapes, ICRAF has supported the following through the project:
 - 1.7.1 Strengthened the Forest and Landscape Restoration Technical Working Group (TWG), on nature-based solutions and gender mainstreaming in restoration initiatives.
 - 1.7.2 Developed the Forest and Landscape Restoration Implementation Plan 2023-2027 (FOLAREP) and a Monitoring Framework for the plan.
 - 1.7.3 Currently, the government jointly with key stakeholders is developing the National Landscape and Ecosystem Restoration Strategy to guide restoration efforts across the country.

PHASE 2

UK/PACT Project on Promoting nature-based solutions for land restoration

- 1.7.4 Deepened consultations with national level stakeholders and counties, while building on the outcome of the Trends Analysis, to understand CEC challenges and generate ideas on how to activate the Committees.
- 1.7.5 Established baseline on the status of CEC operations, which revealed that only 30% of the Committees were legally constituted by end of March 2023 (Table 1).

Table 1. Status of County Environment Committees as at end March 2023

CEC Status	Number of Countries	%
Gazetted	11	24
Gazetted, Not Active	3	6
Term Expired	33	70
Total	47	100

- 1.7.6 Development of 3 key documents (through a consultative process) to support in nurturing functional County Environment Committees, namely:
 - **Document 1:** Consolidated Capacity Gaps (reflecting comprehensive challenges and capacity needs that should be addressed in a structured manner).
 - **Document 2:** Terms of Reference for CECs (to address the challenge on lack of clarity on their role and scope of County Environment committees).
 - **Document 3:** Guide to functional County Environment Committees (to provide guidance on nurturing active, functional County Environment Committees that effectively expedite their mandate and TORs on providing oversight and steering of environmental management issues).
- 1.7.7 Compiled Stakeholder Workshop Reports integrating ideas and recommendations for improving the TORs and CEC Guide.
- 1.7.8 In the process of undertaking the above, created awareness on the strategic importance of CECs and their role in supporting restoration of degraded forests and landscapes.

Consolidated Capacity Gaps

- 2.1. The consolidated capacity gaps of County Environment Committees are based on a process that involved progressive identification of challenges and capacity gaps that undermine their effective functioning.
- 2.2. The capacity gaps were informed by CEC Functions provided in EMCA and CEC TOR; Trends Analysis on FLR in Kenya; Bilateral consultations and interviews with stakeholders involved in conservation and restoration of environment, forest and landscape; National Stakeholders' Workshop of March 2023; Consultations with Counties in May & June 2023, and deliberations of the Consultative Workshop for Counties held on 27th and 28th June 2023.
 - b. 5 Cs Capabilities Model: Capability to: 1) Commit and act; 2) Maintain coherence; 3) Deliver development objectives; 4) Relate; and; 5) Adapt and renew
 - c. Capacity to find and demonstrate a balance between planning and implementation.
 - d. Capacity to demonstrate contribution to Kenya's commitments to regional and global environmental, forestry and landscape restoration targets.

Priority capacity strengthening areas

- 2.4. The priority capacity needs for County Environment Committees focus on the following:
 - a. Financing: Most County Environment Committees have remained inactive due to lack of or limited financial resources. The assessment of CECs conducted in March 2023 revealed presence of gazetted but inactive Committees. This calls for the need for supporting strengthening resource mobilization skills to secure finances to fund CEC plans.
 - b. Coordination: Capacity for effective coordination of environmental management issues.
 - c. Managing politics and qualification of CEC Members.
 - d. Effective Transition Management for continuity of CEC operations. This particularly relates to management of electoral cycle and leadership transitions.

Perspectives of the capacity needs for County Environment Committees

- 2.3. The capacity needs for County Environment Committees focus on the following perspectives, that are geared towards improving performance:
 - a. Capacity to deliver on the functions and TORs as per EMCA, the unbundled environmental management functions and the devolved forestry functions.

Detailed capacity needs and implementation of capacity building plans

- 2.5. The detailed capacity needs and sample capacity building plans are presented in the main document. Overall, CEC plans and priority capacity needs should be embedded in the CIDP, which is the basis for developing and allocating budgets in County Governments.



CECs are best placed to drive forest and landscape restoration agenda at the county level. Building their capacities on financing and resource mobilisation is critical for effective delivery of their environmental functions — Mamo B. Mamo, EBS, Director General, National Environment Management Authority (NEMA)

Terms of Reference for County Environment Committees

- 3.1. The need to consolidate Terms of Reference (TORs) for County Environment Committees emerged from lack of clarity on the role and scope of CECs. The TORs are derived from EMCA, 1999; Guide to Governors on Approval and Gazettement of County Environment Committees by National Environment Management Authority (NEMA); Unbundled environmental management functions by the Intergovernmental Relations Technical Committee (IGTRC) and the devolved forest functions. A summary of the TOR is presented below:



There is need to create a portfolio of CECs recognised as meaningful, functional, and responsive towards community needs, undertaking environmental functions and competencies as assigned to Counties- H.E. Dr. Wilber Ottichilo, the Governor of Vihiga County and Chair of Council of Governors Committee on Environment and Climate Change

TOR FOR COUNTY ENVIRONMENT COMMITTEES

- 01 HIGH-LEVEL SUMMARY OF TORs FOR COUNTY ENVIRONMENT COMMITTEES
 - a. Planning (development of County Environmental Action Plans (CEAP)
 - b. Oversight, Compliance Enforcement and Advisory role
 - c. Coordination & Implementation
 - d. Accountability and Reporting
 - e. Resource Mobilization (to address the challenge of lack of resources for CEC operations).
- 02 UNBUNDLED ENVIRONMENTAL MANAGEMENT FUNCTIONS
 - f. Implementation of specific National government policies on natural resources and environment conservation
 - g. Enforcement of waste management policies, standards and regulations
 - h. Control of air pollution, noise pollution, other public nuisances and outdoor advertising
 - i. Soil and Water conservation for environmental protection
 - j. Water Pollution Control
 - k. Management and licencing of artisanal mining in the County
- 03 FORESTRY FUNCTIONS OF COUNTY GOVERNMENTS (SECTION 21 OF THE FOREST CONSERVATION AND MANAGEMENT ACT 2016)

THE DETAILED TORS ARE AS FOLLOWS:**1 ROLES ON PLANNING AS PER EMCA (AMENDMENT) ACT, 2015, SECTION 40****Prepare a 5-year County Environment Action Plan (CEAP)**

- Prepare a 5-year County Environment Action Plan¹ (CEAP) based on guidelines issued by NEMA, for consideration and adoption by the County Assembly.
- In preparing a county environment plan, CEC shall undertake public participation and take into consideration every other county environment action plan already adopted with a view to achieving consistency among such plans.
- The respective County Executive Committee Members (CECMs) of every county shall submit the County Environment Action Plan to the Cabinet Secretary for incorporation into the National Environment Action Plan (NEAP).

Prepare operational plans

- Set agenda within the scope of CEC functions.
- Prepare annual activity plans for undertaking oversight role on environmental management, forest and landscape restoration.
- Put in place internal systems and structures that will ensure efficient execution of CEC mandate.

2 ADVISORY ROLE

- Advise the Governor on the devolved environmental functions outlined in EMCA and upon request.
- Responsible for oversight of all elements of EMCA, coordinating local policies and legislation, undertaking compliance and enforcement of devolved EMCA Regulations.
- Recommend county laws for consideration of County Assembly.

3 CEC ROLE IN OVERSIGHT AND CO-ORDINATION

- Provide oversight on all elements of EMCA, coordinating local policies and legislation, undertaking compliance and enforcement of devolved EMCA Regulations.
- Work as a coordination body, synchronizing implementation of County Environmental Action Plans (CEAPs) as cross-cutting elements of Environment and Natural Resources Management (E&NRM) in County sector plans, and as integral parts of the County Integrated Development Plans (CIDP) and budgets.
- Establish strong intergovernmental relations and partnerships to support CEC agenda.

- Work in partnership to harmonize the integration of E&NRM sector plans as the CEAP components mainstreamed into the CIDP, guided by the County State of Environment Report (CSOER).
- Mobilize resources to support implementation of the CEC activity plan.
- Mobilize stakeholders to support and participate in celebrating international days on environmental management, forest and landscape restoration.
- Convene regular meetings and communicate emerging decisions and resolutions to relevant stakeholders.
- Mobilize stakeholders to support and participate in domesticating national programmes and targets that relate to environmental, forest and landscape restoration.
- Promote adoption of technologies and innovations that support environmental, forest and landscape conservation and restoration.
- Promote effective public participation in initiatives that support environmental management, forest and landscape restoration.
- Support advocacy initiatives for environmental, forest and landscape conservation and restoration.

¹ Government of Kenya. 2016. Environment Action Plan preparation guidelines. National Environment Management Authority, Nairobi.

4 OBLIGATIONS ON MONITORING, SUPERVISION

- Monitor enforcement of CEC decisions and resolutions
- Monitor and supervise enforcement of environmental management, forest and landscape restoration
- Collaborate with national government, community and non-state actors to support enforcement of CEC resolutions.
- Respond to emerging, public/community interest issues and support in resolving conflicts that relate to environmental, forest and landscape degradation
- Support in acquisition of updated data and trends in degradation as well as restoration of the environment, forests and landscapes.

5 OBLIGATIONS ON REPORTING

- Inform the Governor on CEC Agenda, decisions and resolutions
- Confirm support required from the Governor
- Report to Governor progress on enforcement of CEC decisions and resolutions
- Coordinate development of County State of Environment Report
- Coordinate development of County Environmental Performance Index (EPI) Report.

6 KEY DELIVERABLES OF CEC

Key deliverables (Outputs)

- A 5-year County Environment Action Plan (CEAP)
- Advisory briefs to Governor
- Elements of Environment and Natural Resources Management (E&NRM) integrated in County sector plans, and County Integrated Development Plans (CIDPs)
- County State of Environment Report (CSOER)
- County Environment Performance Index (EPI) Report

Key deliverables (Outcomes)

- County legislations emerging from CEC Recommendations
- Public interest environmental disputes resolved in collaboration with relevant stakeholders
- Budgets for oversight, planning, coordination, monitoring and integration of the elements of Environment and Natural Resources Management (E&NRM) in sector plans and CIDPs
- Improved compliance with environmental regulations
- Improved participation of institutions and public (communities) in environmental activities
- Improved accountability of institutions and public (communities) in environmental activities
- Increased number and scale of environmental, forest and landscape restoration initiatives
- Increased area of land conserved under environmental, forest and landscape conservation and restoration initiatives.



Eric Otieno/CIFOR-ICRAF

Guide to Functional County Environment Committees

Purpose of the Guide

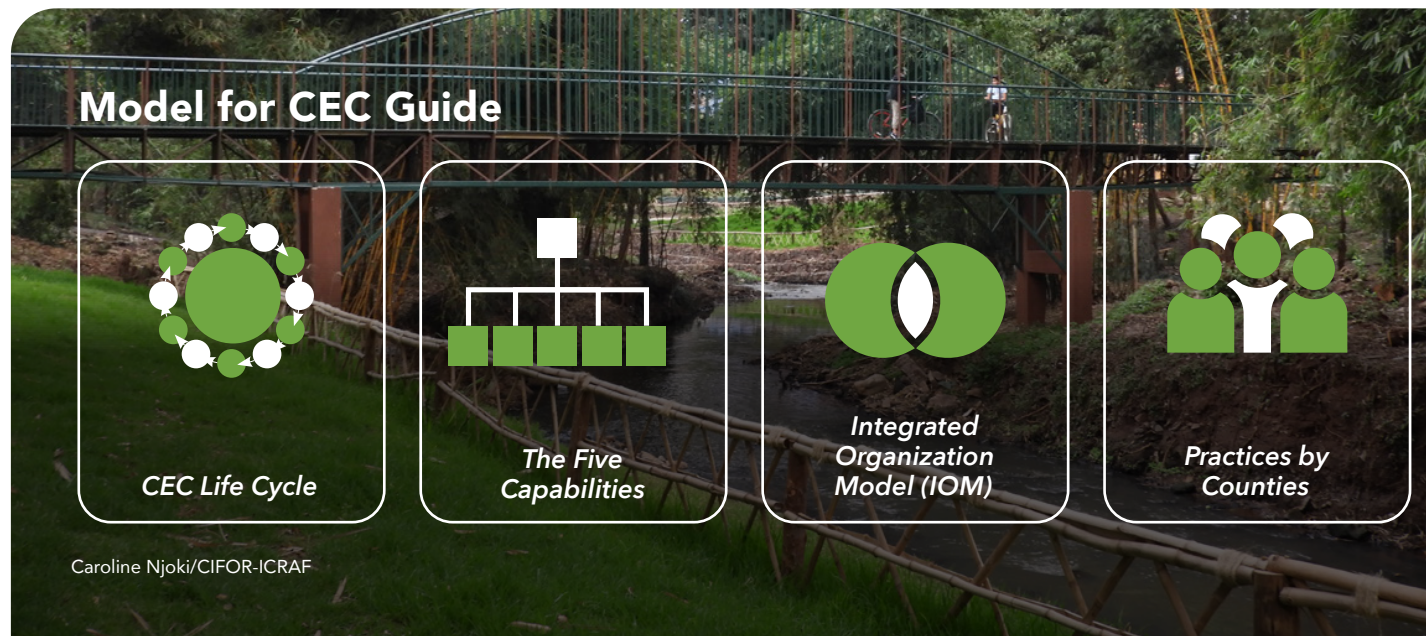
- 4.1. The document presents end-to-end guidance on what it takes to establish, build and sustain functional County Environment Committees that effectively provide stewardship and oversight on environmental management issues in counties in accordance with the EMCA 1999 (Revised, 2015).
- 4.4. Obligations of County Governments (under County Governments Act, 2012): The public's right of access to information; the principles of citizen participation in counties; Citizens right to petition and challenge and; Duty to respond to citizens' petitions or challenges.
- 4.5. Obligation of Counties to improve performance and service delivery:
Section 6(6) of the County governments Act stipulates that: "In exercising its powers or performing any of its functions a county government shall ensure efficiency, effectiveness, inclusivity and participation of the people." County Environment Committees are thus expected to be efficient, effective, inclusive and responsive to the needs of the public.

In this regard, the Guide presents serves as part of the strategy for strengthening county performance and making devolution work.

Justification for the Guide

The Guide is inspired and informed by the following:

- 4.2. The need for CECs to effectively expedite their terms of reference, build functional systems and structures and deliver of all environmental management functions assigned to counties as well as on shared ones.
- 4.3. The outcome of the assessment of the status of CECs, that revealed that only 30% of them were legally constituted by end of March 2023, and that some of the gazetted Committees were inactive.



Other structures that make devolution work in Counties

- 4.6. Other structures that the County Environment Committees can relate with and learn from include but are not limited to the following:
- County Assembly
 - The Executive
 - County Budget Economic Forums (CBEFs)
 - The Governor's Delivery Unit (GDU) or County Service Delivery Units (SDUs)
 - The County Public Service Boards
 - County Climate Change units and County Climate Change (CCC) Committees
 - Sector Committees and intergovernmental structures at county level
 - Relevant sector National Government Ministries, Department and Agencies (MDAs)
 - Development Partners
 - Non-Governmental Organizations

4.7. Components and perspectives of the Guide

The key components and perspectives of the guide to nurturing functional County Environment Committees are: 1) The CEC Life Cycle; 2) The Integrated Organizational Model; 3) Practices and Experience of Counties and; 4) The 5Cs Model (or 5 Capabilities Model).

4.8. Specific Guidelines



CEC Life Cycle

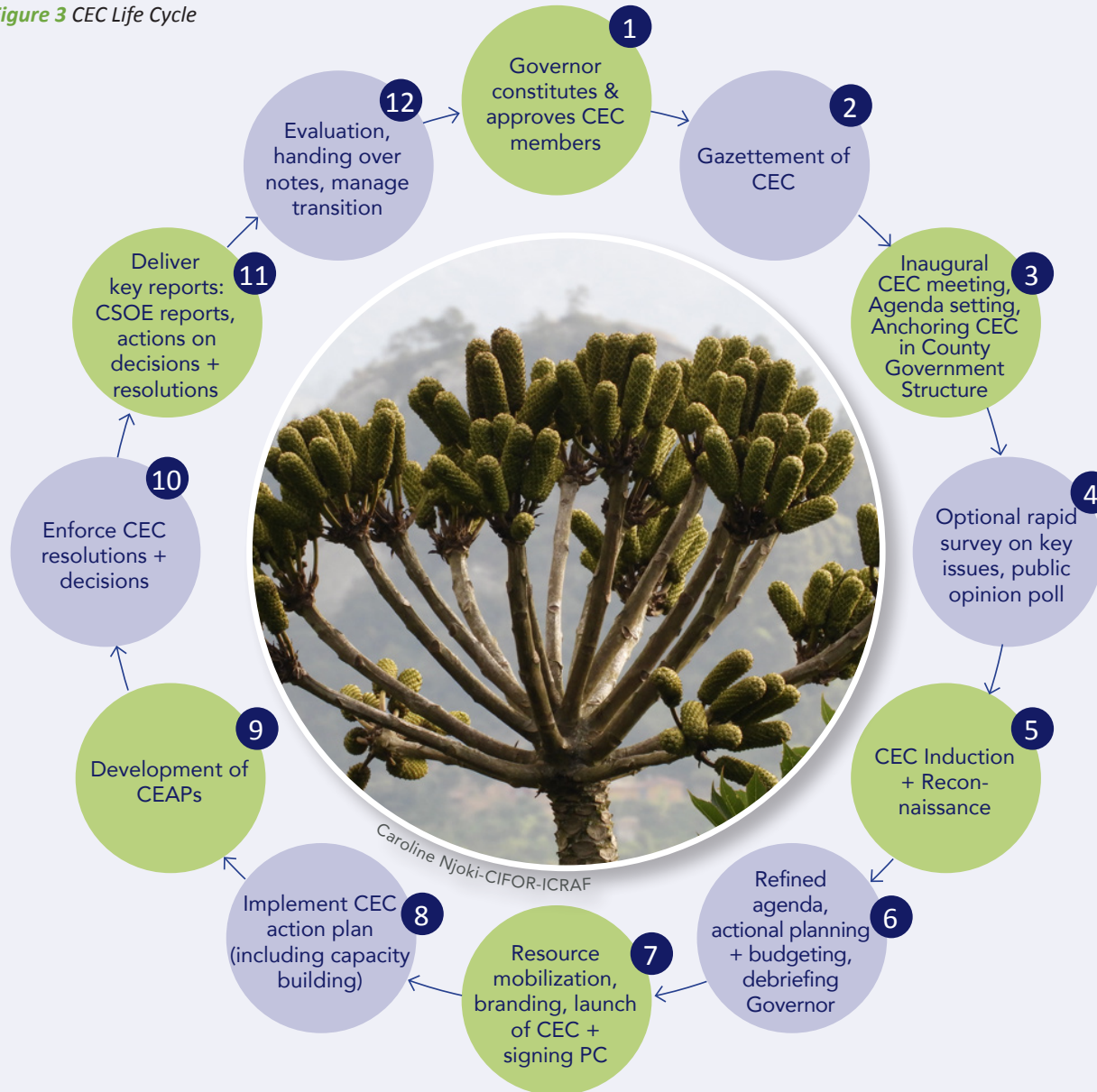
Consider the CEC as a structure with a three-year life cycle from establishment and gazettelement. There is need to manage transitions including leadership transition caused by transfers, reshuffling of the cabinet as well as the electoral process. The CEC Life Cycle is presented in table 2 and Figure 3.

Table 2. Proposed phases of CEC Life Cycle

Phase	Activities
Phase 1	Nomination, Approval of CEC Members by Governor (ref. NEMA Guidelines)
Phase 2	Gazettelement of CEC Members
Phase 3	<ul style="list-style-type: none"> Agenda Setting Induction Opinion Poll, Establishing/confirming baselines for new Environment Committee
Phase 4	<ul style="list-style-type: none"> Develop CEC Action Plan/Roadmap & Budget based on TOR for CECs Debriefing of Governor, Cabinet
Phase 5	<ul style="list-style-type: none"> Develop/Review of CEAPs Integration of CEAPs into CIDP Mainstreaming CEAPs in Departmental Plans CEAPs Implementation Monitoring Resource mobilization Branding, Launch of CEC
Phase 6	<ul style="list-style-type: none"> Implement CEC Action Plan (including Capacity Building Plan) Conduct regular meetings with clear decisions and actions
Phase 7	Enforce CEC Resolutions & Decisions
Phase 8	Deliver key Reports: <ul style="list-style-type: none"> CSOE Reports Actions on Decisions & Resolutions
Phase 9	<ul style="list-style-type: none"> Evaluation, Handing over notes, Manage transition Document achievements in Environmental Management and Restoration as part of legacy of the Governor and the Committee.

Guide to Functional County Environment Committees

Figure 3 CEC Life Cycle



GUIDELINE



2

CEC Guide based on components¹ of a functional organisation:

- Vision and Mission
- Organizing for effective operations: Strategy, Structures, Systems and Processes
- Inputs
- Factors/General environment
- Actors/Specific environment (Power, Influence)
- Monitoring and Evaluation Framework

¹ From the Integrated Organizational Model (IOM) by MDF

GUIDELINE



3

Develop a Plan/roadmap and clear results chain based on TORs for CECs

Clear link and consistency between inputs-activities-outputs-outcomes and impacts (fig 4).

Figure 4 Sample Results Chain for CECs

Inputs for CEC Activities	CEC Activities	CEC Outputs	CEC Outcomes	CEC Contribution to IMPACT
<ul style="list-style-type: none"> • Technical support • Finances/budget • Committed vibrant CEC members • An effective structure to deliver CEC mandate and results • Enabling systems • CEC visibly integrated County government structure • Support by Governor and County Assembly 	<ul style="list-style-type: none"> • CEC Meetings • Planning • Budgeting • Induction • Assessments/mapping of environmental issues, degraded forests and landscapes • Reconnaissance visits to sub-counties, Wards • Advocacy and public awareness • Public participation activities • Collaboration and partnership activities • Develop and utilise CEAP, CSOER • Enforcement of CEC resolutions 	<ul style="list-style-type: none"> • 5-year County Strategic Environment Action Plan (CSEAP) • CSEAP components (of E&NRM) sector plans mainstreamed and integrated in CIDP. • County State of Environment Report (CSOER) 	<ul style="list-style-type: none"> • Improved compliance with environmental regulations. • Improved participation of institutions and public (communities) in environmental activities. • Increased number and scale of environmental forest and landscape restoration initiatives. 	<ul style="list-style-type: none"> • Increased tree cover • Improved quality of environment • Reduced number of environmental health related diseases • Increased diversity and area of restored forests and landscapes • Reduced environmental crime

GUIDELINE



4

Mobilize Resources for implementing CEC Action Plan

Internal Resource Mobilization

- Anchor CEC Plans in CIDP and Budget.
- Sensitization of the entire assembly and the executive.
- Developing County legislations on budget allocation and ring-fencing funds for environmental management, landscape and forest restoration.
- Other approaches as applicable to Counties.

External Resource Mobilization

- Stock-taking on institutional landscape of partners and programmes (including National Government Programmes and environmental civil society organizations) that support environmental management, landscape and forest restoration as well as their conditions and criteria for supporting Counties.
- Capacity building for resource mobilization: Support counties to develop proposals for funding CEC Plans
- Co-financing of CEC by County Government and NEMA.
- Co-financing with development partners and environmental civil society organizations.
- Other approaches as applicable to Counties.

GUIDELINE



5

Set up functional systems and structures:

Key structures:

- Institutionalize County Environment Committees in County government Structure, and decentralize to Ward level.
- CECs should integrate county-level and intergovernmental structures for effective operations. It is important that Kenya Wildlife Service (KWS) and Kenya Forest Service (KFS) are and actively involved as members of County Environment Committees.
- Stakeholders recommended an independent Secretariat to coordinate all CEC activities.

Systems put in place for CEC operations should include the following:

- Criteria for co-opting relevant members/ institutions, e.g., KFS and KWS.
- County vote head for supporting operations of CECs.
- Harmonizing and coordinating issuance of permits by County governments and National government institutions.
- Having a scheme of service for Environment, to ensure that appointees at county level have a background in Environment-related qualifications (borrowing from Health docket and NEMA).
- Ensure balance between Planning and Implementation
- Schedule/calendar of CEC activities including meetings

GUIDELINE



6

Develop and implement Capacity Building Plan (CBP) for the CEC based on a simple template presented in the next page.



We are committed in this journey of strengthening County Environment Committees and enhancing intergovernmental collaboration. These are necessary steps to the realization of restoration, climate change mitigation and adaptation, achieving biodiversity targets and transforming landscapes and livelihoods in Kenya — Dr Éliane Ubalijoro, Director General of World Agroforestry (ICRAF)

SAMPLE TEMPLATE FOR CAPACITY BUILDING PLAN

NOTES: Capacity building plan should focus on skills transfer including strategy development. Implementation should be the client's responsibility.

Capacity building Issue (Capacity gap/Challenge)	Capacity building Action (intervention)	Expected outcome	Activities	Indicators ¹	Responsibilities		Resources required (Ksh)		
				(Outputs and outcomes)	Client/County	Supporting Partner	Client	Supporting Partner	Dates
EXAMPLE 1: Lack of clarity on role of CEC and scope of its mandate vis-à-vis other related structures	Consolidate TOR for CECs	<ul style="list-style-type: none"> CECs undertake planning and coordination within their mandate and scope Focused planning and implementation of CEC Action plans Enhanced awareness on relations and collaboration with other county structures 	Literature review: <ul style="list-style-type: none"> Review CEC Functions outline in EMCA, Unbundled devolved environmental functions and Roles of structures that relate with CECs in counties Compile and validate TOR in a stakeholders' workshop	CEC TORs validated by stakeholders and approved by COG and NEMA					
TOTAL									

Grand total (less budget for implementing Resource Mobilization Strategy and Action Plan) = Ksh

NOTES

Summary of resources required:

¹ When assessing the activity (done/not done), please consider all the elements of the indicator (quantity, quality, time and intended beneficiaries)

Guide to Functional County Environment Committees

GUIDELINE



7

Consider 5Cs Capability Model at start and end of CEC Life Cycle

The 5 Capabilities model can be used to establish baseline at start of CEC life Cycle and to confirm progress of performance (internal processes and achievements of environment management results) at end of the life cycle. These are (1) Capability to commit and act; (2) Capability to maintain coherence; (3) Capability to deliver on development objectives; (4) Capability to relate and; (5) Capability to Adapt and renew (table 3).

Table 3. Capability assessment based on 5Cs Model

Capability to:	Start of Life Cycle (Baseline)	Target	End of CEC Term (After Capacity Strengthening & Implementation)	Notes
1. Commit and act				
2. Maintain coherence				
3. Deliver on development objectives				
4. Relate				
5. Adapt and renew				
Average				

Scoring the capabilities

These five capabilities are scored against the following range of 0 to 4. The interpretation of each grade is given below.

Key

- 0 = No capacity at all
- 1 = Insufficient /Inadequate (some capacity is present, but very weak)
- 2 = Moderate/Sometimes (some capacity is present, but not in all areas)
- 3 = Usually/Good (there is sufficient capacity but room for improvement)
- 4 = Always/Excellent (has all required capacity for advocacy)

GUIDELINE



8

Integrate strategies for improving CEC performance and accelerating results

These include but are not limited to the following:

- a. Rapid Results Initiative (RRI)
- b. Service Delivery Charter
- c. Customer Satisfaction Surveys
- d. Establishing Grievance Redress Mechanisms (GRM) on environmental matters
- e. (Participating in) Public Sector Performance Ranking
- f. Subscribe to National and International Standards of services and products
- g. Documenting and sharing emerging breakthroughs, good practices and lessons from CEC interventions.

GUIDELINE



9

Contribute to development and review of national and county legislations that address environmental management, forest and landscape restoration.

Guide to Functional County Environment Committees

GUIDELINE


10

Learn from experienced County Environment Committees

This includes adopting lessons, innovations and practices to suite the context of a specific county. For example, some counties have devolved the CEC to Ward level, with outstanding results.



Caroline Njoki/CIFOR-ICRAF

GUIDELINE


12

Have a sound transition management plan.

GUIDELINE


11

Find strategies for dealing with realities and frustrations that relate to challenges that affect devolution in counties. These include:

- Funding challenges
- Advocate for the interest of County Environment Committees
- Planning, Resource mobilization/allocation
- Reporting, County Legislation
- Influence balance between political interests and actual capacity of nominees to CEC
- Proof of Relevance: build a strong case for county environment committees.
- Show importance of CEC through action and change, transform the counties through CECs

GUIDELINE

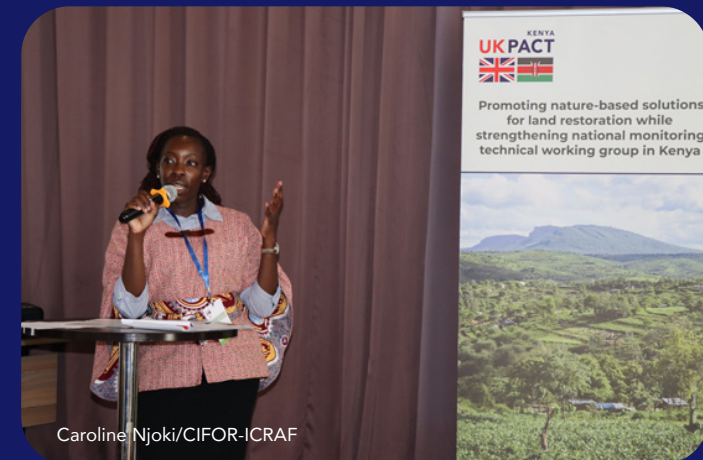

13

Translate Environment Management Plans into Investment Plans in order to attract partnerships with Private Sector (ref. The Green Economy Strategy and Implementation Plan, GESIP 2016-2030).

Need to translate environment and climate issues into investment Plans

- Have a more investment-focused look on environment and climate change
- The County Integrated Development Plan (CIDP) is the vehicle for investment in counties.
- Allocate 1-1.5% budget to support the work of CECs
- Commercialize environmental innovations for climate change action and waste management
- Integrate climate change and environment issues in development for revenue generation, to attract private investment and generate employment.
- Refer to the Green Economy Strategic Investment Implementation Plan (GESIP)

Lorraine Dixon, Manager UK PACT Kenya Portfolio, During closing session of the CEC Strengthening Workshop for Counties, 28th June 2023



Caroline Njoki/CIFOR-ICRAF

Priority actions for activating and accelerating CEC operations

The following priority actions were recommended at end of the CEC Strengthening Workshop of 27th and 28th June 2023.



Priority actions for activating and accelerating CEC operations

5.1. Create Awareness on TORs, Capacity Needs and Guide for County Environment Committees



Disseminate the TORs, Capacity Needs and Guide to all Counties, National government Ministries and SAGAs, and organizations that support environmental management, forest and landscape restoration.

Action: Council of Governors, ICRAF, Ministry of Environment, Climate Change and Forestry.

5.2. Intensify awareness to Governor on qualification of CEC Members



Action: Counties and Council of Governors, NEMA.

5.3. Rebrand County Environment Committee and give it a distinctive identity



As part of the CEC Life Cycle, rebranding the structure will eliminate the confusion between County Environment Committee and County Executive Committee. Suggested names include Environment and Natural Resources Committee (ENRC) among others. This action is urgent and should be done within the on-going EMCA Review process so that the new name is anchored in the reviewed legislation.

Action: Counties and Council of Governors.

5.4. Establish an independent Secretariat



Establish an independent Secretariat that can also ensure smooth leadership transition.

Action: Ministry of Environment, Climate Change and Forestry, Counties and Council of Governors.

5.5. Transition Management



Directors in charge of Environment and Climate Change to take charge during change of CECM and during general elections in order to ensure continuity.

Action: Counties and Council of Governors.

5.6. Contribute to on-going review of EMCA



County input to EMCA review should include the proposed new, distinct identity recommended for the CECs, the proposed independent Secretariat and their financing.

Action: Counties and Council of Governors.

5.7. Undertake aggressive resource mobilization to address financing challenge that hinders operations of the Environment Committee



Action: Counties and Council of Governors, NEMA, Development Partners.

5.8. Improve coordination (capacity for effective coordination) of environmental management issues within the counties and trans-boundary.



Action: Counties, Council of Governors, NEMA, KFS.

5.9. Develop County legislation to ring-fence support for Environmental Management Issues



This should include recommending a percentage of County budget that should be allocated for operations of the Environment Committee, for example 1% of County budget.

Action: Counties and Council of Governors.

Reference Documents for Strengthening County Environment Committees

The process towards activating and strengthening CECs has produced key reference documents that include but are not limited to the following documents:

1. Osingo S, Muthuri C, Kamau P and Muthoka B, 2023. TOR for County Environment Committees.
2. Osingo S, Muthuri C, Kamau P and Muthoka B, 2023. Consolidated Challenges and Capacity Needs for County Environment Committees.
3. Osingo S, Muthuri C, Kamau P, Lange C and Muthoka B, 2003. Guide to Functional County Environment Committees.
4. Osingo S, Muthuri C, Kamau P and Muthoka B, 2023. Building a Case for strengthening County Environment Committees to support forest and landscape restoration in Kenya.
5. Wanjira EO, Mukhwana L, Njoki C, Osingo S and Muthuri C, 2023. A report on County Environment Committees Strengthening Workshop to Deliberate on: Terms of Reference, Capacity Gaps and Guidelines for Operations, held at Pride Inn Azure Hotel, Westlands Nairobi from 27th -28th June 2023
6. Wanjira EO, Njoki C, Mukhwana L, Osingo S and Muthuri C, 2023. National Stakeholders' Workshop on Strengthening County Environment Committees for Forest and Landscape Restoration in Kenya March, held from 28th-29th, 2023 at World Agroforestry Campus, Nairobi-Kenya.
7. Muthuri C, Odhiambo E, Akombo R, Kamau PM, Wanyora V, Mugi P, Wanjira EO, Muga M, Njoki C, Bourne M, 2022. A trends analysis on forest and landscape restoration in Kenya. Nairobi, Kenya: World Agroforestry
8. NEMA, 2020. Guide to Governor for Appointment and Gazettement of County Environment Committee (CEC).

Other Strategic References

1. The Constitution of Kenya, 2010
2. FAO. 2017. Voluntary Guidelines on National Forest Monitoring. Rome, FAO
3. Government of Kenya. 2017. Kenya Climate Smart Agriculture Strategy 2017-2026.
4. Government of Kenya. 2016. The Climate Change Act, 2016.
5. Government of Kenya. 2016. The Forest Conservation and Management Act 2016.
6. Government of Kenya. 2016. The Water Act 2016.
7. Government of Kenya. 2016. Green Economy Strategy and Implementation Plan-Kenya 2016-2030: A low carbon, resource efficient, equitable and inclusive socio-economic transformation
8. Government of Kenya. 2015. The Environmental Management and Co-ordination (Amendment) Act, 2015.
9. Government of Kenya. 1999. The Environmental Management and Co-ordination Act (EMCA), 1999 No 8 of 1999.
10. Ministry of Environment and Natural Resources. 2016. The Technical Report on the National Assessment of Forest and Landscape Restoration in Kenya.
11. Ministry of Environment and Natural Resources. 2016. Report of the Land Degradation Assessment in Kenya: Based on a Study of Land Degradation Assessment (LADA) with Remote Sensing and GIS, for Sustainable Land Management (SLM) in Kenya: Submitted To: Ministry of Environment and Natural Resources, N.H.I.F Building, Ragati Road, P.O Box 30126-00100 Nairobi, Kenya
12. Mulinge, W., Gicheru, P., Murithi, F., Maingi, P., Kihui, E., Kirui, O. K. & Mirzabaev, A, 2015. Economics of Land Degradation and Improvement in Kenya. In E. Nkonya et al. (Eds.) Economics of land degradation and improvement – a global assessment for sustainable development
13. Circulars advising and directing CECs on specific issues.
14. County-specific legislations.

Annex I

Summary of Recommendations and Way Forward Accelerating CEC Operations

Issue/Agenda	Recommendation/Action	Action
Way forward on TOR Capacity Gaps CEC Guide	<ul style="list-style-type: none"> Finalization of Drafts Finalize drafts based on recommendations from CEC Workshop and share with counties for validation. 	ICRAF
	<ul style="list-style-type: none"> Adoption of TOR, Guide Structure: Anchor CECs in CIDPs, devolve CEC Structure to Ward level Apply components of the TOR and Guide in CEC operations based on provisional documents 	All Counties
	<ul style="list-style-type: none"> CEC Capacity Building Develop Capacity Building Plans (CBP) & Budgets for priority capacity needs Develop CBP & Budgets for Capacity needs that are common interest to counties 	Counties COG
	<ul style="list-style-type: none"> Institutionalization Develop policy direction and County legislations to operationalize the TOR & Guide Include the Chair of the County Assembly (Water and Environment) to be a member of the CECs * Devolve Environment Impact Assessment (EIA) to Counties (within the existing legal framework before any action) 	Ministry, Counties
Address transition management challenges	<ul style="list-style-type: none"> Enhance documentation and reporting of CEC activities Proper Secretariat for hand-over, take-over Develop transition management plan * Director Environment to be acting until the office is reconstituted together with national government NEMA. 	All Counties
Financing of Counties	<ul style="list-style-type: none"> Anchor CEC Plans in CIDP and Budget Capacity building for resource mobilization: Support counties to develop proposals for funding CEC Plans Sensitization of the entire assembly and the executive Co-financing of CEC by County Government & NEMA 	COG Counties MoECCF NEMA Development Partners
Managing politics that affect CEC operations	<ul style="list-style-type: none"> Mandatory qualifications for CEC Members Sensitize Governors 	Counties
Enforcement of CEC Resolutions	<ul style="list-style-type: none"> Infuse into Departmental plans and activities 	Counties
Implement CEC CBPs	<ul style="list-style-type: none"> Support Counties to implement CEC Capacity Strengthening strategy based on TOR, Guide & Capacity Building Plans 	ICRAF COG

Source: ICRAF, CEC Strengthening Workshop for Counties, 27th & 28th June 2023

Annex II

National FLR Policy framework in Kenya

Sector, Policy Context	Specific Policy Framework and Instruments	Notes
Constitution of Kenya, 2010	Fourth Schedule of the Constitution of Kenya, 2010	Functions of National government and of County governments
Environmental Management & Climate Change Response	<ul style="list-style-type: none"> • EMCA 1999 • Climate Change Act 2016 • The National Climate Change Response Strategy² • National Climate Change Action Plan (NCCAP) 2018-2022 • Updated Nationally Determined Contributions (NDC) (2020) • Green Economy Strategy and Implementation Plan 2016-2030 	Establishment of County Environment Committees Drought mitigation
Forest Management	Forest Conservation & Management Act (FAMA) 2016	Community Forest Associations (CFAs)
Water Resources and water supply	<ul style="list-style-type: none"> • Water Act 2016 • National Water & Sanitation Strategy • Sessional Paper No. 1 of 2021 on National Water Policy • Master Plan for Conservation and Sustainable Management of Water Catchment Areas in Kenya • National Irrigation Policy • Draft Land Reclamation Policy 	Water Resource Users Associations (WUAs) Irrigation Water Resource Users Associations (IWUAs)
Presidential Pronouncements	<ul style="list-style-type: none"> • Executive Orders • National and County Governments Coordinating Summit in Naivasha • 36th African Union Summit 	Kenya to develop high integrity carbon market program with a robust implementation plan.
Intergovernmental Relations in FLR	Intergovernmental Relations Act 2012	
Agroforestry & Agricultural Soil Management	<ul style="list-style-type: none"> • Kenya Climate Smart Agriculture Strategy 2017-2026³ • The Draft Agricultural Soil Management Policy • The Crops Act 2013 • The Draft National Agroforestry Strategy 	
County Government Obligations in FLR	<ul style="list-style-type: none"> • The County Governments Act, 2012 • Specific County Legislations on Environment, Forest and Soil Management • Regulation on Sand Harvesting (Kajiado County, Makueni County). • Transition Implementation Plans (TIPs) 	
Role of Science, Innovation and Technology in FLR	Science, Technology and Innovation Act 2013	Kenya Forestry Research Institute (KEFRI); Kenya Agricultural and Livestock Research Organization (KALRO)
Cross-Sector instruments for coordinating FLR	<ul style="list-style-type: none"> • Recommendations of A Trend Analysis on Forest and Landscape Restoration in Kenya • Forest & Landscape Restoration Implementation Plan 2023-2027 	

² calls for growing 7.6 billion trees on 4.1 million hectares of land over 20 years.

³ Mitigation of Greenhouse Gas Emissions, Strategic Issue 5: Minimize emissions from other sources in the agricultural production system; mainstreaming sustainable natural resources management to reduce emissions as a co-benefit.

Annex III

Examples of Programmes and Partners Supporting Forest and Land Restoration in Counties

The international, regional, national policy frameworks are operationalized through programmes. Examples of FLR Programmes that are implemented across the 47 counties, and the supporting partners are presented alongside.



Peer Learning, Experience Sharing among Counties and Simulating Development of Capacity Building Plans during CEC Strengthening Workshop for Counties on 28th June, 2023.

Some Partners supporting Environment, Forest and Landscape Restoration in Kenya

- Africa Wildlife Foundation
- Eden Restoration
- Food and Agriculture Organization of the United Nations (FAO)
- Green Belt Movement
- World Agroforestry (ICRAF)
- International Union for Conservation of Nature (IUCN)
- Nature Kenya
- One Acre Fund
- One Tree Planted
- United Nations Development Programme (UNDP) and Government of Japan's Kakamega Forest Fencing Project
- World Resources Institute (WRI)
- World Wildlife Fund for Nature (WWF)

Examples of National Programmes and Initiatives supporting Forest and Landscape Restoration

- National Landscapes and Ecosystem Restoration Programme, Ministry of Environment, Climate Change and Forestry
- KFS implemented Green Zones Development Support Project
- Financing Locally-Led Climate Action Program (FLLOCA)
- Japan International Cooperation Agency Strengthening Forestry Sector Development and Community Resilience to Climate Change through Sustainable Forest Management and Landscape Restoration (JICA SFS CORECC) project
- Towards Ending Drought Emergency (TWEENDE)
- Carbon Trade Forest Restoration Programs
 - The International Small Group and Tree Planting Program (TIST) project in Kenya- where smallholders earn from planted and retained trees on their land
 - Mikoko Pamoja project
 - Kasigau Corridor REDD+ project
 - Chyulu Hills REDD+ Carbon project

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The Center for International Forestry Research (CIFOR) and World Agroforestry (ICRAF) envision a more equitable world where trees in all landscapes, from drylands to the humid tropics, enhance the environment and well-being for all. CIFOR and ICRAF are CGIAR Research Centers.



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