

FINAL REPORT

**IN-DEPTH ANALYSIS OF POLICY GAPS ON ENVIRONMENTAL AND NATURAL
RESOURCES TO GUIDE KENYA CONFERENCE OF CATHOLIC BISHOPS
EVIDENCE BASED ADVOCACY.**

CONSULTANCY SERVICES

BY

**DICKSON KITHINJI,
P.O BOX 4508-00100 GPO NAIROBI, KENYA.**

DICKMWENDA21@GMAIL.COM

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Table of Contents

ACRONYMS	4
ACKNOWLEDGEMENT	5
EXECUTIVE SUMMARY	6
CHAPTER 1: INTRODUCTION	7
1.1 Background	7
1.2 Overview of the Project	7
1.3 Purpose, objectives and scope of the Analysis.	8
CHAPTER 2: METHODOLOGY	8
2.1 Use of questionnaires	9
2.2 Desk top review	10
2.3 Key informant Interviews and group discussions	10
CHAPTER 3: OVERVIEW OF POLICY GAPS ON ENVIRONMENTAL AND NATURAL RESOURCES.....	10
3.1 National circumstances.....	10
3.2 Policy, legal and Institutional framework.	12
3.2.1 The Paris Agreement.....	12
3.2.2 African Convention on the Conservation of Nature and Natural Resources.....	12
3.2.3 The Kenyan Constitution 2010.....	13
3.2.4 Environmental Management and Co-Ordination Act, Revised Edition 2015 (1999)	15
3.2.5 Environmental (Impact Assessment and Audit) (Amendment) Regulations, 2009	16
3.2.6 National Climate Change Framework Policy, 2016.....	16
3.2.7 The Climate Change Act 2016	17
3.2.8 The Water Act 2016	18
3.2.9 The Energy Act 2019	18
3.3.0 The National Environment Policy 2013.....	19
3.3.1 Kenya Nationally Determined Contribution (NDC)	19
3.3.2 National Climate Change Action Plan 2018-2022	20
3.3.3 National Policy on Climate Finance, 2018.....	20
3.3.4 National Adaptation Plan (NAP) (2016-2030)	21
3.3.5 National Forest Policy 2020.	21
3.3.6 Kenya Climate Smart Agriculture Strategy (KCSA 2017-2026).....	22
3.3.7 County Integrated Development Plans (CIDP).....	23
3.3.8 County Climate Change mechanisms.....	23

3.3.9 The National Treasury (National Designated Authority)	24
3.4.0 The National Climate Change Council (NCCC)	25
3.4.1 The Ministry of Environment and Forestry.....	25
3.4.2 Ministry of Transport Infrastructure Housing and Urban Development.....	25
3.4.3 The National Environment Management Authority (NEMA).....	26
3.4.4 The County Governments.	26
CHAPTER 4: POLICY GAPS/CONFLICT ANALYSIS AND HOW KCCB CAN ENGAGE EFFECTIVELY	26
4.0 Emerging issues/Good practices and lessons learnt.....	30
4.1 Role of Faith-Based Organizations in the Formulation and Implementation of Policies in Kenya...31	31
CHAPTER 5: SWOT ANALYSIS OF THE IDENTIFIED POLICIES AND THE ROLE OF KCCB IN THE IMPLEMENTATION PROCESS.....	33
CHAPTER 6: KEY ADVOCACY STRATEGIES FOR KCCB ON POLICIES	37
CHAPTER 7: RECOMMENDATIONS AND CONCLUSIONS.....	39
7.1 Recommendations	39
7.2 Conclusion.....	40
BIBLIOGRAPHY	42

ACRONYMS

KCCB	Kenya Conference of Catholic Bishops.
CAFOD	Catholic Fund for Overseas Development.
AMECEA	Association of Member Episcopal Conferences in Eastern Africa.
FBOs	Faith-Based Organizations
USCCB	US Conference of Catholic Bishops
CSOs	Civil Society Organizations
ETWG	KCCB National Environment Technical Working Group
ASALs	Arid and Semi-Arid Lands
NDMA	National Drought Management Authority
NDCs	Nationally Determined Contributions
MTPs	Medium-Term Plans.
NEMA	National Environment Management Authority.
EMCA	Environmental Management and Co-Ordination Act.
EIA	Environmental Impact Assessment.
NETFUND	National Environment Trust Fund.
MEAs	Multilateral Environmental Agreements.
CCD	Climate Change Directorate.
CIDPs	County Integrated Development Plans.
NAP	National Adaptation Plan.
NCCAP	National Climate Change Action Plan.
CCCF	County Climate Change Fund Mechanism.
KCSA	Kenya Climate Smart Agriculture Strategy.
NCCC	National Climate Change Council.
NRM	Natural Resource Management.
GCF	Green Climate Fund
COG	Council of Governance.
NDA	National Designated Authority.
CFAs	Community Forest Association.
COP	Conference of Parties to UNFCCC.
MRV	Monitoring Reporting and Verification
PWD	People living with disabilities
EIAAR	Environmental Impact Assessment and Audit Regulations
GHG	Green House Gases
GCF	Green Climate Fund

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EXECUTIVE SUMMARY

Kenya Conference of Catholic Bishops (KCCB) commissioned this analysis in August 2022 with an aim of identifying and analyzing policy gaps on environmental and natural resources policies to inform evidence-based advocacy. KCCB and partners will rely on recommendations and findings of the analysis to engage effectively with both state and non-state actors from local, county, and national and regional level in the implementation of policies and holding duty bearers into account. The analysis discusses various legal, policy and institutions frameworks and recommends specific actions that KCCB can take to influence implementation and enhance active participation of FBO, women, youth, PWDs, marginalized and vulnerable communities in the decision-making table. Equally, recommendations of this analysis are purely based on identified gaps which were obtained from literature review and focused groups interviews with both state and non-state actors in Kenya. It is expected these recommendations will improve KCCB advocacy approach towards conserving and protecting country's environment and biodiversity for the accomplishment of the Kenya's mission and vision as spelt out in the vision 2030 and the various Mid Term Plans (MTPs).

Despite Kenya having put in place transformative policies and institutions; participation of faith-based organization in the implementation process remains low. Insufficient capacity and exposure to policies are the most common hinderance to most faith-based organization participation in policy design and implementation process. This analysis concludes that Catholic Church is important but silent actor in development and implementation of environmental/NRM policies in Kenya. The analysis has also established that most of KCCB work on environment conservation is similar to government initiatives both at national, county and local level. This calls for strong partnership and collaboration between KCCB and government institutions in their programmes/Projects. Aligning KCCB projects to government work will help the Catholic Church to participate actively in major decision-making processes. KCCB will also provide the much-needed oversight role and promote accountability towards the communities and people directly affected by climate crisis by ensuring that they are informed, they are heard and environment project/programme outcomes are meaningful and relevant to them, and do not result in negative social and environmental impacts.

Finally, going forward KCCB should strive to ensure church social teaching and position papers on environmental conservation are reflected in policies and submissions to international community on key agenda items. This means that KCCB and other faith-based organizations ought to be proactive in policy development processes both at National and County levels. They should be strategic to influence outcomes of environmental policies and implementation. The church represents diverse communities, youth, women and less fortunate in the society. Moreover, Catholic Church is the voice of voiceless in the society and by shaping outcomes of environment policy discourse in Kenya, will not only ensure that needs and aspirations of communities are well

captured but also hold duty bearers accountable in the implementation of policies and efficient service delivery by government institutions.

CHAPTER 1: INTRODUCTION

1.1 Background

The Kenya Conference of Catholic Bishops, a permanent institution, is the assembly of the Catholic Bishops in Kenya united and exercising together their Pastoral offices over Christ's faithful, as shepherds of the Catholic Church in Kenya which they together promote by forms and means of Apostolate suitable to the circumstances of place and time, in accordance with the Law, to promote the greater good which the Church offers to all Mankind (CIC 447). Through coordination and support of General secretariat, KCCB works in various thematic areas to deliver services to citizens and accomplish the pastoral works. One of this thematic area is environmental conservation and governance.

In partnership with Catholic Fund for Overseas Development (CAFOD), KCCB is implementing resilience and advocacy project, ***“Strengthening advocacy for resilience and poverty eradication through environmental conservation and sustainable agricultural productivity”*** at national and county level. The project targets to empower communities in Kenya to fully participate in sustainable management of natural resources and internalize gender and other issues related to democracy and good governance in development matters. One of the key objectives of the project is to assess and come up with analysis of gaps, recommendations, and key highlights of environmental policies from regional, national, and county that will guide overall advocacy of both state and non-state actors in Kenya.

Consequently, the recommendations and gaps identified will guide the actions that the Catholic Church in Kenya shall take to effectively advocate and lobby for practical actions geared towards sustainable environment and natural resource management in Kenya. Moreover, this will strengthen the capacity of KCCB-CJPD National Environment Working Group (EWG) to engage more effectively on environmental governance and influence policies while holding duty bearers and development partners into account.

To address these challenges KCCB commissioned consultancy in August 2022 to develop and Identify policy gaps on environmental and natural resources policies in Kenya to inform evidence-based advocacy. KCCB and partners will apply recommendations and findings of the consultancy to engage effectively with both state and non-state actors from local, county, and national and regional level on environmental conservation and protection.

1.2 Overview of the Project

The project seeks to build resilient communities in the wake of lost livelihoods, food insecurity and unending disasters that have lately been witnessed including the COVID-19 disruptions and effects of climate change. The communities will take a lead role in enhancing an enabling environment for achieving optimum involvement of citizens in decision-making processes as provided for in the Constitution of Kenya of 2010. KCCB will harness the influence of County advocacy groups and religious leaders to help achieve this aim. The project will also take

advantage of already established citizen oversight structures in these counties to lead advocacy initiatives.

1.3 Purpose, objectives and scope of the Analysis.

The purpose of this assignment was to analyze Kenya's national policies related to environment (natural resources, food security, disaster management, climate change adaptation and mitigation). The analysis identified conflicts between policies and offered appropriate recommendations for mainstreaming climate change adaptation into sectoral and cross- cutting policies, and suggested means for improving translation of policies into tangible benefits for rural farming communities. This will inform evidenced based advocacy to KCCB Environment Technical Working Group (ETWG) and how they will engage/target both state and non-state actors in the implementation of NRM policies and environment protection measures in Kenya. Specific objectives include:

- Analyze Kenya's national policies related to environment (natural resources, food security, disaster management, climate change adaptation and mitigation) to identify gaps that need to be addressed to promote/incorporate the recognition of other effective modalities of managing key biodiversity areas
- Give an overview of changes in forest and tree cover in Kenya, the status of food security, sustainability of natural resources, climate change mitigation, disaster preparedness the drivers of deforestation and forest degradation
- Identify conflicts between policies, offer appropriate recommendations for mainstreaming climate change adaptation into sectoral and cross- cutting policies, and suggests means for improving their translation into tangible benefits for rural farming communities.
- Based on the review, contribute to the preparation of detailed recommendations of the policies, laws and strategies that are required/needed to be reviewed to facilitate effective conservation management regimes, including effective strategies for policy advocacy.
- Present report findings to the KCCB-CJPD National Environment Working Group (EWG) in validation workshop. Incorporate inputs from the group and come up with final report.
- Guide on the actions that the Catholic Church in Kenya shall take to effectively advocate and lobby in the area i.e., actions towards environmental and natural resources advocacy
- Provide KCCB-General Secretariat with soft copies of the reports pertaining to the activities above

CHAPTER 2: METHODOLOGY

The analysis adopted a participatory approach and triangulation of data sources and research methods. Meaningful interaction with project team at KCCB and project stakeholders/target groups was achieved through their participation in individual interviews and Focus Group Discussions.

This important analysis process commenced in August 2022 through inception meeting that was held virtually between the consultant and KCCB project team. The purpose of the meeting was to review analysis outline developed by consultant and generate common understanding of the focus, expectations and principles that guided the policy analysis. Subsequently, the consultant reviewed the project documents and relevant external documents which the initial policies and gaps were

identified. The draft findings and policy gaps were discussed during the review of the inception report and this paved way for data collection from National level and County level stakeholders. The consultant also developed questions that guided identification of key policies and interpretation of gaps that formed basis of recommendations to KCCB. These questions are outlined in Box 1. Below:

2.1 Use of questionnaires

Box 1: Key interview questions

- Which policies have been put in place by Kenyan governments on environment, natural resource and climate change?
- To what extent does these policies solve environmental challenges and climate crisis in Kenya
- What is the weakness of the identified policies?
- To what extent does Faith Based Organizations especially Catholic Church participate in development and implementation of these policies?
- How is the working relationship between County/National government and Catholic Church in Kenya?
- What are the major gaps/ incoherency that are there in the identified policies?
- How can Catholic Church engage effectively with National and County state actors during implementation of these policies?
- To what degree does these policies respond to local community needs, gender and social inclusion?

Primary data was collected from the project's key stakeholder group at the National and County level. The participants were carefully selected using a combination of purposive and random sampling methods in efforts to ensure that all key stakeholder group were represented in the sample. These included KCCB project team, Environmental Technical Working Group leaders, project beneficiaries, County and National government officials, private sector and donor representatives.

Secondary information was collected from project documents and literature review from existing environmental policies in Kenya. The consultant also reviewed Catholic literature on environmental conservation and other external documents (Official records of the institutions, organizations, media house reports and governments.

Analysis of identified policy gaps involved organizing and examining policies carefully; making sense of them and then providing recommendations to KCCB on the key areas to advocate going forward. This process was guided by analysis objectives and deliverables set out in the TOR. In addition, the consultant used thematic content analysis technique to organize and make sense of

the data collected from various policies. The main emerging issues from across the various interviews, FGDs and literature were noted.

2.2 Desk top review

A systematic desk review of existing policies on environment, natural resource and climate change was carried out to identify gaps that hinder coordination during implementation of environmental policies. Entry points of faith-based organizations especially KCCB and CAFOD was also identified so that they can participate effectively in the implementation process. Recommendations developed from this analysis will support projects stakeholders from local, county, national and regional level to come up with a robust advocacy measure geared towards influencing effective and efficient management of natural resources in Kenya.

2.3 Key informant Interviews and Focus Group Discussions

The consultant carried out key informant interviews and FDG's with key informants and various stakeholders including Ministry of Environment and Forestry, National Environment and management Authority, Climate Change Directorate (CCD) County governments officials, Faith-Based Organizations, Civil Society Organizations, CBO, Farmers, Private sector plays and policy makers. All these stakeholders provided the following information:

- Helped identify existing policies on NRM and environmental conservation.
- Status of food security in Kenya and challenges facing Catholic Church in the whole value chain of food distribution.
- Contingency plans put in place by National and County governments to contain disasters and improve adaptive capacity of local communities in ASALs.
- Identified drivers of deforestation and forest degradation and how this can be mitigated.
- Measures to integrate gender and youth in climate change plans and across sectors of the economy.

CHAPTER 3: OVERVIEW OF POLICY GAPS ON ENVIRONMENTAL AND NATURAL RESOURCES.

3.1 National circumstances

Kenya continues to experience adverse impacts of climate crisis such as droughts and floods, which are felt across all sectors including agriculture, energy, transport and water. This has led to loss of lives, diminished livelihoods, reduced crop and livestock production, and damaged infrastructure, among other adverse impacts. Additionally, Kenya has witnessed an increasingly dilapidating environment and ecological biodiversity. Most notably, from an initial forest cover of 30% in 1900, the country has witnessed drastic loss to almost 7% forest cover today because of continuous and unprecedented land use changes (In Spannaus, 2014). According to the National Drought Management Authority (NDMA) drought bulletin for July 2021, food security situation has been on a worsening trend especially in the Arid and Semi-Arid (ASAL) counties in Kenya. This is attributed mainly to shift in rainfall patterns. It is worth noting that current rainfall seasons in Kenya are characterized by late onsets, below average cumulative quantities, and poor

distribution both in time and space. This has resulted in worsening drought conditions manifested in poor vegetation conditions, increased distances to water sites in 78% of ASAL counties, worsening livestock body conditions and reduced milk production in 9% and 61% ASAL counties respectively¹

Recognizing the ongoing challenges post industrialization, the Kenyan government; then and to date; prioritized action on environmental concerns such as declining forest cover and biodiversity, water scarcity, land mismanagement, climate change amongst others through the establishment of requisite policies, legislations and institutional frameworks – in an effort to create “a globally competitive and prosperous country with a high quality of life by 2030” and an aim of transforming Kenya into “a newly-industrializing, middle income country providing a high quality of life to all its citizens in a clean and secure environment (Muigua, 2016). The Kenya’s Nationally Determined Contribution (NDC) under the Paris Agreement includes both mitigation and adaptation actions. Adaptation actions will realize enhanced resilience to climate change towards the attainment of Vision 2030 by mainstreaming climate change into the five-year Medium-Term Plans (MTPs). On mitigation, the country seeks to abate its GHG emissions by 30% by 2030 relative to the Business as Usual (BAU) scenario. Implementation of the NDC will require international support as well as domestic planning and budgeting. Overall, Kenya’s NDC recognizes and promotes strengthening tools for adaptation monitoring, evaluation and learning at the national and county levels, including non-state actors: (Faith Based Organizations, private sector and academia). Apart from NDC and MTPs Kenya has developed other robust environmental and NRM policies that are discussed under chapter 3.2 policy, legal and institutional framework.

Despite Kenya having put in place transformative policies and institutions; participation of Faith-Based Organizations (FBOs) in the implementation process remains low. Insufficient capacity and exposure to policies are the most common hinderance to most FBO’s participation in policy design and implementation process. This analysis concludes that Catholic Church is important but silent actor in development and implementation of environmental/NRM policies in Kenya. Most of KCCB work on environment conservation is similar to government initiatives both at national, county and local level. This calls for strong partnership and collaboration between KCCB and government institutions in their programmes/Projects. Aligning KCCB project to government work will help catholic church participate actively in major decision-making process. KCCB will also provide the needed oversight role and promote accountability towards the communities and people directly affected by climate crisis by ensuring that they are informed, they are heard and that project/programme outcomes are meaningful and relevant to them, and do not result in negative social and environmental impacts.

This report has therefore provided in-depth analysis of Kenya’s Legal, Policy and Institutional framework on environmental protection with an objective of providing recommendations and entry point to KCCB. It is expected these recommendations will improve KCCB advocacy strategies with an aim of managing (conservation and protection) the country’s environment and biodiversity

¹ <https://reliefweb.int/report/kenya/kenya-drought-and-food-insecurity-emergency-plan-action-epoa-dref-operation-n-mdrke049>

for the accomplishment of the country's mission and vision as spelt out in the vision 2030 and the various Mid Term Plans (MTPs).

3.2 Policy, legal and Institutional framework.

3.2.1 The Paris Agreement

The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 Parties at COP 21 in Paris, on 12 December 2015 and entered into force on 4 November 2016². Its goal is to limit global warming to well below 2°C, preferably to 1.5 degrees Celsius, compared to pre-industrial levels. Implementation of the Paris Agreement requires economic and social transformation, based on the best available science. The Paris Agreement works on a 5- year cycle of increasingly ambitious climate action carried out by countries. By 2020, countries submitted their plans for climate action known as Nationally Determined Contributions (NDCs). In their NDCs, countries communicate actions they will take to reduce their greenhouse gas emissions in order to reach the goals of the Paris Agreement. Countries also communicate in the NDCs actions they will take to build resilience to adapt to the impacts of rising temperatures. Kenya was one of the first countries to sign, ratify and domesticate the Paris Agreement. Moreover, Kenya has put in place institutional policy frameworks in line with Paris Agreement. For Kenya and other developing nations to be able to fulfil their obligations of protecting and securing their infrastructure and populations from the adverse effect's climate change, there is an urgent need for rich countries to fulfil their Paris pledges.

Church leaders globally have insisted Churches and Faith-Based Organizations play critical role in the implementation process of Paris Agreement. They have urged Churches to push global leaders to implement the agreement at national and local level.³ Pope Francis and the entire Catholic Church, have consistently upheld the Paris agreement as an important international mechanism to promote environmental stewardship and encourage climate change mitigation.⁴ According to US Conference of Catholic Bishops (USCCB), Catholic social teaching, adaptation ranks among the most important actions Christians can take to protect environment. This is because poor and vulnerable disproportionately suffer from hurricanes, floods, droughts, famines and water scarcities. Climate change is one more good reason for Christians to live up to what we should be doing in the first place: 'For I was hungry you gave me food, I was thirsty you gave me drink, a stranger and you welcomed me' (Mt 25, 35). Pope Francis' Encyclical Letter, *Laudato Si'* emphasizes an urgent need to develop policies so that, in the next few years, the emission of carbon dioxide and other highly polluting gases can be drastically reduced, for example, substituting/replacing fossil fuels with green sources of renewable energy.

3.2.2 African Convention on the Conservation of Nature and Natural Resources

The African Union member states adopted this convention on 11th July 2003 in Maputo, Mozambique during the second ordinary session of assembly. The convention entered into force

² <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

³ <https://www.oikoumene.org/news/paris-climate-agreement-hailed-by-ecumenical-leaders>

⁴ <https://catholicclimatecovenant.org/files/resource/attachment/ParisBulletinInsert-PDFFinalpdf.pdf>

on 23rd July 2016. According to the convention African countries have, in accordance with the charter of the United Nations and the principles of international law, a sovereign right to exploit their own resources pursuant to their environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction⁵. Moreover, countries are responsible for protecting and conserving their environment and natural resources and for using them in a sustainable manner with the aim to satisfy human needs according to the carrying capacity of the environment. Finally, countries are urged to enhance environmental protection, foster the conservation and sustainable use of natural resources, harmonize and coordinate policies in these fields with a view to achieving ecologically rational, economically sound and socially acceptable development policies and programmes.

In line with African Union Convention, Association of Member Episcopal Conferences in Eastern Africa (AMECEA) has urged all the pastoral agents of the Catholic Church and the people of good will to be stewards of the environment and natural resources not only for the benefit of the current generation but to the future generations. AMECEA's Bishops have acknowledged despite the success stories shared on the implementation of the '*Laudato Si'* message in Africa, member conferences have also faced challenges which need new pastorals strategies so that promoting ecological justice and mitigating climate change are not mere words but concrete and practical journeying together on the path of conversion as proposed in the Seven *Laudato Si* goals⁶. AMECEA has also urged governments to enforce law to protect environment, people's health and for the benefits of the current and future generations. Catholic Bishops are also encouraged to identify degraded areas in their localities and come up with new strategies to plant, restore natural vegetation and protect biodiversity.

3.2.3 The Kenyan Constitution 2010

The overarching legal document of Kenya has been poised to be one of the greenest in the world. In its preamble, the Kenyan constitution acknowledges that the environmental is the country's heritage and therefore will be determined to sustain it for the benefit of future generations (sustainable development). As such, the constitution, under the 42nd article, guarantees her people of a clean and healthy environment. This includes the right to have the environment protected in the present and future generations. Similarly, the Kenyan constitution's article 69; under the broader objective of the obligations in respect to the environment; stipulates that amongst other functions, the state (Kenya) shall; ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits; work to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya; protect and enhance intellectual property in, and indigenous knowledge of, biodiversity and the genetic resources of the communities; encourage public participation in the management, protection and conservation of the environment; protect genetic resources and biological diversity; establish systems of environmental impact assessment, environmental audit and monitoring of the environment; eliminate processes and activities that are likely to endanger the environment; and

⁵ https://au.int/sites/default/files/treaties/41550-treaty-Charter_ConversationNature_NaturalResources.pdf

⁶ <https://www.ippmedia.com/en/news/amecea-launches-guidelines-environmental-conservation-matters>

utilize the environment and natural resources for the benefit of the people of Kenya (Government of Kenya, 2010). The article (69) further explains that every person has a duty to cooperate with state organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources; making the management of the environment a two-party function for the benefit of the current and future generations as on article 42.

On her 70th article, the Kenyan constitution advances the use of precautionary principle by stating that “If a person alleges that a right to a clean and healthy environment recognized and protected under Article 42 has been, is being or is likely to be, denied, violated, infringed or threatened, the person may apply to a court for redress in addition to any other legal remedies that are available in respect to the same matter.” For the purposes of the article; the constitution explains in clause 3 of the 70th article; an applicant does not have to demonstrate that any person has incurred loss or suffered injury. The article further entrenches the critical role of environmental audits (after environmental impact assessment) and polluter pays principle through the court; by giving an opportunity to whoever feels their right to clean and healthy environment is being infringed; to; prevent, stop or discontinue any act or omission that is harmful to the environment; compel any public officer to take measures to prevent or discontinue any act or omission that is harmful to the environment; or provide compensation for any victim of a violation of the right to a clean and healthy environment (Government of Kenya, 2010). In the proceeding article; article 71; the constitution spells out how agreements relating to natural environment shall be transacted including by use of the parliament in case it involves exploration of any natural resources in the confines of the country.

Even with the rich provisions in the various articles mentioned, the Kenyan constitution acknowledges that her environmental legislative framework is still wanting and therefore provides that the country’s parliament shall enact legislation to give full effect to the provisions relating to the environment in her 72nd article. So far in Kenya, primary environmental legislation includes EMCA and EIAAR (The Republic of Kenya, Revised Edition 2015 [1999]). Subsidiary legislation enacted to support EMCA includes; Environmental Management and Coordination (Noise and Excessive Vibration Pollution) Control Regulations of 2009; Environmental Management and Coordination (Wetlands, Riverbanks, Lake Shores, and Sea Shore Management) Regulations of 2009; Environmental Management and Coordination (Air Quality Standards) Regulations of 2007; Environmental Management and Coordination (Controlled Substances) Regulations of 2007; Environmental Management and Coordination (Waste Management) Regulations of 2006; Environmental Management and Coordination (Water Quality) Regulations of 2006; Environmental Management and Coordination, Conservation of Biological Diversity (BD) Regulations of 2006; and Environmental Management and Coordination (Fossil Fuel Emission Control) Regulations of 2006 (Angela Mwenda and Thomas N. Kibutu, 2012).

Deductively, the explicit inclusion of environmental articles onto the Kenya’s constitution shows the national government’s commitment to ensuring the citizens’ right to clean and healthy environment. Equally, alignment of the constitution to the precautionary and polluter pays principles of environmental protection is a clear indication that the country not only supports environmental sustainability but also inclined to the international standards to conserve her

environment. In chapter 10 under article 162, the constitution provides amongst other things that there shall be established courts with the status of the High Court to hear and determine disputes relating to amongst other things, the environment and the use and occupation of, and title to, land; yet another indication of how Kenya takes seriously her commitment to ensuring the citizens' right to clean and healthy environment. However, these environmental considerations will only be operationalized following increased commitment from the state and support to the citizens; including in budgetary allocation which unfortunately have been by far inadequate.

In an attempt to support Kenyan government in implementing articles on environment protection as envisaged in the constitution, Catholic Church has developed informative social teachings on NRM and environmental conservation. A critical assessment on various thematic areas and position papers makes it evident that indeed the Catholic Church has a lot to teach on environmental conservation and management. The social teaching of the Catholic Church offers a developing and distinctive perspective on environmental issues and insights that provide guidance on how human beings can best relate with the environment. Going forward Catholic Church in Kenya should strive to ensure these social teaching and position papers are reflected in policies and Kenya submissions to international community on key agenda items. This means that KCCB and other Faith-Based Organizations ought to be proactive in policy development process both at National and County levels. They should be strategic to influence outcomes of environmental policies and implementation. The Church represents diverse communities, youth, women and less fortunate in the society. Moreover, Catholic Church is the voice of voiceless in the society and by shaping outcomes of environment policy discourse in Kenya, they will not only ensure needs and aspirations of communities are well captured but they will also hold duty bearers accountable in the implementation of policies in Kenya.

3.2.4 Environmental Management and Co-Ordination Act, Revised Edition 2015 (1999)

The Environmental Management and Co-Ordination Act, Revised Edition 2015 (1999), is the framework law on environmental management and conservation. EMCA establishes among others the following institutions; National Environment Management Authority (NEMA), Public Complaints Committee (PCC), National Environment Tribunal (NET), National Environment Action Plan Committees, and County Environment Committees. (The Republic of Kenya, Revised Edition 2015 [1999]). Similarly, just like the constitution, the Environmental Management and Co-Ordination Act, Revised Edition 2012 (1999) is keen on ensuring that the citizens' right to clean and healthy environment is achieved. As such, alongside the aforementioned institutions, EMCA establishes the National Environment Committee charged with a function of formulating policies for environmental protection and conservation. The act equally establishes the National Environment Trust Fund (NETFUND) with the mandate to receive on behalf of the nation, any kind of donations or funds for environmental protection and conservation.

While the act is very progressive, her creation including the National Environmental Trust Fund cannot be understood as far as their mandate is concerned. Up to date, it is very unclear how the national environment trust fund and the National Environment Management Authority co-exists under the framework. This is partly as a result of the limited resources; another gap the act has not addressed since its creation) and partly as a result of unclear reporting lines. The act equally

established the National Environmental Protection Fund; which up to now is not known by most if not all the citizens let alone her functions and the difference it has with the National Environment Trust Fund.

Insufficient knowledge and information on EMCA among Faith-Based Organizations is a major gap in participation in the implementation process. Less trainings have been carried out on committees and fund mechanisms established by EMCA and hence the need for other avenues to be initiated in order to create awareness on these policies. As a result, most Catholic faithful are not familiar with the basic content of EMCA and respective institutions. This has resulted in lack of sufficient awareness, advocacy and commitment to responsible stewardship of the environment from local, County and National levels.

3.2.5 Environmental (Impact Assessment and Audit) (Amendment) Regulations, 2009

Environmental Impact Assessment (EIA) is a process of evaluating the likely environmental impacts of a proposed project or development, considering inter-related socio-economic, cultural and human-health impacts, both beneficial and adverse (Secretariat of the Convention on Biological Diversity, 2007). However, according to the amended regulations, "environmental impact assessment" means a systematic examination conducted to determine whether or not a programme, activity or project will have any adverse impacts on the environment (Government of Kenya, 2009). In order to legally provide for a clean and healthy environment as provided under the constitution, the Kenyan government obligates anyone or firm wishing to undertake any kind of development to carry out an environmental impact assessment to ascertain the impacts the project might have on its location against the mitigation (in form of an environmental management plan) of the project. While not all projects might require an EIA, the project proponents are required by law to carry out a screening for the project and determine the case.

On the other hand, NEMA describes environmental audit as the systematic documented, periodic and objective evaluation of how activities and processes of an ongoing project to determine how far these activities and programs conform to the approved environmental management plan of that specific project and sound environmental management practices. The amended regulation provides the ways and means of undertaking any environmental audits including the preparation of an environmental audit study in order to ensure conformation with the environmental management plan. The regulations equally provide for a lee way for self-audits alongside professional audits. While the regulation is very elaborate and contributes immensely to the clean and healthy environment, the practice is marred with a lot of corruption making Kenya still suffers hugely from direct waste discharge (point pollution). Similarly, the effectiveness of NEMA to keep the compliance to the set standards have been questioned times without numbers with county offices being the culprit of the blames. The transfer of certain functions to the county government departments of public health and environment have equally disrupted the functions of NEMA with county reporting mechanism and mandate to maintain clean and healthy environment not understood well most counties.

3.2.6 National Climate Change Framework Policy, 2016

The National Climate Change Framework Policy was developed to facilitate a coordinated, coherent and effective response to the local, national and global challenges and opportunities

presented by climate change. An overarching mainstreaming approach has been adopted to ensure the integration of climate change considerations into development planning, budgeting and implementation in all sectors and at all levels of government. The Policy elaborates intervention measures that can help to achieve the goal of low carbon climate resilient development. Thus, the Policy's focus is on the interlinkages between sustainable national development and climate change. The Policy is designed to provide a framework to guide the development and implementation of specific, detailed and costed climate change interventions through regular and periodic climate change action plans. Accordingly, the Policy reflects the Government's commitment to formulating a proactive, coherent and integrated climate change response that focuses on reducing vulnerability and building the resilience of the Kenyan people, property, environment and economy.

The policy identifies weak mechanisms as one of setbacks for collecting information on climate change, with relevant indicators unconsolidated and scattered throughout different agencies and departments. This fragmented framework makes it difficult for the public and other key stakeholders to track progress, share results and access information. The role of the public in the MRV process, especially stakeholders in target groups, should therefore be identified, including their role in tracking outcomes and measuring benefits. Gender is adequately integrated into the Climate Change Framework policy in terms of gender sensitive and inclusive approaches, responsiveness of actions and measures and inclusive decision making and implementation. The full implementation of this policy will go a long way in contributing to gender equality and empowerment of women through enhanced climate change actions. The Policy sets the foundation for all other climate change policies, strategies and plans including for the implementation of gender responsive NDCs.

3.2.7 The Climate Change Act 2016

One of the greatest challenges the country is facing post COVID – 19 effects, is the unprecedented impacts of climate change. Ideally, COVID – 19 has compounded the impacts of climate change including worsening the economic meltdown, house hold income levels, and water and energy poverty amongst other challenges. As a result of Climate change and the prevailing impacts, the ability of the country's citizens to enjoy a clean and healthy environment have been curtailed. In order to try and fix the situation, Kenya has ratified so many Multilateral Environmental Agreements (MEAs) including the Paris Agreement, Kyoto protocol and Montreal Protocol – which the country is at advanced stage of ratifying its Kigali amendment. The country is equally a coalition member of the climate and clean air coalition since 2014. Strongly, however, in 2016, Kenya became the first African country to establish a climate change act; thanks to the "conducive" environment created by the constitution in 2010. The Act complements the constitution in realizing a clean and healthy environment as follows;

- Clause 15 – provides for public sector engagement in climate change mitigation and adaptation
- Clause 16 – provides for private sector engagement in climate change mitigation and adaptation
- Clause 17 – provides for monitoring of actions on climate change mitigation and adaptation

- Clause 18 – provides for mainstreaming of climate change mitigation and adaptation in sector plans
- Clause 19 – provides for county governments action on climate change
- Clause 20 – provides for the mainstreaming of climate change mitigation and adaptation in the environmental impact assessment processes and reports

The act equally requires the subnational governments (Counties) to mainstream climate change actions in the various sector plans including CIDPs as well as the implementation of the NCCAP actions. Similarly, the act mandates the county governments to designate CECs for addressing issues on climate change and further enact policies for climate resilience at the county levels. Through such provisions, the counties while managing their waste (solid waste) are able to manage their environments for the present and future generations (Government of Kenya, 2016). Despite its progressive nature; thanks to the involvement of sectors across board in its development; the act has seen a lot of setbacks in its implementation. One of the proposals in the Act is the establishment of a national council for climate change; chaired by the president to decide and appropriate resources necessary for tackling climate change in the country. However, the nominated personnel into the council have been contested since the establishment of the act making response to climate crisis in the country a huge challenge.

3.2.8 The Water Act 2016

As a result of Climate Change and environmental degradation, one of the increasingly affected resources in Kenya is water – both availability and accessibility (cost, distance and quality) (Bekalo, I., Ochola, W. O., Sanginga, P. C., International Development Research Centre (Nairobi), International Institute of Rural Reconstruction, & Regional Universities Forum for Capacity Building in Agriculture, 2010). As such, in 2016, Kenya established her water act to regulate amongst other things; the ownership, use and management of water resources, and establishment of water service boards and trust funds (Government of Kenya, 2016). The act, however; creates the national water board; headed by the chairman; without any clear reporting lines to the cabinet secretary despite being the lead in the water sector; something that expressed itself during the Galana Kulalu project of the government.

3.2.9 The Energy Act 2019

The energy sector in Kenya is largely dominated by petroleum and electricity, with wood fuel providing the basic energy needs of the rural communities, urban poor, and the informal sector. An analysis of the national energy shows heavy dependency on wood fuel and other biomass that account for 68% of the total energy consumption (petroleum 22%, electricity 9%, others account for 1%). As such, lasting effects including increased health complications resulting from outdoor and indoor air pollution alongside fatalities due to the same have greatly affected the country. In response, Kenya established her energy act giving very clear mandates on the establishment of energy entities in the country as well as generation of clean off the grid renewable energy to complement electric energy for a clean and healthy environment. While the act is very diverse, Kariuki Muigua in his review of the act titled “Access to Energy as a Constitutional Right in Kenya” argues that the act left out the constitutional right of Kenyans to access energy making it

very difficult for a full transition to renewables despite the call by the national government to achieve full transition by 2030 for net zero emission.

3.3.0 The National Environment Policy 2013

With an aim to provide a framework for an integrated approach to sustainable management of Kenya's environment and natural resources, the national environment policy in particular proposes to strengthen legal and institutional framework for good governance of the environment in Kenya. In so doing, the policy recommends the participation of local communities in environmental management, stewardship as well as environmental quality and health standards maintenance. However, Heinrich Boll Stiftung in their policy brief "Towards a Coherent and Cost-Effective Policy Response to Climate Change in Kenya" argues that despite the well elaborate intention of the policy, there exists a gap of adequate articulate link between the policy, national development trajectory, population needs and environmental concerns. To redefine the situation, Kenya has developed other policy frameworks including the national climate change action plan 2018 – 2022, the National Determined Contribution (Updated 2021), the Kenya Green Economy Strategy and Implementation Plan (GESIP), the Kenya Climate Smart Agriculture Strategy (CSA) amongst others.

3.3.1 Kenya Nationally Determined Contribution (NDC)

Kenya ratified the Paris Agreement in December 2016 and in compliance with the Agreement, submitted its first Nationally Determined Contributions (NDC). The NDC includes actions to be implemented in different sectors of the economy to achieve both adaptation and mitigation targets. In regard to adaptation, "Kenya will ensure enhanced resilience to climate change towards the attainment of Vision 2030 by mainstreaming climate change into the Medium-Term Plans (MTPs) and implementing adaptation actions." The mitigation contribution "seeks to abate its GHG emissions by 30% by 2030 relative to the BAU scenario of 143 MtCO₂eq." Achievement of Kenya's NDC is subject to international support in the form of finance, investment, technology development and transfer and capacity development. The NDC indicates that Kenya's planning process on mitigation and adaptation hinges on the NCCAP, which will be reviewed every five years to inform the Medium-Term Plans (MTP). These actions are implemented across the various sectors at both the National and County government levels. The Ministry of Environment and Forestry coordinates the country's climate change affairs through the Climate Change Directorate, with oversight provided by the National Climate Change Council.

The NDC requires public entities to undertake public awareness and consultations, and ensure gender mainstreaming, in line with the Constitution and the Climate Change Act. However, there is need for detailed unpacking for each of the priority sectors to ensure gender mainstreaming is realized into climate change actions planning, implementation and monitoring. Although the NDC is considered an important part of Kenya's process of transforming to a low-emission society by 2050, no net-zero or other specific target is established for 2050. According to the Climate Action Tracker (2020), Kenya is currently working on its long-term emission reduction development strategy, with some sectors such as agriculture at an advanced stage⁷. The 2020 NDC mentions mitigation activities and sector plans without presenting further details or targets. Further details

⁷ https://wwfint.awsassets.panda.org/downloads/ndcs_we_want_checklist_kenya.pdf

are presented on sectoral documents such as Power Generation and Transmission Master Plan, Kenya Log Term Plan 2015 - 2035. The periodic review of Kenya's NDC provides for monitoring and learning opportunities to further strengthened gender mainstreaming. The updated NDCs mention extensive stakeholder consultation processes conducted to inform the NDC design. The 2020 NDC mentions an all-of society approach. In person and virtual workshops are mentioned. Catholic Church should ensure they are participating actively in review of Kenyan NDCs.

3.3.2 National Climate Change Action Plan 2018-2022

The five-year National Climate Change Action Plan (NCCAP) guides the country towards adapting to climate change and reducing greenhouse gas (GHG) emissions. The Climate Change Act requires the Government to develop Action Plans to guide its mainstreaming of climate change into sector functions and is the framework for implementing Kenya's NDC.

The second NCCAP (2018-2022) aims at furthering Kenya's achievement of her development goals by providing mechanisms for the realization of low-carbon, climate-resilient development. The NCCAP was developed through a participatory and inclusive process, with participation of key national gender institutions and informed by gender specific workshops. The Plan recognizes the fact that the adverse effects of climate change will exacerbate the existing gender inequalities in the country and further commits to advance gender equality and equity as provided for the Constitution and prevailing national laws.

Gender equality is recognized as critical component of NCCAP, with women and other vulnerable groups are to be engaged through planning, implementation, and monitoring of climate change policies, plans and interventions. The pathway to low-carbon climate-resilient development through the NCCAP emphasizes sustainability, while prioritizing adaptation and enhancing resilience of vulnerable groups, including women, youth, persons with disabilities, marginalized and minority communities. The Plan promotes the use of gender disaggregated data and prioritizes collection of this data towards implementation and monitoring of the climate actions. Gender issues are highlighted in some priority intervention areas across sectors; however, a thorough review of the priority actions reveals that some of the actions are gender blind. Another key challenge remains in ensuring full implementation and monitoring of actions with a gender lens, alive to the spirit of the NCCAP while acknowledging the existing capacity constraints across sectors.

3.3.3 National Policy on Climate Finance, 2018

The National Policy on Climate Finance (2018) seeks to further Kenya's national development goals through enhanced mobilization of climate finance that contributes to low-carbon climate resilient development goals. The policy sets out a guiding framework to enhance the national financial systems and institutional capacity to effectively access, disburse, absorb, manage, monitor and report on climate finance in a transparent and accountable manner. The policy is an initial step towards a coordinated effort to identify, attract and use climate finance to further climate change and national sustainable development goals.

The policy under its guiding principles seeks to promote inclusiveness and prioritize the special needs and circumstances of vulnerable groups such as women, children, elderly and persons with

disabilities in its implementation. It however lacks specific policy interventions and actions to promote gender equality and women's empowerment in access to climate finance.

3.3.4 National Adaptation Plan (NAP) (2016-2030)

The National Adaptation Plan (NAP) was developed through a consultative process involving different stakeholders and acknowledges the impacts of climate change in Kenya in the short, medium and long terms. This operationalizes the NCCAP by providing a directional roadmap to enable resilience building within the context of the wider sustainable development challenges. It is intended to deepen the understanding of climate impacts in Kenya by assessing the likelihood and consequence of these impacts as well as the knowledge of ongoing, planned for, and recommended adaptation actions.

The NAP illustrates Kenya's aspirations to increase resilience to climate change by introducing a comprehensive adaptation action across sectors in support of livelihoods and economic well-being of both men and women. The plan recognizes women in Kenya as key drivers of inventions that seek to save energy and adapt to the adverse effects of climate change. It further considers strengthening the adaptive capacity of the most vulnerable groups and communities through social safety nets and insurance schemes. Additionally, the adaptation plan is strong on enhancing the resilience of agriculture, livestock and fisheries value chains by promoting climate-smart agriculture and livestock development.

3.3.5 National Forest Policy 2020.

Building on the gains of Forest ACT (2005) and forest related provisions of the 2010 constitutions; this Policy proposes a broad range of measures and actions responding to the challenges faced by the forest sector. It is based on the views and expert opinion of public and private sector actors and Civil Society Organizations⁸. A number of strategic initiatives have been introduced to improve and develop the forest resource base; integrate good governance, transparency, and accountability, equity and poverty reduction into the forest sector. The Policy will provide the basis for governance, administrative and legislative reforms in the sector. It seeks to balance the needs of the people of Kenya with opportunities for sustainable forest conservation, management and utilization. It is also particularly informed by the Constitution, the national land policy, Transition to Devolved Government Act, 2012, Inter-governmental Relations Act, 2012, Land Act, 2016, the Physical Planning and Land Use Act 2019 as well as the National Climate Change Action Plan, Nationally Determined Contributions commitments, the National Land Use Plan, the National Forest Programme, the Green Economy Strategy Implementation Plan and the Sustainable Development Goals. These underscore the unique role of forestry development, the transition towards green growth and climate change mitigation and adaptation. The Policy does not include corruption as emerging issues that affects forest management and conservation in Kenya. It also undermines the effort of development partners and government to involve all special interest groups in conserving forest in Kenya.

According to catholic church faith there is strong connection between living organisms and non-living things. Pope Francis in his encyclical *Laudato Si'* insists that we recognise the

⁸ <http://www.environment.go.ke/wp-content/uploads/2020/06/Draft-Forest-Policy-19May-2020-.pdf>

interconnectedness between the poor, the environment, economics and politics; between our daily life and our culture; between the dignity of each human being and the common good; between intra- and inter-generational justice. He calls this an “Integral Ecology” approach – this emphasises the relationships between people, animals, plants and their environment, and the balances between these relationships. Humanity cannot be seen in isolation, nor problems approached as though they were separate: we need to respond together to common, shared problems.

Loss of biodiversity in the ecosystem is very much dependent on the way all other organisms behave including the human beings. Meanwhile, the Church owns parcels of land, forests and above all appeals to the conscience of millions of people. The Church, beginning from the available resources, will mobilize its members to conserve and protect the forests and natural habitat for the sake of a diversified life of different species.

3.3.6 Kenya Climate Smart Agriculture Strategy (KCSA 2017-2026)

The broad objective of the Kenya CSA Strategy (KCSAS) is to adapt to climate change, build resilience of agricultural systems while minimizing emissions for enhanced food and nutritional security and improved livelihoods⁹. The specific objectives of the KCSAS are to (i) enhance adaptive capacity and resilience of farmers, pastoralists and fisher-folk to the adverse impacts of climate change; (ii) develop mechanisms that minimize greenhouse gas emissions from agricultural production systems; (iii) create an enabling regulatory and institutional framework; and (iv) address cross-cutting issues that adversely impact CSA. Four broad strategic areas have been identified for KCSAS: (i) Adaptation and building resilience by addressing vulnerability due to changes in rainfall and temperature, extreme weather events and unsustainable land/water management and utilization; (ii) Mitigation of GHG’s emissions from key and minor sources in the agriculture sector; (iii) Establishment of an enabling policy, legal and institutional framework for effective implementation of CSA; and (iv) Minimizing effects of underlying cross-cutting issues such as human resource capacity and finance which would potentially constrain realization of CSA objectives.

In line with KCSA, Catholic Church is committed to improve food security in Kenya through the promotion of Agriculture with the desire to increase food production, improve livelihoods through positive social impact, make best use of available idle underutilized Church owned farms and generate income to support evangelization work of the Church.¹⁰ The Catholic Church is thought to have elaborate structure and capacity to play a part in human existence-food security hence the initiative to produce food on its farm to bridge the food deficit. In her endeavor to feed the world hungry, the Church seeks to improve the lives of parishioners and communities through successful agricultural enterprise and has therefore has started transformative agriculture projects to help feed vulnerable and poor at local level.

⁹<http://www.mediaterre.org/docactu,cGV4aW5lZy9kb2NzL2tibnlhLWNsaW1hdGUtc21hcnQtYWdyaN1bHR1cmU=,11.pdf>

¹⁰<https://amecea.org/kenya-the-catholic-church-committed-to-alleviate-poverty-through-agriculture/>

3.3.7 County Integrated Development Plans (CIDP)

County Integrated Development Plan is a super plan for the Counties that gives an overall framework for development. It aims to co-ordinate the work of both levels of the government in a coherent plan to improve the quality of life for all the people and contribute towards devolution. The county governments act section 108 outlines the County Integrated Development Plan (CIDP). This outlines the county development goals covering a period of five years. Most counties in Kenya are aligning their CIDP with goals and targets of the National Climate Change Act (NCCAP) with a focus on the role and responsibilities allocated to the counties to achieve the objective of mainstreaming climate change. The county governments have included in their CIDPs priority actions focusing on adaptation, in particular those dealing with disaster risk response and preparedness, water scarcity, food nutrition and security. However, counties have very few examples on mitigation actions confirming that Kenya is highly dependent on climate-vulnerable sectors such as agriculture, tourism and fishing. Therefore, building adaptive capacities continues to take priority at the county level.

Previous assessment carried out coupled with the institutional mapping exercises revealed several capacity and coordination challenges that hinder the alignment of the CIDPs with the NCCAP. Lack of data to inform climate smart indicators, human resource capacity challenges to undertake mainstreaming at the county level, and budgetary constraints to plan for and implement impactful climate interventions were mentioned across all counties¹¹.

KCCB through CJPB fosters civic engagement as a means of promoting public participation to improve local governance. To achieve this goal, CJPB guides individuals and citizen groups and connects them with opportunities for civic participation. As a result, communities and citizens are equipped to overcome structural barriers that impede their participation in public policy development, public resource allocation and distribution, and oversight of public service delivery.

3.3.8 County Climate Change mechanisms

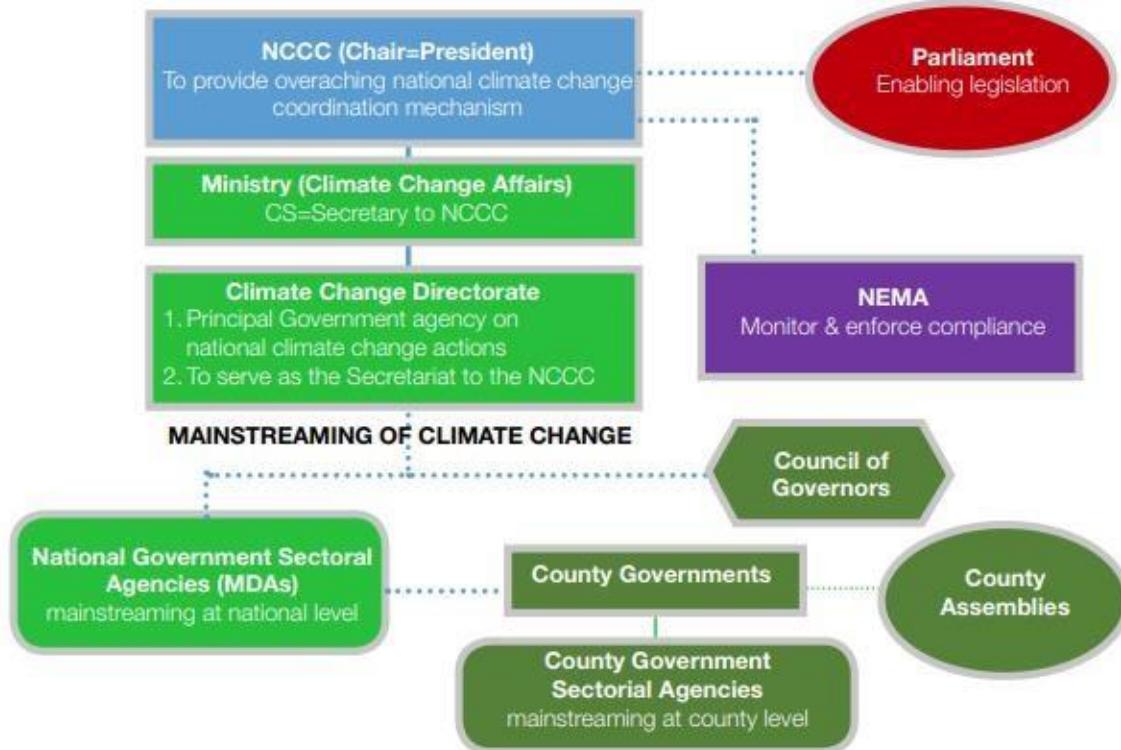
County Climate Finance is a mechanism through which counties can create, access and use climate finance to build their resilience and reduce vulnerabilities to a changing climate in a more coordinated way. These guidelines provide an overview of the County Climate Change Fund (CCCF) mechanism in Kenya. The mechanism is meant to facilitate channeling of climate finance to vulnerable communities through county governments. The primary objective of these guidelines is to inform county governments interested in establishing a devolved climate finance mechanism of the principles and components of the CCCF mechanism, and the process by which it may be established.

In the effort of enhancing county climate actions, Catholic Bishops in Kenya called for a decisive and urgent response to the country's drought while expressing distress that it was affecting millions of people in more than 12 arid and semi-arid counties¹². Over the years, the church in Kenya has engaged in environmental conservation campaigns with the national government, and the Bishops

¹¹ <https://southsouthnorth.org/wp-content/uploads/2020/04/IKI-MI-LT3-DTC-Kenya-Final.pdf>

¹² <https://www.ncronline.org/news/earthbeat/kenyan-bishops-urge-decisive-action-climate-change-induced-drought>

urged county governments take up this campaign and partner with Faith-Based Organizations. Below is a figure that summarizes the climate change coordination structures in line with the Climate Change Act of 2016.



Source: In-depth Gender analysis in the context of Kenya NDC 2019.

To be able to administer and achieve the outcomes desired by the legal and policy frameworks of Kenya, the country has established a very strong institutional framework. Some of the institutional framework include;

3.3.9 The National Treasury (National Designated Authority)

Occasionally charged with the responsibility of multilevel governance coordination, the national treasury is at the apex of environmental governance in Kenya. Apart from overseeing or guiding the management of environment and social risks and impacts, the national treasury is the designated authority for the Green Climate Fund in Kenya – it gives a letter of no objection to all the GCF projects in the country. Drawing experience from other countries, the designated authority; though composed of a team of economic planning professionals; should be a special creation between the ministry of environment and the national treasury to advice the two ministries

on the trajectories of the country. Unfortunately, the Kenyan system is dominantly at the ministry of finance and economic planning which sometime hinder informed decision making.

3.4.0 The National Climate Change Council (NCCC)

The National Climate Change Council (NCCC) is chaired by the President, with the Cabinet Secretary responsible for Climate Affairs as its Secretary (backed by the Climate Change Directorate). The NCCC will ensure the mainstreaming of climate change functions by the National and County governments and approve and oversee the implementation of the National Climate Change Action Plan (NCCAP). To ensure gender balance in the Council membership, the Act requires the President to ensure compliance with the two third gender rule for the nominations of representatives to the Council. However, since other members are determined by the offices they hold, this only applies to the nominees from private sector, CSO, marginalized group and academia.

3.4.1 The Ministry of Environment and Forestry

While it is the mandate of every Kenyan to keep a clean and healthy environment as they would want the same as a right, the ministry of environment and forestry is mandated to protect, conserve and manage the environment and natural resources for socio-economic development of the country. Under the ministry and as prescribed by EMCA, there are creations including NEMA, NETFUND, Public Complaints Committee (PCC), National Environment Tribunal (NET), National Environment Action Plan Committees, and County Environment Committees. (The Republic of Kenya, Revised Edition 2015 [1999]) – All charged with the responsibilities as under EMCA. The ministry equally hosts the Climate Change Directorate; charged with coordinating all actors working on climate change mitigation and adaptation as prescribed under the national climate change action plan with the target of achieving the National Determined Contribution.

The **Climate Change Directorate** as the principal lead agency of the government on national climate change actions, and delivery of operational coordination, shall report to the Cabinet Secretary through the Principal Secretary of the relevant State Department.

3.4.2 Ministry of Transport Infrastructure Housing and Urban Development

The commitment of Kenya to a clean and healthy environment is predictably won and or lost at the ministry of transport, infrastructure, housing and urban development. According to the statistics provided, the ministry; mostly the transport sector; contributes the most metric tons of carbon in the country. Similarly, the amounts of short-lived climate pollutants resulting from sectors including housing, transport, urban areas amongst others are now estimated to limit the country from achieving her commitment to a low carbon development pathway. As such, the ministry established a focal point to climate change adaptation and mitigation to oversee state departments for transport, infrastructure, shipping and maritime affairs in partnership with National Transport Safety Authority with tasks including monitoring emissions in the said state departments, developing emission reports in the sectors as well as bring to book perceived unworthy road vehicles. A few areas of concern in the ministry include capacity gaps including in

the said functions to ensure a clean and healthy environment. Similarly, there needs to be an engagement framework between the ministry and the Matatu Association of Kenya. Alongside the ministry, there are also the ministry of energy and that of water concerned with the implementation of energy Act 2019 and water Act 2016.

3.4.3 The National Environment Management Authority (NEMA)

NEMA is responsible, on behalf of the Council, for monitoring and enforcing compliance of climate change interventions (Section 17); and for integrating climate risk and vulnerability assessment into all forms of assessment (Section 20);

3.4.4 The County Governments.

The Council of Governors (COG) is established under section 19 of the Intergovernmental Relations Act (IGR 2012). COG provides a mechanism for consultation amongst County Governments as well as the National Government and other stakeholders. There are sectoral committees established to handle sector specific issues within Counties, among them Gender. This Committee is tasked with among others: considering, reviewing and monitoring policy and legislation on matters relating to gender, youth, sports, culture and social services. Further, it monitors the implementation and adherence to international standards and national policies and legislation on gender at the county level and makes appropriate recommendations. The current composition of the COG is male dominated with only seven (7) women governors elected out 47 governors in the respective counties during the 2022 General Elections in the country. The gender imbalance is thus reflected in the respective committees of the COG.

CHAPTER 4: POLICY GAPS/CONFLICT ANALYSIS AND HOW KCCB CAN ENGAGE EFFECTIVELY.

Policies/plans	Remarks	Gaps and/or strengths	Opportunities
The Paris Agreement	The Paris Agreement is a legally binding international treaty on climate change. It works on a 5-year cycle of increasingly ambitious climate action carried out by countries through NDCs. Countries communicate in the NDCs actions they will take to build resilience to adapt to the impacts of rising temperatures.	No verification of the reported data in the NDCs. No common methodologies adopted in determining needs in NDCs. Moreover, there is difficulty in distinguishing adaptation from development finance, as well as the methodological challenges involved in the economic assessment of adaptation.	Catholic Church and other Faith-Based Organizations ought to work with governments focal points to ensure proper verification of data in NDCs and come up with common methodologies of reporting. The church should also lobby for more financing on adaptation and hold developed countries into account in honoring their pledges on Climate finance.
African Convention on the Conservation of Nature and Natural Resources	The convention urges African countries to enhance environmental protection, foster the conservation and sustainable use of natural resources, harmonize and coordinate policies in these fields with a view to achieving ecologically rational, economically sound and socially acceptable	Most countries have not ratified to the convention hence affecting when it supposed to enter into force and implementation.	AMECEA and entire Catholic Church should work with government to speed up ratification process. KCCB should work with Ministry of Environment and Forestry to enforce convention provisions and important tools which may facilitate implementation, such as an explanatory guide to the

	development policies and programmes		convention.
The Kenyan Constitution 2010	Kenyan constitution acknowledges that the environmental is the country's heritage and therefore will be determined to sustain it for the benefit of future generations (sustainable development). Citizens are supposed to ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits; work to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya	Most environmental articles in Kenyan constitutions do not provide clear implementations measures. There is need to interpret these articles further and bring out the role of non-state actors especially Catholic Church in the implementation process.	The new constitution has led to a significant increase in the opportunities for improved environmental management in Kenya because it is superior to the previous constitution. However, undivided and untiring commitment and energy will be required from Catholic Church through the state, institutions and individuals for these provisions to become a reality
Environmental Management and Co-Ordination Act, Revised Edition 2015 (1999)	It is keen on ensuring that the citizens' right to clean and healthy environment is achieved. As such, alongside other environmental institutions, EMCA establishes the National Environment Committee charged with a function of formulating policies for environmental protection and conservation.	While the act is very progressive, her creation including the National Environmental Trust Fund cannot be understood as far as their mandate is concerned. Up to date, it is very unclear how the national environment trust fund and the national environment management authority co-exists under the framework. The act does not provide checks and balances of many institutions created and reporting guidelines especially within devolved systems. (County governments)	National Environment Trust Fund (NETFUND) can co-finance some of environment conservation activities implemented by Catholic Church in Kenya. KCCB should target some of institutions created by the Act with an aim of understanding their mandates and creating synergy with them. More collaboration/ Partnership should be established with these institutions.
Environmental (Impact Assessment and Audit) (Amendment) Regulations, 2009	The regulation provides systematic examination measures that are conducted to determine whether a programme, activity or project will have any adverse impacts on the environment (Government of Kenya, 2009).	The regulations provide for a lee way for self-audits alongside professional audits. EIA process is mostly marred with a lot of corruption making Kenya suffer hugely from direct waste discharge (point pollution). Similarly, the effectiveness of NEMA to keep the compliance to the set standards have been questioned times without numbers with county offices being the culprit of the blames.	The transfer of certain functions to the County government departments of public health and environment have equally disrupted the functions of NEMA. KCCB should target to work with NEMA County directors to improve EIA process and ensure compliance by companies and citizens.

<p>National Climate Change Framework Policy</p>	<p>The Policy aims to ensure the integration of climate change considerations into planning, budgeting, implementation and decision-making at all levels and across sectors.</p>	<p>The policy identifies weak mechanisms on data as one of setback for collecting information on climate change, with relevant indicators unconsolidated and scattered throughout different agencies and departments. The policy also does not clarify how MRV for climate change interventions will be conducted in Kenya.</p>	<p>KCCB should influence effective information collection on climate change by ensuring proper coordination of different agencies and department. Through Climate Change Directorate Catholic Church should advocate for development and implementation of MRV systems.</p>
<p>The Climate Change Act 2016</p>	<p>The Act provide a regulatory framework for enhanced response to climate change, mechanisms to enhance climate change resilience, and measures to achieve low carbon climate development</p>	<p>It requires the National and County governments to mainstream intergenerational and gender equity in all aspects of climate change responses and cater for special needs, vulnerabilities, capabilities, and responsibilities</p> <p>The Act lacks actionable areas specific to the plight of the vulnerable groups and assumes that various policies will be developed to address this. Gender balance is not guaranteed in the Coordination structures established by the Act</p>	<p>Catholic Church should work closely with Climate Change Directorate to Improve awareness/capacity of various actors at National and County levels. The trainings will result in better policy development including gender and intergenerational responsive climate change awareness strategies at the county level.</p>
<p>Kenya's Nationally Determined Contributions (NDC)</p>	<p>Kenya commitment to the Paris Agreement has both mitigation and adaptation actions in all sectors and is implemented through NCCAP.</p>	<p>Although the NDC is considered an important part of Kenya's process of transforming to a low-emission society by 2050, no net-zero or other specific target is established for 2050¹³. According to the Climate Action Tracker (2020), Kenya is currently working on its long-term emission reduction development strategy, with some sectors such as agriculture at an advanced stage. Additionally, there is no specific mention of support to women and other vulnerable groups in the implementation process.</p>	<p>The periodic review of Kenya's NDC provides for monitoring and learning opportunities to further strengthen gender mainstreaming. The updated NDCs mention extensive stakeholder consultation processes conducted to inform the NDC design. The 2020 NDC mentions an all-of society approach. In person and virtual workshops are mentioned. Catholic Church should ensure they are participating actively in review of Kenyan NDCs.</p>

¹³ https://wwfint.awsassets.panda.org/downloads/ndcs_we_want_checklist_kenya.pdf

National Adaptation Plan (NAP)	The NAP provides a directional roadmap to enable resilience building and adaptation within the context of the wider sustainable development challenges in the short, medium and long terms.	It promotes strengthening of adaptive capacities of most vulnerable groups and communities. Inadequate recognition of gender differences in adaptation needs, opportunities and capacities. Lack of equitable access to financial resources and other benefits resulting from investments in adaptation between women and men	Specific gender issues can be mainstreamed in projects and programmes developed under the NAP roadmap at planning, implementation and monitoring stages
National Forest Policy 2020	The Policy proposes a broad range of measures and actions responding to the challenges faced by the forest sector. It seeks to balance the needs of the people of Kenya with opportunities for sustainable forest conservation, management and utilization.	The policy has limited resource allocation and this might hinder proper implementation process. The policy proposes devolution of responsibility to counties level through KFS but does not provide mechanisms for capacity building and trainings to local communities.	Faith Based Organizations (FBOs) should advocate for more funding to trickle down to Communities/counties through KFS. More trainings and capacity building to community Forest Associations (CFAs) should be carried out.
Kenya Climate Smart Agriculture Strategy (KCSA 2017-2026)	Climate Smart Agriculture provides an excellent opportunity for the transformation by uniting agriculture, development and climate change under a common agenda through integrating the three dimensions of sustainable development (economic, social and environmental) by jointly addressing food security and climate challenges. ¹⁴	Most of the existing policies, strategies and legislations are not aligned to the Constitution and do not provide for coordination of CSA related issues, for a coherent and effective response to the local, national and global challenges and opportunities on climate change as it affects agriculture. There are inadequate mechanisms for linkages and coordination between CSA agencies and stakeholders which results in overlaps and inefficiency in implementation of programs.	In line with KCSA, Catholic Church is committed to improve food security in Kenya through the promotion of agriculture with the desire to increase food production, improve livelihoods through positive social impact, make best use of available idle underutilized Church owned farms and generate income to support evangelization work of the Church. There is opportunity for KCCB to work closely with Ministry of agriculture to link/coordinate CSA mechanisms from local, county, national and global level.
County Integrated Development Plans (CIDP)	CIDP aims to co-ordinate the work of both levels of the government in a coherent plan to improve the quality of life for all the people and contribute towards devolution.	Most CIDP lack relevant data to inform climate smart interventions and environmental conservation. The analysis has identified insufficient capacity and technical know-how among county officials to undertake mainstreaming of NRM at the	CIDPs present many opportunities to KCCB to work with counties in developing environmental/NRM measures and ensure they are budgeted for. Catholic Church can also train County officials on how to mainstream NRM and climate resilience measures in the CIDPs.

¹⁴ <https://www.undp.org/kenya/publications/kenya-climate-smart-agriculture-strategy-2017-2026>

		county level. Finally, the budgetary constraints to plan for CIDP and implement impactful climate interventions across all counties is a major gap.	
County Climate Change mechanisms	The mechanism is meant to facilitate channeling of climate finance to vulnerable communities through county governments. The primary objective of these guidelines is to inform county governments interested in establishing a devolved climate finance mechanism of the principles and components of the CCCF mechanism, and the process by which it may be established.	A good number of counties in Kenya have established CCCF mechanism but insufficient funds to implement these mechanisms is a big challenge. Additionally, Communities have not participated actively in developing this mechanism.	CAFOD and KCCB should work with counties in developing funding proposals and concepts notes to ensure proper implementation of CCCF mechanisms. KCCB should also lobby and advocate for certain percentages of county budget allocation towards implementation of CCCF mechanism. Finally, there is need to promote inclusivity in CCCF Mechanisms. Marginalized groups, women, youth and PWDs are part of governance structures of CCF.

4.0 Emerging issues/Good practices and lessons learnt.

Makueni county is among the 5 pioneer counties in Kenya to establish County Climate Change Fund mechanism (CCCF) in 2015. The policy sets aside one per cent of Makueni Sh5 billion annual development budget towards climate change adaptation. After passing the County Climate Change Fund (CCCF) Regulations, Makueni also became the first county to get Sh50 million for resilience building programmes from United Kingdom's Department for International Development (DFID)¹⁵. The passing of the regulations is significant because it moves the County closer to becoming a sub-national implementing entity capable of accessing and using climate finance including the Green Climate Fund (GCF) and other environmental and climate change funding mechanisms.

The fund has a strong focus on community-run projects to improve water supplies for arable and livestock farmers, boosting their incomes and making them more resilient to an increasingly harsh climate¹⁶. Other activities include providing climate information and advice on how to plant suitable crops and fruit trees, as well as giving warning of anticipated flooding. More than 95% of

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https://www.hiiraan.com/news4/2016/May/105646/makueni_county_sets_pace_in_africa_with_climate_change_agenda.aspx

¹⁶ <https://www.reuters.com/article/kenya-water-climatechange-idINL8N2D820G>

farmers working with the fund have planted trees such as mango, orange and avocado, which encouraged a fruit-juice factory to move into the area.

Decisions about which projects to submit to the fund are made by ward-level committees, made up of representatives from each village, including women, young people, those with disabilities and administrators. The Ward Climate Change Committees (WCCC) brainstorms ideas for projects and then drafts proposals based on feedback from communities. This is a very participatory process that involves everyone at the ward level through community opinion leaders. After vetting, the proposals are presented to the climate change fund's board for final approval and funding. Local people are involved at all stages, including monitoring and running the projects.

The same model can be replicated during development of County Integrated Development Plans (CIDP) to ensure citizens are fully involved in planning and budgeting process at the county level. A hallmark of a good CIDP is an inclusive and participatory process. The Government has defined public participation as the process where individuals, governmental and non-governmental groups influence decision-making in policy, legislation, service delivery, oversight and development matters. Makueni county took a similar participatory approach with its County Integrated Development Plan for 2018-2022, which was crafted with input from more than 3,600 villages in 30 wards. This is a good case study which can be upscaled in the other counties to promote inclusivity and active participation in decision making at local and county level.

4.1 Role of Faith-Based Organizations in the Formulation and Implementation of Policies in Kenya.

Faith-Based Organizations (FBO) have been recognized by the UN system as key and important players in eradicating poverty, improving people's health, protecting the environment and thus achieving sustainable development¹⁷. Citizens see in such organizations as being trustworthy and highly networked with dynamism that enables them to operate and achieve on the ground results where and when needed. Spiritual values for more than 80% of the people living on earth have been driving individual behaviors. In many countries, spiritual beliefs and religion are main drivers for cultural values, social inclusion, political engagement, and economic prosperity. Utilizing the dynamics of these beliefs at the local level and the role of faith actors is crucial for sustainable development. Conserving the environment has not been absent from the focus of faith-based organizations. In fact, according to UN more than 190 environmental faith-based organizations have been working at the global, regional and local levels in addressing climate change, energy conservation, sustainable use of biodiversity, and reforestation, among others.

- FBOs like KCCB play an important role in fostering effective change and transformation in local communities, including the part they can play in the development of government

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<https://wedocs.unep.org/bitstream/handle/20.500.11822/25989/UNEP%20Strategy%20Engaging%20FBOs.pdf?isAllowed=y&sequence=1>

policies. Church is always the voice of voiceless and represents marginalized and vulnerable communities including women and youth in decision making table.

- FBOs are strategically placed on the ground to nurture and enrich human life, especially in the context of globalization and in the face of contemporary global challenges such as climate crisis, environmental degradation, the global financial crisis, the food crisis, and the rising cost of living;
- This is a period of interdependence wherein FBOs and development partners and governments need to work together for social transformation and enhance livelihoods of communities to the negative impacts of environmental degradation.
- There are values and beliefs in all faiths traditions that provide the foundation for a set of common fundamental rights, including the right to clean environment
- All faiths have shared visions and common denominators in human dignity and human rights. On 28 July 2022, the United Nations General Assembly declared that everyone on the planet has a right to a healthy environment. This landmark decision is the result of decades of mobilization of various stakeholders. States must now implement their commitments and scale up their efforts¹⁸. FBO ought to work closely with their respective governments to ensure such declaration and commitments are honored through establishment of necessary policies.
- National and regional interfaith alliances are called upon to hold duty bearers into account during formulation and implementation of policies. These alliances have a strong voice that can influence policies from local, national and regional level.
- In all regions of the world, FBOs continue to serve as community centers - they are respected in society, and seen as co-leaders along with the elected political leaders. In this respect FBO actions are significant in influencing local norms, practices and policies that affect communities.
- Many FBOs are reaching out to the international development community in a call for partnership/ collaboration geared towards supporting governments to come up with necessary policies and measures towards environmental conservation and protection.
- There is little doubt that FBOs have played a significant role in achieving positive social, economic and environmental outcomes in Kenya. In terms of environment-related forms like working with ASAL counties, food nutrition and security and humanitarian aid.
- More broadly, Church groups have been active in campaigning against deforestation and forest degradation, and in initiating a range of conservation measures like tree planting and other related programmes in all 47 counties. The significance of these activities is made more so given the acute rates of deforestation and environmental degradation in most part of Kenya.

¹⁸ <https://www.genevaenvironmentnetwork.org/resources/updates/human-rights-and-the-environment/>

CHAPTER 5: SWOT ANALYSIS OF THE IDENTIFIED POLICIES AND THE ROLE OF KCCB IN THE IMPLEMENTATION PROCESS

Strengths:	Weaknesses:
<ul style="list-style-type: none"> Advocating and lobbying for the implementation of environmental/climate change policies is a noble intervention by Catholic Church hence KCCB and CAFOD should allocate more resources towards influencing policy designs, formulation and implementation processes. Existence of climate change institutions that are anchored in law and with designated mandates, e.g., the Ministry of Agriculture, NEMA, Ministry of Water, National Climate Change Fund, the Fund's Secretariat, National Designation Authority for the GCF, the National Climate Change Governing Council, and the Climate Change Directorate, among others KCCB intervention on environment, NRM, Food security and DRR is highly recognized in Kenya and their ability to support government efforts in ASAL counties. Catholic Church has good working relation with the government agencies responsible for environment and climate change matters like the ministry of environment and forestry, Ministry of water, Ministry of Agriculture. Working with different approaches and active participation at various levels cutting across from the global arena to local communities in Kenya. Well-formed Catholic institutions like CJPD and Caritas at the county and 	<ul style="list-style-type: none"> KCCB has limited control when working with government especially in decision making on policy implementation. Implementation of environment and climate policies is an expensive venture and most Faith Based Organizations do not have sufficient resources to undertake the same. Some Catholic Church institutions are county and community based and 'miss out' on national, regional and global happenings/events/thinking Faith Based Organizations in Kenya are not united under one voice affecting their approach in policy influence. High dependency on donor funds/Limited sustainability mechanisms in place to influence policies. Weak/inadequate documentation of environment / climate change policies. Weak M&E systems within Catholic Church institutions. Engagement on policy design and implementation is not the main focus of some Catholic Church institutions in Kenya, Most KCCB institutions lack Policy departments units/departments or sections and focal officer(s) personnel for Policy implementation. Lack of adequately trained staff in NRM, food security and climate change policy implementation and engagement with County and National government.

<p>community level to engage with government on NCCAP Implementation.</p> <ul style="list-style-type: none"> • Catholic Church and KCCB institutions have visibility in the country in general and those that are at County level have strong presence at the grassroots and the local level. • KCCB and CAFOD work with government systems and structures and are aligning their engagement to devolution and the newly established structures under the Climate Change Act, 2016. • Some of Catholic Church institutions like CJPD and Caritas have reasonable capacity to undertake advocacy and have technical experts within and without their organizations to provide evidence to support advocacy. • Strong resource bases for representation in national level forums • KCCB can channel their position papers and advocacy work through AMECEA or CAFOD at continental or global level • Some of Catholic Church institutions in Kenya are research-oriented and work with public and private research institutions and academia and would be in a position to support Implementation of NRM/Environmental policies by providing data/facts for this purpose • KCCB and CAFOD have potential to provide resources for Catholic Institutions to advocate implementation of environmental policies in Kenya. 	<ul style="list-style-type: none"> • KCCB does not proactively engage with environment and climate change policy development and implementation process in Kenya. • Lack/absence of partnerships with the Media which is very crucial in communicating policy work. • Insufficient capacity and technical know-how on Forest policy, Agriculture policies, NDCs/ NCCAP 2018-2022 implementation. • Potential for duplication of efforts and inefficient resource use as a result of same focus areas and regions by Catholic institutions in Kenya.
Opportunities:	Threats:

<ul style="list-style-type: none"> Kenyan constitution and other existing climate change and NRM policies have created conducive environment for Catholic Church to operate in Kenya. There are numerous calls from national and global actors to conserve environment and climate crisis response. A good entry point for KCCB Existence of National Climate Change Policies encouraging the transition to Renewable Energy Sources Kenya has robust devolved systems of governance and county government development plans which provides an opportunity to integrate climate change / NRM considerations and priorities from the communities and Church parishes. The existence CJPD, Caritas and other FBO organizations like NCCK and Inter-Religious Council of Kenya among others which promotes engagement among FBOs and commands recognition by the government. Strengthening KCCB advocacy will provide a forum for policy/national level representation for the Catholic Church organizations representing marginalized groups and drawn from the counties. KCCB should continue to champion visibility of environment conservation, NRM and climate change as a development agenda in Kenya. There is expertise in the government and particularly in the climate agencies like the CCD, NDMA and KMD which can be tapped by KCCB in Kenya. Institutionalization of the results-based performances – through performance 	<ul style="list-style-type: none"> Limited finances resources within KCCB to undertake necessary policy advocacy and influence both at national and county levels. Political interference and change of government after every five years both at national and county level may hinder effective implementation of policies. Potentially bureaucratic processes that may hinder KCCB to participate actively in the implementation of environment / climate policies in Kenya. Lack of awareness of the existence of NRM, environment Climate policies as well as their access mechanisms or procedures. Prevailing governance challenges such as corruption and misuse of (public) funds. Limited resources in the country for climate change advocacy and environment conservation. Changes in government, especially at the county level, affects KCCB advocacy work because they have to deal with new officials some of whom have limited exposure to Environment and climate change policy framework in Kenya Uncertainty in funding cycles of projects/programmes which rely mostly on donors. Most Projects are not sustainable. Some institutions like National Climate Change Council (NCCC) are not functional and have never made any decision. Insecurity in certain areas of the country for those KCCB working in those areas (e.g., Northern Kenya and parts of the Coast region)
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<p>contracts in the government sector enhances implementation and support of FBOs initiatives to enhance such implementation efforts.</p> <ul style="list-style-type: none"> • There is adequate research data on environmental conservation and KCCB can use this for evidence-based advocacy. • The existence of various forums at all levels – i.e., KCCB institutions like CJPD and Caritas which most Catholic Church belong, promotes interactions, and can be used for agenda-setting. • The climate crisis impacts are increasing in frequency and scale – both at national and community levels. • An emerging Media support in highlighting environmental conservation and climate change related issues and such initiatives as the TVs and Radio stations. • Available ‘corporate social responsibility’ culture could be taken advantage of as a source of resources for Catholic Church Parishes countrywide. 	<ul style="list-style-type: none"> • Weak/absence of county-level climate change stakeholder’s forums • Environmental conservation data in certain specific areas does not exist/hard to find occasioned by the delayed establishment of the National Climate Change Resource Centre. This affects fundraising of new projects and research • Unstable global and national economy/Global Economic recession.
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CHAPTER 6: KEY ADVOCACY STRATEGIES FOR KCCB ON POLICIES

Organizational level

- Build capacity and empower KCCB staff to undertake effective environment and climate change advocacy.
- Ensure representation at strategic forums at the national, regional and global levels including thematic/sector round table meetings.
- Empower KCCB staff with necessary skills required to undertake fundraising activities for climate change policy advocacy.
- Undertake feasibility studies to identify advocacy needs and priorities within the organization.
- Develop and/or obtain advocacy materials including policy briefs at organization level.
- Mainstream Natural resource and climate change advocacy in all programmes – programme units and activities
- Train programme managers on advocacy
- Develop/ update strategic plans and include natural resources and environment.
- Conduct fundraising for advocacy – including identification and reallocation of resources from other line items
- Affiliation to national and regional climate change advocacy bodies (e.g., AMECEA and CAFOD)
- Prepare position papers, technical briefs and fact sheets during major environment forums.

Regional and International level.

- Collaborate with development partners to develop and implement policies on diverse environmental issues working closely with national and county governments.
- KCCB working with CAFOD should identify gaps that could be addressed if religious actors are regularly included in multilateral efforts for development and aid; and how faith communities are uniquely positioned to help respond to climate change and environmental crises.
- Speak the same language around development and environmental issues and promote sustainable development from the grassroots to global level. Come up with common position papers at AMECEA and global level during COP.
- FBOs accredited with UNEP can effectively engage in the design and implementation of UNEP global programs and initiatives. KCCB should ensure they are accredited to attend major forums on environment and natural resources.

- KCCB should document best practices and experience from their projects and share with development partners (as a way of fundraising). These experiences can also be used to shape policy discourse at county, national, regional and international level.
- KCCB should ensure it has representatives attending Conference of Parties (COP) to the UNFCCC and the outcomes cascaded to the affiliated organizations at national and grassroot level. Additionally, they KCCB members should participate actively in shaping African position ahead of COP through African group of negotiators (AGN).

National level

- KCCB should establish strong partnership/collaboration with government to develop climate change policy frameworks and implementation of climate change actions
- Identification and training of policy champions through KCCB Environmental Technical Working Group (ETWG).
- Consistent advocacy targeting government and other high-level decision makers in the executive and legislative arms and those from the private sector, academia, trade unions and indigenous communities
- Maintaining informal contacts with identified high level potential policy champions on an environmental and natural resources issue.
- Ensuring inclusion/incorporation of environmental conservation into the sector plans
- Incorporating decision makers in organizational boards/councils, etc.
- Generate and provide policy makers with relevant data/evidence to inform research and shape policies
- Organizing national level conferences and meetings for policy makers to present and articulate environment and climate change findings and case studies.

County levels

- Participation in county climate change stakeholder forums/CSOs climate change forums
- Partnership with county government in drought risk management in arid and semi-arid counties (ASALs)
- Supporting the county governments in mainstreaming environment conservation into the County Integrated Development Plans (CIDPs) and sector plans
- Climate change policy advocacy targeting county leadership CEC and County Assembly Forums (CAFs)
- Creating awareness about climate change targeting county policy makers
- Undertake advocacy ‘from within’ the very systems one is trying to influence
- Having good knowledge of target audience at the county level.

Community level

- Building the capacity of community leaders, marginalized groups, women and youths on environment conservation and Natural resource management.
- Community mobilizations and awareness creation on environment conservation and natural resource management practices.
- Developing advocacy skills of communities to drive a bottom-up advocacy agenda on resilience and climate change.
- Dissemination of knowledge materials and climate change information such as climate and weather information to communities for contingency planning.
- Strengthening linkages between communities and the county governments to improve experience sharing and environment conservation.
- Encourage, support and promote community participation in natural resources management forums.

CHAPTER 7: RECOMMENDATIONS AND CONCLUSIONS

7.1 Recommendations

- KCCB should establish strong partnership/collaboration with government institutions to develop natural resource and climate change policy frameworks and implementation of resilience actions at the local level. The world is now shifting to locally led climate actions and this present a good opportunity to catholic church to influence policy implementation through parishes and prayer house across all the 47 counties in Kenya
- CAFOD and KCCB should work with counties in developing funding proposals and concepts notes to ensure proper implementation of CCCF mechanisms. KCCB should also lobby and advocate for certain percentages of county budget allocation towards implementation of CCCF mechanism. Finally, there is need to promote inclusivity in CCCF Mechanisms. Marginalized groups, women, youth and PWDs should be included in the governance structures CCF.
- KCCB should influence effective information collection on climate change and Natural resources by ensuring proper coordination of different agencies and department. Through Climate Change Directorate Catholic Church should advocate for development and implementation of MRV systems.

- County Integrated Development Plans (CIDPs) present many opportunities to KCCB to work with counties in developing environmental/NRM measures and ensure they are budgeted for. Catholic Church can also train County officials on how to mainstream NRM and climate resilience measures in the CIDPs
- Kenyan constitution and other existing climate change and NRM policies have created conducive environment for Catholic Church to operate in Kenya and enhance resilience of vulnerable and marginalized communities.
- KCCB working with CAFOD should identify gaps that could be addressed if religious actors are regularly included in multilateral efforts for development and aid; and how faith communities are uniquely positioned to help respond to climate change and environmental crises.
- Church owned farms can generate income to support evangelization work of the Church. There is opportunity for KCCB to work closely with Ministry of agriculture to link/coordinate CSA mechanisms from local, county, national and global level.
- KCCB intervention on Environment, NRM, Food security and DRR is highly recognized in Kenya and their ability to support government efforts in ASAL counties. Catholic Church has good working relation with the government agencies responsible for Environment climate change matters like the ministry of environment and forestry, Ministry of water, Ministry of Agriculture. This presents a good opportunity to influence policy implementation in the country.
- Catholic Church should champion and advocate for specific gender issues that can be mainstreamed in projects and programmes developed under the National Adaption Plan (NAP) both at planning, implementation and monitoring stages.
- Kenyan Catholic Church and other Faith-Based Organizations ought to work with governments focal points to ensure proper verification of data in NDCs and come up with common methodologies of reporting. The church should also lobby for more financing on adaptation and hold developed countries into account in honoring their pledges on Climate finance.

7.2 Conclusion

The Kenyan legal, policy and institutional framework on environment is quite elaborate and full of hope for achieving the required standards. However, the government institutions and departments still work in silos and therefore a lot of duplication of efforts across most policies. Development of Monitoring Reporting and Verification (MRV) tool for all the departments by the ministry of environment and forestry on actions on environmental conservation and protection will be very key to the realization of the vision of the country just as the involvement of the public and

private sectors including Faith based organizations (FBOs). Some of policies still require more interpretation that will lead to effective implantation plan.

The analysis concludes that there is need to strengthen capacity and empower KCCB staff to undertake effective environment and climate change advocacy from local, national, regional and global level. Once KCCB staff are empowered, they will actively participate in strategic forums at the national, regional and global levels including thematic/sector round table meetings and represent church interest in such discussions. Additionally, KCCB will be in good position to fundraise for more climate and environment projects hence enhancing resilience of local communities to impacts of climate crisis and environmental degradation.

KCCB in partnership with CAFOD should identify gaps that could be addressed if religious actors are regularly included in multilateral efforts for development and aid; and how faith communities are uniquely positioned to help respond to climate change and environmental degradation in Kenya. Finally FBOs should unite and speak same language around development and environmental issues and promote sustainable development from the grassroots to global level. Moreover, they should develop joint position papers on key environment and climate topics and shape policy outcomes during major discussions at national and international level. FBOs accredited with UNEP can effectively engage in the design and implementation of UNEP global programs and initiatives. KCCB should ensure they are accredited to attend major forums on environment and natural resources.

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