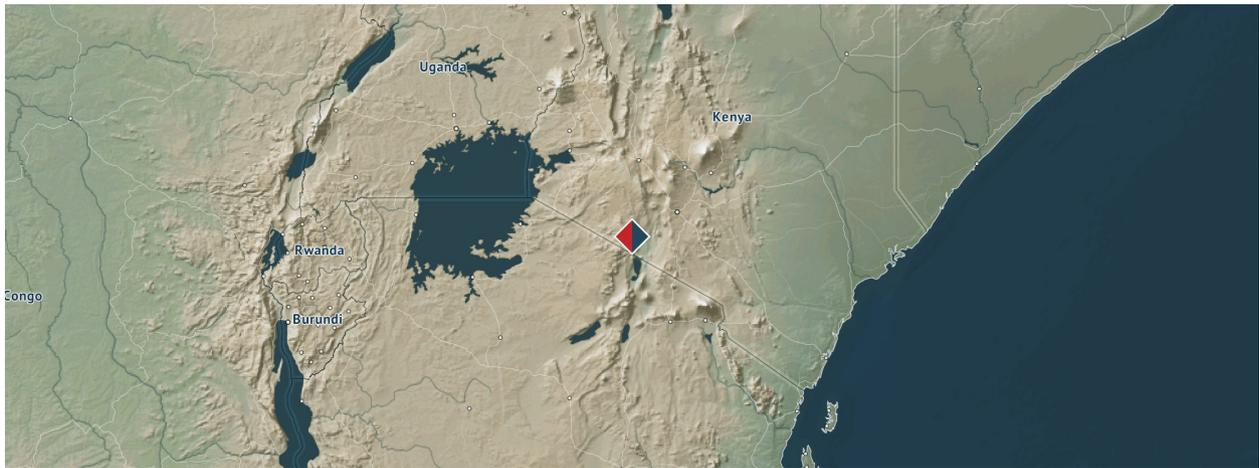




Conflict Factsheet

Conflict over the Management of the Loita Forest in Kenya

Type of conflict Main	Intensity 1
Conflict Locality Eastern Africa	Time 1992– 2012
Countries Kenya	Resources Biodiversity, Agricultural / Pastoral Land, Forests



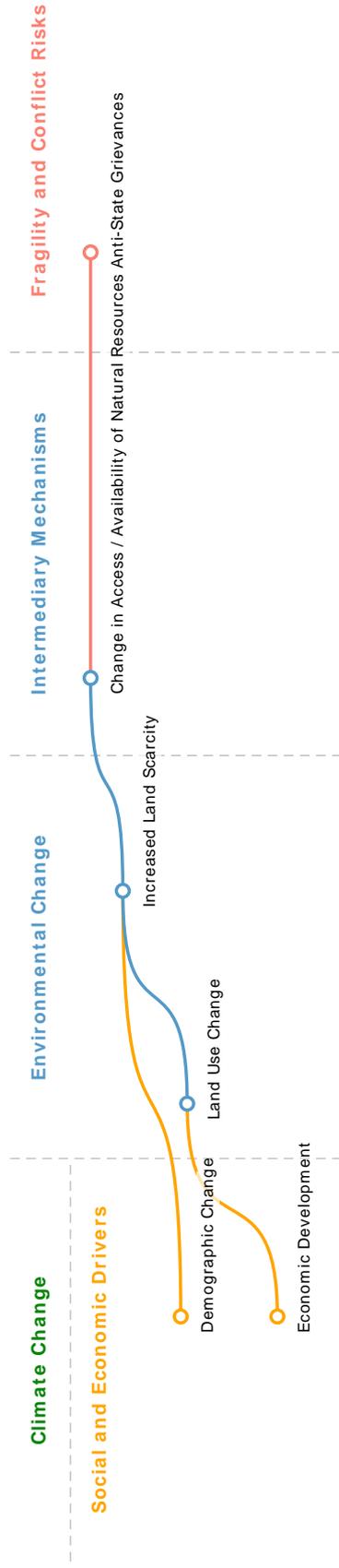
Unintended effects of climate policies

Conflict Summary

In 1992, plans for converting the Loita Forest – known as the ‘Forest of the Lost Child’ – into a forest reserve met strong opposition from local Maasai communities, who are highly dependent on the forest's resources. As no agreement could be reached, the case was taken to court in 1994. Eventually, plans for the forest reserve were abandoned in 2002.



Conceptual Model



Context Factors



Biodiversity, Agricultural / Pastoral Land, Forests

Insecure Land Tenure
Power Differential
Water-stressed Area

Lack of Alternative Livelihoods



Conflict History

The Loita Forest is one of the few un-gazetted forests in Kenya (Mbuvi et al., 2015). It covers an area of approximately 330 km² and is located next to the Tanzanian border in southern Kenya, east of the famous Serengeti National Park. The vast majority of its inhabitants are members of the Loita Maasai community, sharing the forest and its resources with a few Purko Maasai (Karanja et al., 2002).

In 1992, plans of the Narok County Council (NCC) to turn the forest into a forest reserve came to light. Since gazettement the forest would have resulted in the exclusion of local users, members of the Maasai communities started to withstand the establishment of a reserve (Karanja et al., 2002).

Resistance against the gazettement

Supported by the Ilkerin Integral Development Programme (ILIDP), one of the most influential NGOs in the area, the Loita Council of Elders (LCE) began to organize resistance. The movement was backed not only by major political actors, such as the Kenyan Minister of Environment, but also managed to rally local actors, such as the Loita and Purko Maasai (Adano et al., 2012; Karanja et al., 2002). At the outset, opposition to the NCC's plan consisted primarily of public letters and articles, which did not provoke any significant reaction.

Therefore, and in order to provide the movement with a legally recognized framework, the LCE founded the Loita/Purko Naimina Enkiyo Conservation Trust Company (LNECTC) led by the spiritual leaders of the Maasai communities, and formally entitled to protect and manage the forest (MPIDO, 2010). The LNECTC lobbied against the NCC's decision at all levels of government – with little success (Karanja et al., 2002). Eventually, the LNECTC took the matter to court in May 1994 (Kantai, 2002).

Different activities in the forest

The main objective behind the establishment of a forest reserve, was to further develop local (eco-) tourism. As high revenues were expected for both the county and private business, the NCC's initiative gained large support from tourism companies (Adano et al., 2012; Karanja et al., 2002). Some observers, however, suggested that there was significant danger of overexploitation and degradation of forest resources, due to the Maasai's activities in the forest. So the second argument raised for the gazettement was the necessity to institutionalise conservation (Mbuvi et al., 2015).

For the Maasai communities, the forest has historically served as fall-back grazing area for pastoralists during the dry season (Adano et al., 2012). Apart from being an important water source, it provides resources such as wood, herbs, medicine and honey. The Maasai's livelihoods thus depend heavily on access to the forest. Furthermore, the Loita Forest is of great cultural and spiritual value, mostly to the Loita Maasai.

Thus, facing the gazettement, the Loita Maasai were about to lose their grazing lands, water sources and sacred sites. Compensation measures offered by the NCC would not have sufficiently compensated for these losses (Karanja et al., 2002).



Mismatch between statutory law and customary practice

A further dimension of the the conflict between the NCC and local Maasai communities was the mismatch between formal rules and de facto customary management of the forest. Formally, the Loita Forest is considered trust land, and thus lies under the jurisdiction of the Narok County Council ([Blomley et al., 2007](#); [Karanja et al., 2002](#)). In contrast, use of the forest's resources and de facto management has historically been in the hands of the Loita Maasai, whose spiritual leaders, called Laibon, serve as the custodians of the forest. Together with the Loita Council of Elders (LCE) they are part of an indigenous tenure system, which grants use rights to groups in and outside the community to ensure sustainable resource management ([Mbuvi et al., 2015](#)).

Given this context, the unilateral decision of the NCC to establish a forest reserve, without including local leaders and giving consideration to existing local arrangements, was perceived by local communities as an aggressive interference in the way the forest had been managed over the last decades ([Karanja et al., 2002](#); [MPIDO, 2010](#)).

Resolution Efforts

In October 1996, four years after the initial outbreak of the conflict, the matter was brought before the Constitutional Court. The court did not make a fundamental decision on whether the council had the right to alienate the forest or not. However, as the trial resulted in an injunction, which gave the local communities the right to manage the forest, it was a relative success for the Loita and Purko Maasai ([Adano et al., 2012](#), [Kantai, 2002](#)).

In subsequent years, the power balance in the NCC has shifted and more Loita became elected members of the regional parliament ([Adano et al., 2012](#)). It was probably against this backdrop that the NCC decided to take back its decision to establish a forest reserve in 2002. Instead, the council supported the continuation of community-based management by local communities ([Karanja et al., 2002](#)), thus giving a signal to the Loita and Purko Maasai that they did not need to fear further interferences.

Remaining challenges

Despite the positive outcome for the Maasai, the Loita Forest remains at risk to become a source of renewed conflict in the future. Pressures on the forest and its resources are rising as a result of social and economic development of the Narok County. High population growth rates and consequent demand for forest products, as well as the expansion of commercial wheat production result in increased competition for land in and around the forest ([Adano et al., 2012](#)).

This development is further exacerbated by changing climatic conditions. In recent years, local Maasai communities have had to deal with prolonged droughts ([Saitabau et al., 2014](#)), and, more generally, weather patterns in southern Kenya are expected to become increasingly erratic, resulting in a higher frequency of droughts and, thus, additional stress on local water resources ([Adano et al., 2012](#), [Niang et al., 2014](#)). As the Loita Forest serves as an important fall back area in times of drought, increasing tensions over the use of its resources risk to ensue from the above trends.



Intensities & Influences

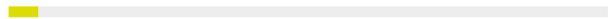


INTENSITIES

International / Geopolitical Intensity



Human Suffering



INFLUENCES

Environmental Influences



Societal Influences



Diplomatic Crisis

No diplomatic crisis



Violent Conflict

No



Salience with nation

Regional



Resolution Success

Increased capacity to address grievance in the future
The capacity to address grievances in the future has increased.

Grievance Resolution

Grievances have been mostly addressed.

Causal Attribution of Decrease in Conflict Intensity

Conflict resolution strategies have been clearly responsible for the decrease in conflict intensity.



Entry Points for Resilience and Peace Building

Mediation & arbitration

3

An injunction by Kenya's Constitutional Court put a halt to the establishment of the Loita forest reserve. Subsequently, the Narok County Council confirmed the right of local Maasai communities to manage the forest.

Resources and Materials

References with URL

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Further information

<https://factbook.ecc-platform.org/conflicts/conflict-over-access-loita-forest-0>