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Chairperson
Environment &
Natural Resources
DC on Natural Resources

CLERK AT
THE TABLE:

TWELFTH PARLIAMENT – SECOND SESSION

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES

REPORT OF THE DELEGATION TO THE GLOBAL LEGISLATIVE SUMMIT ON
NATIONAL PARKS AND PROTECTED AREAS HELD FROM 24TH TO 27TH SEPTEMBER,
2018 IN WASHINGTON DC, USA.

CLERK'S CHAMBERS
DIRECTORATE OF COMMITTEE SERVICES
PARLIAMENT BUILDINGS
NAIROBI

NOVEMBER, 2018

20

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1.0 PREFACE

Mr. Speaker, Sir

I wish to table the Report of a delegation to the Global Legislative Summit on National Parks and Protected Areas held from 24th to 27th September, 2018 in Washington DC, USA.

1.1 Committee's Mandate

The Departmental Committee on Environment and Natural Resources is one of the fifteen (15) Departmental Committees of the National Assembly established under Standing Order 216 whose mandates, pursuant to the Standing Order 216 (5,) are as follows:

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
- b) To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;
- c) To study and review all the legislation referred to it;
- d) To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
- e) To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
- f) To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No.204 (Committee on appointments);
- (fa) To examine treaties, agreements and conventions;
- g) To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- h) To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
- i) To examine any questions raised by Members on a matter within its mandate.

The subject matter of the Departmental Committee on Environment and Natural Resources are stated in the Second Schedule of the National Assembly Standing Orders No. 216 (f) as follows: climate change, environment management and conservation, forestry, water resource management, wildlife, mining and natural resources, pollution and waste management.

1.2 Oversight

In executing its mandate, the Committee oversees the following Government Ministries and Departments namely: -

- a) The Ministry of Environment and Forestry;
- b) The Ministry of Water and Sanitation;
- c) The State Department for Mining; and
- d) The State Department for Wildlife

1.3 Members of the Committee

The Committee comprises the following Members:

1. **The Hon. Japhet M. Kareke Mbiuki, MP** – Chairperson
2. **The Hon. Sophia Abdi Noor, MP** – Vice-Chairperson
3. The Hon. Benjamin Jomo Washiali, M.P.
4. The Hon. Ali Wario Guyo, M.P.
5. The Hon. Amin Deddy Mohamed Ali, M.P.
6. The Hon. Beatrice Cherono Kones, M.P.
7. The Hon. Benjamin Dalu Tayari, MP.
8. The Hon. Charity Kathambi Chepkwony, M.P
9. The Hon. Charles Ong’ondo Were, M.P.
10. The Hon. David Kangogo Bowen, M.P.
11. The Hon. Francis Chachu Ganya, M.P.
12. The Hon. Hassan Oda Hulufu, M.P.
13. The Hon. Hilary Kiplang’at Kosgei, M.P.
14. The Hon. Nasri Sahal Ibrahim, M.P.
15. The Hon. Peter Kimari Kihara, M.P
16. The Hon. Paul Musyimi Nzengu, M.P.
17. The Hon. Rehema Hassan, M.P.
18. The Hon. Rozzah Buyu. M.P.
19. The Hon. Said Hiribae, M.P.

1.4 Secretariat

The Committee is serviced by the following Members of Staff:

- | | |
|----------------------|----------------------|
| 1. Ms. Esther Nginyo | Clerk Assistant II |
| 2. Mr. Dennis Mogare | Clerk Assistant III |
| 3. Mr. Salem Lorot | Legal Counsel II |
| 4. Ms. Winnie Kulei | Research Officer III |
| 5. Ms. Amran Mursal | Fiscal Analyst III |

1.5 Delegation

The delegation that participated in the Assembly was comprised of:

1. **The Hon. Japhet M. Kareke Mbiuki, M.P.** (Leader of Delegation)
2. The Hon. Benjamin Jomo Washiali, MP, CBS
3. The Hon. Francis Chachu Ganya, M.P
4. The Hon. Rozaah Akinyi Buyu, MP
5. The Hon. Nasri Sahal Ibrahim, MP
6. Ms. Winnie Kulei Research Officer

7. Ms. Esther Nginyo

(Clerk Assistant and Delegation Secretary)

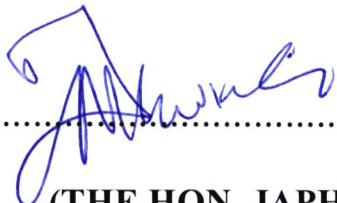
1.6 Acknowledgement

Mr. Speaker, Sir

The Delegation is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its preparation to participate in the Summit and during the actual participation in the Summit.

Mr. Speaker,

It is therefore, my pleasant duty and privilege, on behalf of the delegation and by extension the Departmental Committee on Environment and Natural Resources, to table its Report of a delegation to the Global Legislative Summit on National Parks and Protected Areas held from 24th to 27th September, 2018 in Washington DC, USA pursuant to Standing Order 199 (6).

Signed.......... Date 28/11/2018.....

(THE HON. JAPHET M. KAREKE MBIUKI, M.P.)

LEADER OF DELEGATION

2.0 BACKGROUND INFORMATION

1. The representatives of Parliamentary Conservation Caucuses converged on 24th September, 2018 in Washington DC for a historic summit of legislators. The legislative leaders from around the world gathered at the George Washington's historic Mount Vernon Estate to examine the role of conservation governance in addressing threats and responding to opportunities related to parks and protected areas, marine debris and ocean health, illegal fishing, and illegal timber and mineral extraction. The international summit was centred on a shared commitment to good natural resource management as a crucial element of sustainable development strategies.
2. The Summit was supported by the International Conservation Caucus Forum (ICCF). The International Conservation Caucus was founded in the US House of Representatives in September, 2003 with a commitment to helping the United States lead public and private international partnerships to provide stewardship of natural resources for habitat and biodiversity protection, poverty reduction, economic development and regional security.
3. With the success of the US Congressional International Conservation Caucus and the effectiveness of ICCF in its role in supporting the caucus, the ICCF leadership established the ICCF Group to replicate the caucus model around the globe. The ICCF Group has since supported the establishment of 16 active multi-party caucuses in legislature across Africa, Asia and Latin America to address national and regional conservation challenges. These caucuses are in Colombia, Gabon, Kenya, Malawi, Mexico, Mozambique, Namibia, Peru, Tanzania, United States of America, and Zambia.
4. The Summit addressed various conservation topics which included; Role of Legislators in addressing Natural Resource Management Challenges, Implementing Best practices on the Ground, the Conservation of Mount Vernon and George Washington. The Summit delegates signed a Declaration of Mount Vernon committing to work together within the legislative arena to advance the fulfilment of the conservation objectives and sustainable development Goals, by adopting necessary changes in national laws and policies and promoting a better use of the resources.
5. The delegates were hosted to a Gala at the Andrew Mellon Auditorium on 25th September, 2018 in which His Excellency Mokgweetsi Masisi, the President of Botswana highlighted the success story of conservation in his country while delivering the Keynote address. The Global Environment Facility CEO, Naoko Ishii, was one of the main speakers at the annual ICCF gala. Various awards were given to various individuals in recognition for their conservation efforts.
6. The GEF on 26th September, 2018 hosted parliamentarians from Botswana, Kenya, Malawi and Mozambique who were visiting Washington DC as part of the Parliamentary Summit. The parliamentarians had discussions with representatives from US government

agencies, the World Bank, and various non-profit organizations to learn about ongoing efforts to fight wildlife trade and to develop new strategies for how they can better support good stewardship of natural resources.

7. The Parliamentarians had an opportunity to visit the Senate and held a Meeting with US Caucus Members on 27th September, 2018. She shared various conservation achievements by the Senate including the passage of critical conservation laws.

3.0 ROLE OF CONSERVATION GOVERNANCE IN ADDRESSING CONSERVATION CHALLENGE

3.1 Individual Country Reports

Each country was given an opportunity to present on their reports as highlighted below:

3.1.1 Colombia Colombian Conservation Caucus (CCC)

8. The Colombian Conservation Caucus (CCC) was established in February 2013. Its membership comprises of members of the Senate and the House of Representatives. Improving management of its National Parks is a priority for Colombia. The Caucus is working to assess and address the challenges facing the National Parks System in order to promote ecotourism activities in important areas around the country. Part of this effort includes securing sustainable financing for Colombia's National Parks.
9. Conservation Caucus Legislative initiatives have focused on the promotion of responsible mining practices, including formalization, fighting against illegal mining and suppressing the use of mercury. The Caucus leadership led efforts in Congress which led to Colombia's formal accession to the Minamata Convention on Mercury.
10. Recognizing water as an axis of sustainable development, the Conservation Caucus is looking at water related topics like water quality, ground water management and sustainable use, access to potable water, sanitation, wastewater pollution and drought.
11. There has been challenges of illegal fishing and illegal gold smuggling which require a better informed solution mechanism which would require legislative measures.

3.1.2 Colombian Oceans Caucus (COC)

12. The Colombian Ocean Caucus was established in May, 2017. Their memberships consist of Members of the Senate and House of Representatives. Colombia is the only Country in South America with extensive marine-coastal territories in both the Atlantic and Pacific Oceans. Fishing in these oceans is a primary income and employment generating activity for coastal communities. However illegal fishing has become a challenge that affects the benefits generated by this activity. Illegal fishing also impacts national security with links to smuggling of fuel and illicit trafficking in gold.
13. The Caucus is beginning discussion of this topic through a field a series of multisector dialogues that will be developed in the Congress of the Republic and through a field mission to the Utria National Park in the region of Pacific. Through these activities caucus members hope to gain a comprehensive understanding of the challenges and

opportunities that fisheries generate and to understand the role they can play as legislators to promote initiatives that will lead to effective solutions.

14. Colombia continues to be an important destination for international tourism. In 2016, the country received 5,092,052 international visitors, the highest figure in the country's tourism history, surpassing country goals.

3.1.3 Peruvian Conservation Caucus (CCP)

15. It was established in April 2017. Peru is one of the 20 countries in the world richest with water. However, the resource is not allocated where it is most needed. Sewage and drainage systems have not yet been completed in all of the parts of the country and many districts of the capital even do not have portable water service. Members of the Peruvian Conservation Caucus and their parliamentary colleagues are working to promote multisectoral dialogues and consider legislative initiatives on this issue.
16. Mining is one of the largest economic sectors in Peru. As a result, illegal and informal mining practices are prevalent. Currently, there are several bills that have been introduced in the Peruvian congress that seek to address this challenge. The government has indicated that it will continue to focus on the formalization of small scale and artisanal miners. Members of the Peruvian Conversation Caucus have likewise held discussions on the issue and are exploring possible solutions.
17. As the National Service of Natural Protected Areas by the State (SERNANP) seeks to protect Peru's biodiversity, it becomes important to locate and recover additional natural areas. For the CCP, efforts related to National Parks will continue to promote multiparty dialogue advancing the conservation of these areas, including sustainable forest management as a key factor to contribute to sustainable development, the conservation of biological diversity, and the generation of social well-being.

3.1.4 Botswana Conservation Parliamentary Caucus (BOCOPAC)

18. The caucus was established April 2016. BOCOPAC's strategic objectives recognize that biodiversity is crucial for sustainable tourism development throughout the land. The Caucus aims to review the legal framework for the protection and sustainable management of Botswana's natural resources and natural capital, prioritizing the examination of legal protections of endangered and or protected wildlife species in order to facilitate good governance in the management of national parks, game management areas, and other wildlife spaces.

19. Environmental crime is an increasing challenge for Botswana. To ensure that law enforcement prosecution authorities and customs officials can effectively investigate and prosecute illegal trade of wildlife, forest and fisheries products within Botswana's borders, BOCOPAC is working to ensure that legislation and policy apply the strongest standards for combating environmental crimes.
20. BOCOPAC is focusing on promoting national sustainable development goals in order to improve livelihood. BOCOPAC members recognize that:-
 - i) Conservation and economic development go hand in hand and
 - ii) When local communities take ownership of natural resources, they have vested interest in promoting wise resource utilization. To this end, BOCOPAC looks to incorporate local communities into Botswana's wildlife management framework.

3.1.5 Gabonese Parliamentary Conservation Caucus (GPCC)

21. The Caucus was established in February 2017. Gabon is a source country for forest elephant ivory in the Congo basin region. Current laws impose relatively weak penalties for those convicted of trafficking protected species, doing little to dissuade ivory trafficking. Members of the Gabonese parliamentary conservation caucus are examining options to strengthen penalties in amendment to the forest code in prevision of debates in parliament. Members of the caucus are also working with members of the judiciary to ensure that judges understand the importance of applying deterrent sanctions.
22. Timber is a major export in Gabon. However, there are entities trading in timber that seek to bypass the state and circumvent international trade regulations by illicit means. Instances of illegal logging are not regularly reported to prosecutions officials; a lack of clarity in the law, instead, results in the resolution cases by local enforcement officers who reach monetary settlements with offenders. The parliamentary caucus is working to address this gap, considering a clear judicial monitoring system.
23. In some areas of Gabon, there are significant conflicts between human populations and elephants. Such instances of human-wildlife conflict have led the execution authorities to erect barriers around certain plantations and national parks. The caucus is working with ANPN to conduct field visits to better understand the problem and assess possible solutions.

3.1.6 Parliamentary Conservation Caucus - Kenya (PCC-K)

24. The Conservation Caucus was established in August 2012. In 2013, members of the PCC-K led efforts to include stiff penalties for convicted poachers and traffickers in the 2013

wildlife conservation and management act. Still, cases related to wildlife crimes are characterized by judicial process delays and, if and when sentences are handed down, they are often contrary to the legislations. The PCC-K is looking to analyse the challenges faced by the judiciary related to sentencing. Further, as parliament considers an amendment bill to the 2013 wildlife conservation and management act, PCC-K members look to address these and other issues governing wildlife offences.

25. In Kenya, illegal logging is widespread in the country, for both timber and charcoal production. The PCC-K is committed to increasing cooperation among government leaders in order to tackle illegal trade in the region. Following the findings of a taskforce, which toured the country speaking with Kenyans about forest management and illegal logging, members of the PCC-K discussed the results of the investigative report. The PCC-K will continue to lead discussion as parliament considers policy solutions to address the growing issue.
26. Ensuring Kenya maintains a balance between economic development and conservation remains a priority for the PCC-K. Issues central to this discussion are air and water pollution, especially chemical run off. The effects of industrial pollution are felt not only in the major cities, but also in the urban and rural areas of the country. Caucus members are actively involved in identifying solutions to these environmental challenges, working to bring together government leaders and relevant stakeholders to discuss the pollution risks in communities and consider how environmental policies can be improved

3.1.7 Malawi Parliamentary Conservation Caucus (MPCC)

27. The Malawi Conservation Caucus was established august 2015. Malawi is southern Africa's principal transit route for organized criminal syndicates trafficking illicit wildlife products. The MPCC is currently focusing on the enforcement of new wildlife act amendment bill passed in 2017 and tackling corruption in the wildlife and forestry sectors that is leading to the over-exploitation of natural resources, working together with anticorruption bureau and other associated government agencies and mobilizing support from external funders for specific interventions.
28. Malawi has one of the highest rates of deforestation in the world (and the highest rate of deforestation in the SADC region) as a result of illegal logging (often for export), charcoal production and to a similar extent, tobacco farming. The MPCC is currently pushing to see the forestry act amended by the end of 2018, which will not only increase penalties for forest crime, in particular to tackle the charcoal trade, but also allow for more public-private management to promote afforestation. The MPCC has also been working with the tobacco sector to champion those companies that have been environmentally responsible and holding those with less environmentally responsible practices to account

29. MPCC is also pushing ahead on the mining and minerals act to ensure the nation's natural resources benefit the people. The current proposed amendment ensures private companies have greater commitments to invest in the local communities near the mines and that money from mines is put into investments that support future generations such as infrastructure.

3.1.8 Mozambique Parliamentary Forum on Conservation (MPFC)

30. The Caucus was established in May 2016. As the wildlife population of Mozambique continues to decline due to poaching and trafficking, the Mozambique parliamentary forum on conservation (MPFC) recognizes the need to take action. In 2017, parliament passed an amendment to the 2014 conservation law, increasing the penalties for wildlife crime. However, the MPFC acknowledges the existing gaps within the legal and judicial framework and understands that joint efforts are required to efficiently prosecute wildlife crimes. Moreover, magistrates require more skills and education on wildlife crime management to efficiently handle cases and implement existing conservation laws. Therefore part of the parliamentary forums agenda has included bringing together magistrates and other officials along with the wildlife crime experts to discuss potential solutions to the challenges that hinder wildlife crime experts to discuss potential solutions to the challenges that hinder wildlife related prosecutions in the country.

31. Believing the illegal export of timber from Mozambique to be leading to rapid deforestation, the government took steps to improve cooperation among law enforcement agencies. The MPFC supported the tax updates on raw timber exports in 2017 as an effort to combat the illegal trade of timber. Moreover, the government is currently revising the forest law and the MPCF is supporting the development.

32. Mozambique has 2515km of coast line ricin hydrocarbons and other marine resources such as shrimp and tuna. To properly capitalize on and protect these resources, the government has taken steps to acknowledge the importance of its maritime domain, and the MPFC has recognized the need for capacity building in terms of the management and enforcement of this domain. Improving maritime enforcement will also help Mozambique combat illegal fishing.

3.1.9 Namibia Conservation Parliamentary Caucus (NACOPAC)

33. The Caucus was established in April 2012. Namibia's model for community conservations had been proven success. Nevertheless, poaching and trafficking are an increase threat. NACOPAC members understand that with the right policy framework, there can be a strong recovery of wildlife. To this end, members worked to support the nature conservation amendment act in 2017, which significantly increased penalties for convicted poachers and traffickers of elephants and rhinos.

34. Illegal fishing in Namibia's marine and freshwater fisheries continues to increase. Recognizing pirate fishing to be a transactional challenge, NACOPAC as a part of its strategy to combat illegal fishing, is seeking better coordination with neighboring countries. Having in 2017 acceded to the agreement on port state measures to prevent ,deter and eliminate illegal, unreported and unregulated fishing (PSMA), efforts for Namibia focus on updating and improving existing IUU (illegal, unreported and unregulated) fishing legislation.
35. Namibian capital Windhoek and other areas around the country continue to face water scarcity due to drought and other factors. To address this crisis, NACOPAC members are working to develop the water management programs needed to create sustained water flow through dry seasons part of NACOPACs approach is encouraging the diversification of Namibia's energy sources by looking into the feasibility of solar, wind, nuclear, coal and natural gas production/generation, thereby lowering the burden on hydropower and enabling a greater flow of freshwater.

3.1.10 Zambia Parliamentary Conservation Caucus (ZPCC)

36. The Zambia established its Caucus in November 2014. Responsibility for the management of biodiversity and wetlands is shared among a number of departments and ministries in Zambia. The implications of such a decentralized framework manifest themselves in a lack of constitutional clarity and in other policy and legal issues surrounding biodiversity and wetlands, requiring urgent attention. To address this challenge, the ZPCC is working to develop a national wetlands management policy.
37. Some aspects of Zambia's legal framework for managing protected areas are outdated. ZPCC members recognize that costly institutional arrangements require an urgent reorientation to promote private-sector participation. The ZPCC is currently focusing on incorporating new models of protected area management and promoting community stewardship of natural resources. Part of this effort involves considerations to revise the 1998 wildlife act.
38. The 1999 forest act through parliament, was never enacted by the government rather, the government backtracked on its decision to establish an autonomous forest commission. New forestry-related opportunities that have yielded good results elsewhere in the world include carbon markets, community forestry and public-private partnerships. The ZPCC is considering a review of policy and legislation that would enable Zambians to benefit from new market based incentives in the forestry sector so as not to miss out on these opportunities.

4.0 LEADING TIMES OF CHANGE, THE LEADERSHIP OF GEORGE WASHINGTON

39. Mr. Peter Cressy, the Executive Leadership Program Director at Mt. Vernon Leadership Institute highlighted key aspect of George Washington as follows:

- i. He was one of the founding fathers of the United States and served as the first President from 1789-1797. He presided over the Constitutional Convention of 1787 which established the new federal government.
- ii. He lived in a time of massive change democratically and internationally and was a remarkable grand strategist and had a great vision.
- iii. He was an extraordinary communicator with his credibility and integrity being key in orchestrating collaboration. His experience as a surveyor, farmer, entrepreneur, businessman and general broadened his view as the first president.
- iv. He understood the components of managing change through risk taking, being strategic in his vision, credible and a collaborator.
- v. He risked his estate, life, reputation for the concept of democracy. He was able to transform a colony to a country by building a military system from scratch, developing an executive branch of government, building the financial and physical infrastructures of the country and uniting it.
- vi. His strategic vision was key leading to change through strategic planning, executing, patience, agility and strategic resource allocation.
- vii. He consistently considered political, cultural, competitive and resource situation and understood that he had a role to bring the different regions together under the key challenges of complicated regional politics and culture, inadequate resources and constrained time.
- viii. Leaders therefore need to be collaborators, visionary, effective communicators, credible and transformative.

5.0 IMPLEMENTING THE BEST PRACTICES ON THE GROUND

5.1 Conservation Efforts in the USA

40. The USA has been instrumental in enhancing the capacity of the stakeholders especially in the eco-tourism sector in a bid to build synergy in the conservation efforts. Of great focus has been the engagement of the communities to make them part and parcel of the conservation efforts as key stakeholders.

41. To ensure that conservation agenda is achieved, there has been great efforts in ensuring adequate resource allocation: for instance; in the case of the migratory birds, their conservation has had an allocation of USD 17.7 Million to protect them and their habits.

42. Inculcation of positive attitude in conservation matters especially through education has been instrumental to ensure that these efforts are all inclusive.
43. Ensuring that there are legislations and policies on conservation and their adherence and compliance has been critical is ensuring the conservation agenda is achieved. Advocacy has also been key in conservation engagements.

5.2 Remarks by Panel of Experts.

44. Mr. Kaddu Sebunya, President of the African Wildlife Foundation emphasized on need to have caucuses to disseminate information on the importance of conservation. The government should collaborate with these caucuses in the process of policy formulation.
45. He also highlighted the need to address the question of the ownership of the wildlife through legislative measures. This would call for stakeholders engagement and ownership for purposes of supporting sustainable conservation efforts. He called upon development partners to support conservation efforts, demanding for accountability in these efforts and encouraging exchange programs.
46. On his part, Andres Avila Akerberg, PhD, the Executive Director, POLEA in Mexico encouraged the appreciation of human rights in the conservation laws. This would include strengthening the communities forest management especially for the people living in the forest (indigenous people). He also emphasized on the need to incorporate the international agreements and conventions in line with the Paris Agreement in a bid to go beyond legislating for the environment without considering the social, economic and human rights aspects of the indigenous people.
47. Mr. Nik Sekhran, Chief Conservation Officer, WWF called for aligning the conservation efforts with the Strategic Development Goals to ensure that there is economic prosperity for all, and that there is equity and equal opportunities, economic growth in sustainable environmental conservation. He also reiterated the need to embrace technology in the conservation efforts.
48. On her part, Shamini Jayanathan, Director of Wildlife Protection, Space for Giants cited lack of adherence to environmental laws in the development projects as a major undoing to the conservation efforts. Additionally, she called upon the legislators to familiarize themselves with the criminal law in the course of legislating for conservation to ensure that the laws enacted are strong for the implementing institutions in a bid to realize the conservation efforts.

49. Prof. Lee White, CBE, Managing Director, ANPN Gabon on his part called upon the caucuses to go beyond the conservation issues to include peace, economic transitioning to ensure that there more sustainable conservation efforts and for the integrity of countries. He also emphasized on the need to include communities in conservation efforts and to ensure equity in natural resource management.

6.0 ICCF GALA RECEPTION

50. Each year, the ICCF U.S. Congressional International Conservation Gala offers an opportunity to recognize the outstanding work being done by government, non-governmental, and business leaders in furtherance of good conservation. Guests at the gala, held on September 25th in Washington, DC, included His Excellency the President of Botswana; Members of the United States Congress; international policymakers from Botswana, Colombia, Gabon, Kenya, Malawi, Mexico, Mozambique, Namibia, Peru, and Zambia; diplomats; global business leaders; and leaders from the international NGO community. His Excellency Mokgweetsi Masisi, the President of the Republic of Botswana, delivered the keynote address.
51. Dr. Naoko Ishii, CEO of the Global Environment Facility (GEF), also delivered remarks at the 2018 ICCF Gala. She reiterated that the conviction of protecting nature as a good investment was the uniting factor at the gala. "It is one of the most cost-effective investments we can make to fight poverty in the developing world." She added.
52. At the 2018 Gala, ICCF presented three awards to individuals and organizations whose conviction to conserve nature is manifest through their exemplary work.
 - i. In a showing of true bipartisanship, Senator Dan Sullivan (R-AK), Honorary Co-Chair of the Senate Oceans Caucus, on behalf of ICCF, presented Senator Sheldon Whitehouse (D-RI) with the 2018 ICCF Teddy Roosevelt International Conservation Award, recognizing outstanding conservation leadership in government. A proven leader on ocean conservation in the U.S. Senate, Senator Whitehouse co-founded and has galvanized the growth of the U.S. Senate Oceans Caucus. He has spearheaded legislation such as the Save Our Seas (S.O.S.) Act and the Illegal, Unreported, and Unregulated (IUU) Fishing Enforcement Act of 2015. He led efforts in the Senate to ratify four fishing treaties, including the Port State Measures Agreement. In his role as Co-Chair of the Senate Oceans Caucus, Senator Whitehouse continues to recruit, educate, and inspire a new generation of U.S. Senators committed to oceans conservation.
 - ii. Recognizing outstanding conservation leadership by an individual or organization, the 2018 ICCF "Good Steward" Award was presented to African Parks. African Parks, one of the foremost conservation organizations working on the ground in partnership with governments, is credited with pioneering the

concept of public-private partnerships in protected area management. They are achieving great success by implementing an effective, sustainable, and scalable model in which they assume full responsibility for the rehabilitation and long-term management of national parks in partnership with governments and local communities. African Parks currently manages 15 national parks and protected areas in nine African countries, protecting 10.5 million hectares. Representative Betty McCollum (D-MN), a Co-Chair of the International Conservation Caucus in the U.S. House of Representatives, presented the award to Peter Fearnhead, CEO of African Parks, accepting on behalf of the organization.

- iii. ICCF presented its 2018 Conservation Leadership in Business Award to Vulcan Inc., a Paul G. Allen company. Vulcan is working to integrate technology, data, policy, partnerships, and powerful storytelling to save endangered species and improve ocean health, among many other initiatives. In 2016 Vulcan completed the Great Elephant Census (GEC), the first-ever continent-wide aerial survey of African savanna elephants. Vulcan also provides technological platforms to assist in detecting and identifying vessels fishing illegally; to help park rangers and managers address technical challenges monitoring wildlife; and to help understand, promote the health of, and map coral reefs and the animals that depend on them. Senator Rob Portman (R-OH), a Co-Chair of the International Conservation Caucus in the Senate, presented the award to Dave Stewart, Executive Vice President and General Counsel at Vulcan Inc.

7.0 DELEGATES STAKEHOLDERS MEETINGS WITH US GOVERNMENT AGENCIES.

53. The GEF hosted parliamentarians from Botswana, Kenya, Malawi and Mozambique who were visiting Washington DC as part of the Parliamentary Summit funded through the GEF's expanding Global Wildlife Program. The parliamentarians had discussions with representatives from US government agencies, the World Bank, and various non-profit organizations to learn about ongoing efforts to fight wildlife trade and to develop new strategies for how they can better support good stewardship of natural resources. The parliamentary caucuses supported through this program have already passed much needed updated wildlife legislation in Kenya, Malawi and Mozambique.
54. Kenya highlighted her achievements on areas of conservation especially on the launch of the National Wildlife Strategy with 10 priority areas. Also highlighted were areas that required collaboration in combatting wildlife trafficking and the gaps such as the human wildlife conflict. Other areas included; broadening of the pilot project on the economic valuation of wildlife, proposed National Wildlife Policy which would overhaul the Wildlife Conservation and Management Act of 2013 and coming up with legislation and policy on marine and protected areas.

8.0 CAPITOL HILL MEETING WITH THE US CAUCUS MEMBERS AT THE SENATE.

55. The Senate hosted parliamentarians from Botswana, Kenya, Malawi and Mozambique on 27th September, 2018. The delegates were briefed on some laws that the Senate had passed on conservation which included:

- i. Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 which amended the High Seas Driftnet Fishing Moratorium Protection Act to direct the National Oceanic and Atmospheric Administration (NOAA) and the Coast Guard to enforce specified laws to address illegal, unreported, or unregulated (IUU) fishing. The law subjects a nation to sanctions only if NOAA certifies that the nation is not addressing IUU fishing or activities resulting in bycatch of a protected living marine resource.
- ii. Congo Basin Forest Partnership Act of 2004 which authorized appropriations for the fiscal year 2004 to carry out partnership program such as protecting the forest from illegal logging and illegal poaching of wildlife. The act appropriated USD 18,600,000 for the fiscal year 2004 for the partnership.
- iii. Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 which addresses wildlife trafficking, which the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.
- iv. The Delta Act which promotes inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of Southern Africa. The Okavango basin ranges from the highland of Angola to north eastern Namibia and northern Botswana and also sustains wildlife in Zambia and Zimbabwe and is the largest freshwater water shed in Southern Africa.

56. The legislators on their part reiterated their efforts in conservation and proposed areas of cooperation which included:

- i. Sustainable financing of the Conservation caucuses was critical and therefore a need to explore various options including the public private partnership;
- ii. The need to ensure that there is cooperation globally to ban illegal products.
- iii. The need to advocate for the value addition of the raw materials from Africa such as wood, minerals and animal trophies (where allowed).
- iv. The need for regional collaboration in legislation due to shared transboundary natural resources.

9.0 OBSERVATIONS

The delegation observed that:

1. There is need to ensure that environmental and conservation laws are strengthened to provide for stiffer sanctions and fines for the offenders against conservation efforts.
2. There is need for countries to embrace technology in conservation efforts such as electric fences to curb human wildlife conflict.
3. There is need for the regional collaboration and inter-country cooperation on matters of natural resources conservation due to the shared ecosystems in a bid to curb the illegal trade and criminal gangs that destroy the nature for selfish gains.
4. There is also need to engage with the countries that benefit from the export of the illegal ivories to curb the trade to regulate the trade as per the CITES Agreement.
5. There is need to raise the awareness of judges and the prosecutors through capacity building to enhance and strengthen collection of evidence on crimes against nature to ensure that there is proportionate sentencing and that trial is made without delay.
6. The perception that conservation of natural resources is a luxury need to change by engaging the communities and stakeholders living around these resources in the policy making decisions and sharing of benefits accruing from the ecosystem.
7. There is high turnover of the membership of the parliamentary conservation caucuses in every election cycle thereby affecting the continuity of these caucuses. There is need to ensure that members of parliamentary conservation caucuses continue with the advocacy roles at their local levels even after they are out of parliament.
8. There is need to review the environmental and conservation laws to reflect the increased human population

10.0 RECOMMENDATIONS

The delegation recommends that:

1. Governments should ease pressure on the over-exploitation of natural resources by creating alternative sources of livelihood through education and capacity building.
2. Governments should allocate adequate resources to address and mitigate cases of human wildlife conflict.
3. Governments should work towards encouraging inter-country and regional cooperation in environmental and conservation matters to ensure that their policies are harmonized due to the shared ecosystem.
4. Governments should ensure that there is adequate stakeholders and community engagements in matters of environmental conservation to remove the perception that conservation of nature is a preserve of a certain calibre of group or persons.

5. Parliamentary Conservation Caucuses should establish an alumni forum for the Members who are not re-elected to provide a forum for environmental conservation advocacy at the local levels.
6. The Judiciary and the legislative arms of government should collaborate during the formulation of environmental conservation laws to ensure that such laws are adequately deterrent and that they provide for proportionate sentencing of the conservation offenders.

ANNEXES

1. Summit Program
2. Declaration of Mount Vernon.

MINUTES OF THE 108TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD ON SATURDAY 24TH NOVEMBER, 2018 AT 2.30 PM AT THE ENASHIPAI RESORT & SPA, NAIVASHA.

PRESENT

1. **The Hon. Kareke Mbiuki, M.P.** **Chairperson**
2. The Hon. Francis Chachu Ganya, M.P.
3. The Hon. Hilary Kiplang'at Kosgei, M.P.
4. The Hon. Charity Kathambi Chepkwony, M.P.
5. The Hon. Nasri Sahal Ibrahim, M.P.
6. The Hon. Hassan Oda Hulufu, M.P.
7. The Hon. (Eng.) Paul Musyimi Nzengu, M.P.
8. The Hon. Rozaah Buyu. M.P.

APOLOGIES

1. **The Hon. Sophia Abdi Noor, M.P.** **Vice Chairperson**
2. The Hon. Benjamin Jomo Washiali, M.P., CBS
3. The Hon. Beatrice Cherono Kones, M.P.
4. The Hon. David Kangogo Bowen, M.P.
5. The Hon. Ali Wario Guyo, M.P.
6. The Hon. Peter Kimari Kihara, M.P.
7. The Hon. Rehema Hassan, M.P.
8. The Hon. Benjamin Dalu Tayari, MP
9. The Hon. Amin Deddy Mohamed Ali, M.P.
10. The Hon. Said Hiribae, M.P.
11. The Hon. Charles Ong'ondo Were, M.P.

IN ATTENDANCE

THE NATIONAL ASSEMBLY

- | | | |
|-----------------------|---|----------------------|
| 1. Ms. Esther Nginyo | - | Clerk Assistant II |
| 2. Mr. Dennis Mogare | - | Clerk Assistant III |
| 3. Mr. Peter Mwaura | - | Legal Counsel |
| 4. Mr. Stanley Lagat | - | Serjeant-At-Arms II |
| 5. Ms. Winnie Kulei | - | Research Officer III |
| 6. Ms. Lydia Mwangi | - | Secretary |
| 7. Mr. Stephen Omunzi | - | Office Assistant |

AGENDA

- i) Prayers

ii) Confirmation of Minutes

iii) Matters Arising

iv) **Consideration and Adoption of the following reports:**

- **Report of the Delegation to the Global Legislative Summit on National Parks and Protected Areas Held from 24th To 27th September, 2018 in Washington DC, USA.**
- **Report on the Inquiry into Death of Eleven Rhinos After Translocation to the Tsavo East National Park.**
- **Report on the Inquiry into the Encroachment into the Riparian Areas in Kenya**

v) Any Other Business

vi) Date of the next Sitting

MIN.NO. DC/ENR/574/2018:

- **PRELIMINARIES**

The meeting was called to order at 2.57 p.m. after which prayers were said. The Chairperson then stated that the main agenda of the meeting was Consideration and Adoption of the following reports:

- Report of the Delegation to the Global Legislative Summit on National Parks and Protected Areas Held from 24th To 27th September, 2018 in Washington DC, USA.
- Report on the Inquiry into Death of Eleven Rhinos After Translocation to the Tsavo East National Park.
- Report on the Inquiry into the Encroachment into the Riparian Areas in Kenya

The Members adopted the Agenda of the meeting.

MIN.NO.DC/ENR/578/2018:

- **CONFIRMATION OF MINUTES**

Confirmation of minutes of the previous sitting was deferred to the next meeting.

MIN.NO. DC/ENR/579/2018:

- **CONSIDERATION AND ADOPTION OF
A REPORT OF THE DELEGATION TO
THE GLOBAL LEGISLATIVE SUMMIT
ON NATIONAL PARKS AND
PROTECTED AREAS HELD FROM
24TH TO 27TH SEPTEMBER, 2018 IN
WASHINGTON DC, USA.**

The Report of the Delegation to the Global Legislative Summit on National Parks and Protected areas held from 24th To 27th September, 2018 in Washington DC, USA was considered and subsequently adopted after being proposed and seconded by Hon. Francis Chachu Ganya, M.P. and Hon. Nasri Sahal Ibrahim, M.P. respectively.

The report was adopted with the following recommendations:

1. Governments should ease pressure on the over-exploitation of natural resources by creating alternative sources of livelihood through education and capacity building.
2. Governments should allocate adequate resources to address and mitigate cases of human wildlife conflict.
3. Governments should work towards encouraging inter-country and regional cooperation in environmental and conservation matters to ensure that their policies are harmonized due to the shared ecosystem.
4. Governments should ensure that there is adequate stakeholders and community engagements in matters of environmental conservation to remove the perception that conservation of nature is a preserve of a certain calibre of group or persons.
5. Parliamentary Conservation Caucuses should establish an alumni forum for the Members who are not re-elected to provide a forum for environmental conservation advocacy at the local levels.
6. The Judiciary and the legislative arms of government should collaborate during the formulation of environmental conservation laws to ensure that such laws are adequately deterrent and that they provide for proportionate sentencing of the conservation offenders.

MIN.NO. DC/ENR/580/2018:

- **CONSIDERATION AND ADOPTION
OF A REPORT ON THE INQUIRY
INTO DEATH OF ELEVEN RHINOS
AFTER TRANSLOCATION TO THE
TSAVO EAST NATIONAL PARK.**

The report on the Inquiry into Death of Eleven Rhinos After Translocation to the Tsavo East National Park was considered but its adoption deferred to a later date.

MIN.NO. DC/ENR/581/2018:

- **CONSIDERATION AND ADOPTION
OF A REPORT ON THE INQUIRY
INTO THE ENCROACHMENT INTO
THE RIPARIAN AREAS IN KENYA**

The Report on the Inquiry into the Encroachment into the Riparian Areas in Kenya was considered but its adoption deferred to a later date.

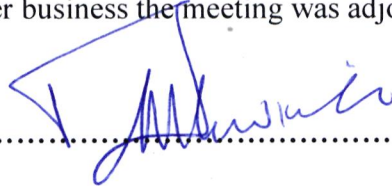
MIN.NO. DC/ENR/582/2018:

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ADJOURNMENT

There being no other business the meeting was adjourned at 4.57 pm.

SIGNED:



THE HON. KAREKE MBIUKI, M.P.

CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

DATE:

28/11/2018