



Centre for  
Minority Rights  
Development

# **ENGAGEMENT FRAMEWORK BETWEEN MARGINALISED INDIGENOUS COMMUNITIES AND THE CLIMATE CHANGE DIRECTORATE (MINISTRY OF ENVIRONMENT AND FORESTRY}**

**June 2020**

# MARGINALISED INDIGENOUS COMMUNITIES ENGAGEMENT FRAMEWORK

## VISION

To increase and enhance engagement opportunities and support transformation to a more integrated and inclusive approach to climate change through building systems for effective collaboration and partnerships

## PRINCIPLES

**CONSISTENCY-** Engage more regularly and ensure that stakeholder input informs decisions concerning climate change and the planning and implementation processes

**INCLUSIVITY-** Reflect the diversity of all Marginalised Indigenous Communities in Kenya including pastoralists, hunter gathers and fisher communities impacted on by climate change and involve them as deeply as possible in decision-making processes.

**TRANSPARENCY-** Be transparent about the engagement goals, processes, scope and reporting and inform how views of Marginalised Indigenous Communities impacted on influence the decisions made.

**APPROPRIACY-** Customise a distinct engagement approach that contextualises the dynamics and unique situation of the Marginalized indigenous communities.

**SAFE-** Create safe engagement spaces and processes that promote open, thoughtful and honest information- exchange between climate change directorate, Marginalised indigenous communities and other stakeholders.

## DEFINITION

The engagement framework seeks to strengthen the trust between the Marginalised Indigenous Communities and the Ministry of Environment and Forestry through the Climate Change Directorate by providing a platform for the communities to have their voices heard, their views considered and priorities, acknowledged. This will ensure they are informed and involved in all climate change response initiatives that directly or indirectly impact on their lives.

Marginalised Indigenous Communities are communities that traditionally depend upon and have a close relationship with their land, natural environment and its resources.

## COMMITMENTS

To be intentional and deliberate in ensuring all necessary information is given through convening, informing and learning from those with critical insights and solutions among the Marginalised Indigenous Communities.

To apply the five principles of engagement articulated in this framework and work within the provisions of the NCCAP's priority areas when planning and implementing engagement activities

To ensure that implementation of these principles results in improved engagement practice and more effective integration of Marginalised Indigenous Communities' input into decision-making processes

To take a broader and inclusive approach by engaging all Marginalised groups and working closely with the Climate Change Directorate.

## Executive summary

Climate variability and change which present itself in the form of unpredictable and extreme weather significantly threaten the livelihoods among communities. As a result, a global outcry has forced countries to come up with ways to mitigate and or adapt to the effects of this global challenge.

Marginalised Indigenous Communities are totally natural resource dependent for their livelihood. Climate change presents an additional burden to these communities who are already disadvantaged socially, politically and economically by the fact that they are marginalised. It is, therefore, imperative that any planned decision likely to affect their livelihoods should include their priorities, views, dreams and aspirations. Climate change response is one such decision

Kenya is in the process of implementing the second National Climate Change Action Plan (NCCAP) 2018-22, a process that is led by the Ministry of Environment and Forestry. The process of formulation and review of the previous NCCAP 2013-17 did not initially have a strong involvement of Marginalised Indigenous Communities.<sup>1</sup> For instance, these communities never had a representation in the taskforce that reviewed the NCCAP; also, there were no laid down structures or engagement framework on how they were to participate through consultation and giving feedback in the review process. Effective engagement ensures everything is put under consideration and objective feedback is given equal consideration in the decision-making process.

While the NCCAP 2018-2022 chapter 4 acknowledges the need to engage these communities, there is not a formal engagement structure. This engagement framework thus addresses this gap, and will facilitate these engagements to ensure it is as seamless and coherent as possible. The participation of Marginalised indigenous communities as envisaged under the Constitution of Kenya 2010 as well as the Climate Change Act of 2016 is considered critical if the NCCAP implementation process is to meet the threshold of effective public participation.

Creating opportunities for community participation is integral to good governance. Marginalised Indigenous Communities are a unique constituency not only because of the impact of climate change but also the role they play in ensuring success of intervention measures as well the perspectives and experiences they bring on board through their indigenous and local knowledge

This engagement framework will provide a platform for cooperation and collaboration between the Climate Change Directorate and Marginalised Indigenous Communities through the Joint Advisory Committee comprised of the CCD and the NCCAP Reference Group on implementation of the NCCAP 2018-22 as well as any other issues deemed relevant.

The framework describes 12 priority areas that would be the focus of the different stakeholders whose roles and relationships are described in a coordination structure of the engagement framework. **Joint Advisory Committee** composed of Ministry of Environment and Forestry – CCD, and Marginalised Indigenous Communities NCCAP Reference Group Members with its secretariat at Centre for Minority Rights Development (CEMIRIDE) will hold their meetings on Quarterly basis and will be the overall responsibility of coordination of the framework's activities. **Marginalised Indigenous Communities**

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<sup>1</sup> Marginalised Indigenous Communities are communities as defined in Article 260 of the Constitution of Kenya 2010. These are communities that traditionally depend upon and have a close relationship with their land, natural environment and its resources.

**Reference Group** will be the key link between the marginalised indigenous communities and the Climate Change Directorate and will be composed of elected representatives of pastoralists, hunter gatherers and fisher communities, as well as chairs and secretaries of all the 4 thematic working groups. **Thematic Working Groups (TWGs)** will be based on current NCCAP priority areas that underpin the NCCAP 2018-22 and will consist of representatives of Indigenous (Marginalised) Peoples organizations interested in a particular thematic area

The Marginalised Indigenous Communities envision an inclusive NCCAP which frequently and deeply responds to the needs of the communities likely to be affected by decisions on climate change interventions. This framework supports that shift by broadly defining Marginalised Indigenous Communities, their engagement and by presenting the core principles that the engagements should consistently reflect. The Marginalised Indigenous Communities (pastoralists, hunter-gatherers and fisher communities) in Kenya will use this framework, and related activity specific tools that will be developed when planning engagement activities. Partners and clients will use it to better understand our needs, priorities and concerns and fit into them.

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# 1.0 INTRODUCTION

No one knows their community better than the people who live and depend on the resources therein. Marginalised Indigenous Communities have relied on their knowledge and experience for a long time to preserve and conserve their diverse environments. Climate variability and change which presents itself in form of unpredictable and extreme weather significantly threaten the livelihoods of these communities. As a result, a global outcry has forced countries to come up with ways to mitigate and or adapt to the effects of this global challenge. Marginalized Indigenous Communities are totally natural resource dependent for their livelihood. Climate change presents an additional burden to these communities who are already disadvantaged socially, politically and economically by the fact that they are marginalized. It is therefore imperative that any planned decision likely to affect their livelihoods should include their priorities, views, dreams and aspirations, Climate change response is one such decision.

The process of reviewing the previous NCCAP 2013-17 did not initially have a strong involvement of marginalised indigenous communities.<sup>2</sup> For instance, these communities never had a representation in the taskforce that reviewed the NCCAP; also, there were no laid down structures or engagement framework on how they were to participate through consultation and giving feedback in the review process. Because of this, the Cabinet Secretary called on the Climate Change Directorate and the NCCAP Review Task Force to ensure that their involvement was secured. This was later resolved through consultations with the Ministry of Environment's Climate Change Directorate (CCD), and a temporary engagement framework for engaging marginalised indigenous communities was agreed upon. This culminated into a national consultative forum for marginalised indigenous communities on NCCAP 2018-2022, during which their issues were communicated to the Task Force in charge of reviewing the plan. One key output of the temporary engagement framework was the agreement in principle that there was need for a more permanent Marginalised Indigenous Communities' engagement framework with the Ministry of Environment and Forestry's Climate Change Directorate (CCD), that would outlive the NCCAP 2018-22 review engagement and provide a more sustainable roadmap for ensuring their effective participation in critical climate change planning and response actions.

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<sup>2</sup> Marginalised Indigenous Communities are communities as defined in Article 260 of the Constitution of Kenya 2010. These are communities that traditionally depend upon and have a close relationship with their land, natural environment and its resources.

Prior to the national consultative forum, there were community consultations at County level in Isiolo February 2018 and Kajiado in March 2018. During the national consultative forum held on 30<sup>th</sup> - 31<sup>st</sup> May 2018 at Milele Hotel in Nakuru, participants resolved to establish a National Marginalised Indigenous Communities NCCAP Technical Reference Group (Hereinafter Reference Group) to function as the focal contact point for Marginalised Indigenous Communities, to enable continuous consultation and sharing of information with the NCCAP implementation team and the CCD.

There was no engagement structure or a focal point for the communities to engage the CCD prior to this engagement framework. The NCCAP 2018-2022 chapter 4 acknowledges the need to engage these communities. The lack of a formal engagement structure, therefore, necessitates an engagement framework to facilitate effective engagement of marginalised indigenous communities in the NCCAP-2018-22 to ensure it is as seamless and coherent as possible. This framework provides the communities with an opportunity to organize themselves thus strengthening their voice.

Creating opportunities for participation Marginalised Indigenous Communities in the implementation of NCCAP is integral to good governance. It enables CCD to understand diverse perspectives and make well-informed decisions that reflect community needs, priorities and aspirations. Equally important to this, engagement helps to build confidence and increase individual and collective well-being. This will give Marginalised Indigenous Communities a stronger political voice and role in improving their environment while collaborating under a formal arrangement.

Effective engagement ensures everything is put under consideration and objective feedback is given equal consideration in the decision-making process. Marginalised Indigenous Communities are a unique constituency not only because of the additional burden imposed on them by climate change. These communities play a vital role in ensuring the success of any climate change interventions within their localities. They also further enhance these interventions by providing their experiences and perspective richly carried in their indigenous knowledge. Based on the nature of the social, economic and cultural settings of the indigenous communities, they have been able to develop distinct and effective adaptation strategies collectively referred to as indigenous knowledge. Their involvement in this process ensures realistic understanding of the problems and issues as well as an in-depth understanding and recognition of the systemic nature of “the way things work” inter-relations between economic, social and environmental dimensions.

## 2.0 Statutory engagement trends

The formation of the NCCAP Reference group provided a platform for better inclusion through effective consultation and collaboration with Marginalised Indigenous Communities to ensure the NCCAP implementation process addresses the specific needs of these communities. It is through the formation of this reference group that enables the formulation of this engagement framework to strengthen engagement. The importance of involvement of Marginalised Indigenous Communities has been underscored by the President of the republic of Kenya. When opening of the 7<sup>th</sup> conference on climate change and development in Africa 10<sup>th</sup>-12<sup>th</sup> October 2018, he said: “The implementation of the climate change actions is the responsibility of all stakeholders at all levels including the State (national and sub-national governments) and non-state actors (the marginalised indigenous communities, private sector, the youth and women).<sup>3</sup>

Climate change manifests in form of unpredictable precipitation patterns resulting in prolonged droughts increasing in severity and frequency as well as intense rainfall resulting in flooding. Marginalised Indigenous Communities occupy some of the most vulnerable areas as a result they are prone to devastating impact.<sup>4</sup> This is underscored by the NCCAP 2018-22. In its chapter on Delivery and Coordination Mechanisms (Institutional Roles and Responsibilities), it notes that the livelihoods of pastoralists, hunter gatherers and fisher communities are at risk because of climate change hence adaptation actions should engage them in formulation, implementation and monitoring<sup>5</sup>

The participation of marginalised indigenous communities as envisaged under the Constitution of Kenya 2010 as well as the Climate Change Act of 2016 is considered critical if the NCCAP implementation process is to meet the threshold of effective public participation. Public participation is a principle that has been given prominence in the Constitution of Kenya enshrined under Article 10 (2) which lists it as a national value and principle of governance. Pastoralists, hunter gatherers and fisher communities are a critical constituency as read under Article 56 and Article 260 which recognises that they are marginalised indigenous communities for whom efforts must be put in place to ensure that they participate and are represented in governance and other spheres of life.<sup>6</sup>

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<sup>3</sup> Koech, G. (2018, October, 11). Uhuru tells counties to sort climate crisis. *The Star*. Accessed at [https://www.the-star.co.ke/news/2018/10/11/uhuru-tells-counties-to-sort-climate-crisis\\_c1832728](https://www.the-star.co.ke/news/2018/10/11/uhuru-tells-counties-to-sort-climate-crisis_c1832728) on 8th February 2018

<sup>4</sup> Kimenye, D., ‘Climatic changes in the Mandera district of Kenya’, unpublished report commissioned by Christian Aid.

<sup>5</sup> Government of Kenya (2008). *National Climate Action Plan (Kenya)2018-2022*. Ministry of Environment and Forestry, Nairobi, Kenya

<sup>6</sup> Ibid

The Climate Change Act 2016, under which the NCCAP falls, guarantees public participation and consultation with stakeholders as a guiding value and principle.<sup>7</sup> Section 24 provides that public awareness and consultation should be carried out at each level of government when developing strategies, laws and policies relating to climate change. Public consultations shall be undertaken in a manner that ensures the public contribution makes an impact on the threshold of decision making and efforts will be made by the government to promote application and respect to the National Stakeholder and Free Prior Informed Consent Guidelines (FPIC) developed by the Ministry of Environment and Forestry under the REDD+ process. Further, in the Communique at the end of the 5th Annual Devolution Conference (23rd to 27th April 2018) in Kakamega, it was resolved that National and County governments should develop targeted strategic interventions to support special interest groups; women, minorities, marginalised groups/ communities and persons with disabilities.

Accordingly, it is of critical importance and a constitutional right that marginalised indigenous communities are actively involved in the NCCAP implementation process. By participating, these communities will thus seek to positively influence development, revision, adoption and implementation of policy and regulations addressing climate change with specific interest in improving their resilience to climate change impacts. This engagement framework will, therefore, provide an opportunity for marginalised indigenous communities to share their climate change concerns, provide practical climate actions as solutions to their challenges and further secure their importance as key stakeholders/right-holders in implementation processes that respond to climate change at the community level.

## 2.1 Why engage?

No one knows their community better than the people who live and depend on the resources therein. **Marginalised indigenous communities have developed distinct knowledge and experience for a long time to preserve and conserve the natural environments from which they obtain their livelihood and around which have developed their social, cultural and religious systems and structures.** Climate change not only threatens the existence of these communities but also induces an additional burden to them owing to the fact that, being marginalised, and hence already disadvantaged socially, economically and politically, these communities are almost entirely natural resource depended for their livelihoods and social wellbeing. In response to global threat of climate change, the international community under the United Nations Convention on Climate Change (UNFCCC) came up with Paris agreement that has seen nations develop specific actions to adapt and mitigate on climate change. Some of the responses include development of policy and

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<sup>7</sup> Section 4 (2) (f), Climate Change Act, 2016.

governance structures at national level and coming up with specific action plans that work from the national level all the way to the community level.

Kenya's NCCAP is such policy instrument that governs climate response actions at national as well as community level. Creating opportunities for community participation in the implementation of the NCCAP is thus integral to good governance. It enables CCD to understand diverse perspectives and make well-informed decisions that reflect community needs and aspirations. Equally important to this, engagement helps to build confidence and increase individual and collective well-being. This will give marginalised indigenous communities a stronger political voice and role in improving their environment while collaborating under a formal arrangement.

Effective engagement ensures people have an opportunity to provide input that has real potential to impact decision making and outcome. This not only increases acceptability of the decision by the affected communities but also provides to contextualisation of the climate action to the unique situations of the populations in question.

Marginalised indigenous communities are a unique constituency not only because of the impact of climate change but also the role they play in ensuring success of intervention measures as well the perspectives and experiences they bring on board through their indigenous and local knowledge. Based on the nature of the social, economic and cultural settings of the indigenous communities, they have been able to develop distinct and effective adaptation strategies collectively referred to as indigenous knowledge. Their involvement in this process ensures realistic understanding of the problems and issues as well as an in-depth understanding and recognition of the systemic nature of "the way things work" inter-relations between economic, social and environmental dimensions.

## **2.2. Aims of the engagement framework**

- (i) To ensure meaningful, visible and effective representation of the Marginalised Indigenous Communities in the climate change response actions at county, national, regional and global levels;
- (ii) To develop a systematic approach to gather, interpret and document Marginalised Indigenous Communities' concerns in climate actions and disseminating the information appropriately to ensure effective action.

- (iii) Develop and disseminate policy positions and briefs on topical issues of relevance to climate change and Marginalised Indigenous Communities;
- (iv) Fundraise for climate change response initiatives to enable consistency and sustainability of such initiatives.
- (v) To identify, document and facilitate incorporation/integration of Indigenous traditional knowledge systems into climate change planning and actions;
- (vi) To ensure recognition of these communities as frontline agents who can provide realistic contributions to understanding climate related problems and issues and also participate in designing solutions and ensuring successful implementation of the actions and subsequent creation of structures to enable their participation

## 2.3 Engagement framework development

The marginalised indigenous communities' engagement framework has been developed through a consultative and collaborative approach involving the Marginalised Indigenous Communities NCCAP Reference Group, community representatives, CSOs whose area of focus/interest is marginalised indigenous communities (pastoralists, hunter gatherers and fisher communities), individual resource persons, interested parties, and the CCD under the Ministry of Environment and Forestry.

The involvement of marginalised indigenous communities in the NCCAP 2013-17 review started with two county consultative meetings in Isiolo and Kajiado in February and March 2018 respectively. Once a consensus was reached with the CCD on the engagement of the marginalised indigenous communities at the national level, a national consultative workshop was organised jointly by the marginalised indigenous communities' representatives and the CCD. Marginalised Indigenous Community representatives were invited and attended a 3-day national consultative workshop in May 2018 in Nakuru. This Workshop was also attended by the members of the NCCAP Review Task Force and the CCD technical team. The workshop saw issues pertinent to marginalised indigenous communities presented to the to the NCCAP Review Task Force.

To secure better and more effective engagement with the NCCAP 2018-22, the workshop participants resolved to have a Marginalised Indigenous Communities NCCAP 2018-22 Technical Reference Group. This reference group was constituted by 5 representatives elected during the workshop (2 Pastoralists, 2 Fisher Communities and 1 Hunter Gatherers' representatives). The reference group was mandated to co-opt members as was necessary for effective delivery of its mandate.

The Nakuru meeting was then followed two meetings on 5<sup>th</sup> April 2019 and 28<sup>th</sup> November 2019 where the newly created Marginalised indigenous communities NCCAP Technical Reference Group embarked on developing this engagement framework.

## 2.4 Priority engagement areas

This engagement framework will provide a platform for cooperation and collaboration between the Climate Change Directorate and Marginalised Indigenous Communities through the Joint Advisory Committee comprised of the CCD and the NCCAP Reference Group on implementation of the NCCAP 2018-22 as well as any other issues deemed relevant.

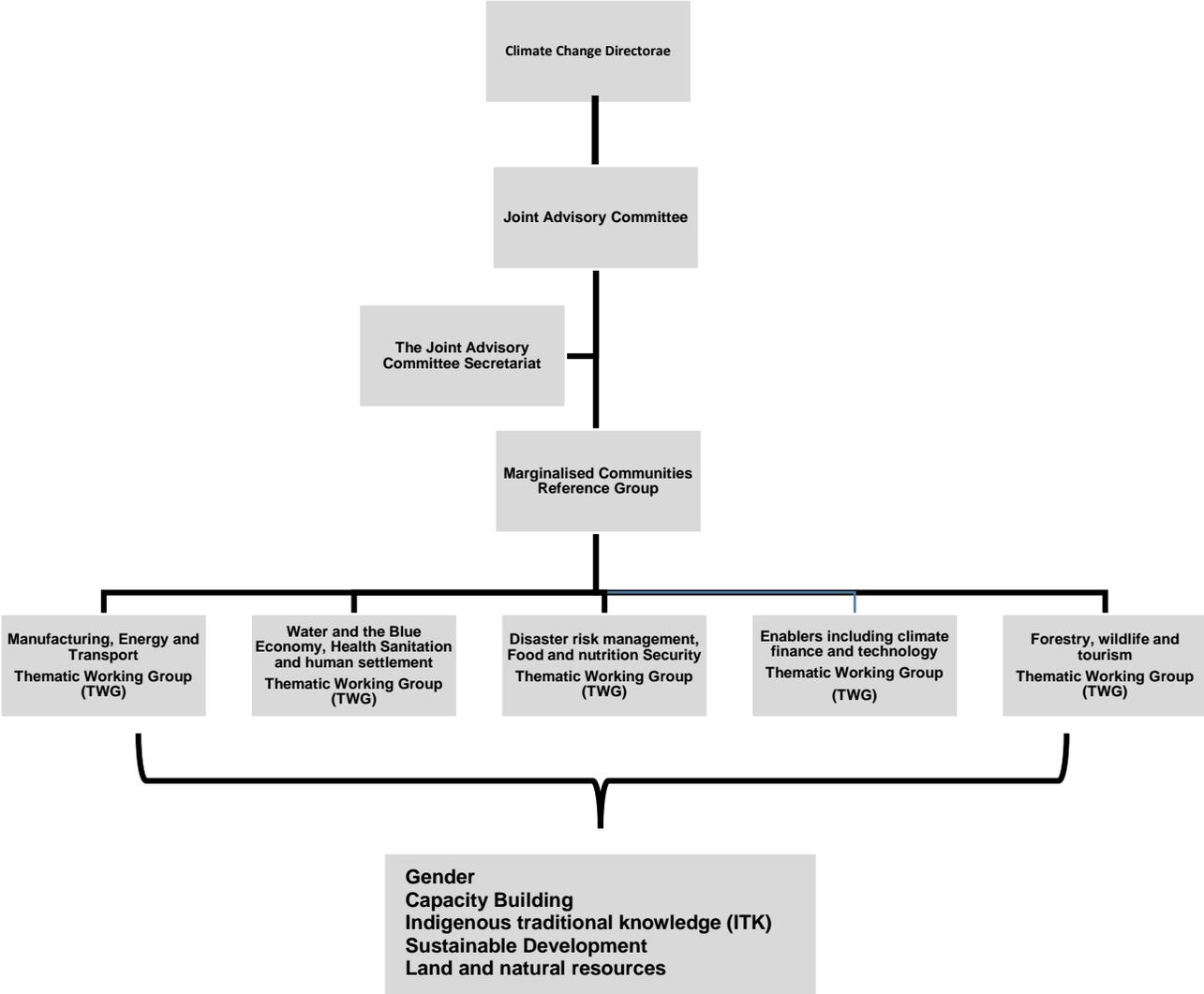
The following have been identified as **priority areas of engagement**:

- a. Development and dissemination of the popular version of NCCAP 2018-22 as well as policy briefs with targeted messaging for different stakeholders including communities, CSOs, relevant national and county government agencies.  
A simplified version of NCCAP 2018-22 would be an initial step in creating awareness and ensuring marginalised indigenous communities are able to fully comprehend it and how they can effectively engage in the decision making process.
- b. The Marginalised Indigenous Communities NCCAP Technical Reference Group will provide technical support on the issues of relevance to marginalised indigenous communities in relation to climate change. This team, together with the Climate Change Directorate will form the Joint Advisory Committee (JAC) of the Marginalised Indigenous Communities Engagement Framework on Climate Change.
- c. Underneath the Joint Advisory Committee will be the Thematic Working Groups (TWGs) which will be populated by the **Marginalised Indigenous Communities' organisations** through the marginalised indigenous communities NCCAP Technical Reference Group.
- d. Joint awareness creation activities of Marginalised Indigenous Communities on NCCAP including mapping out and sharing information on different funding opportunities like Climate Smart Agriculture Funds, Climate Change Funds, relevant policy and legislative frameworks among others.
- e. Reporting, monitoring and evaluation of the implementation of the NCCAP 2018-22. Reporting shall be done electronically, including any other appropriate means such as face to face

dialogues and workshops through a platform provided by the CCD. Individuals through their CSOs will be at liberty to report any climate change related outcomes.

- f. Joint capacity building of private sector, relevant government agencies, parliamentary committees, and county governments to ensure design of programmes that will enhance effective and meaningful representation and involvement of Marginalised Indigenous Communities.
- g. Nomination of Marginalised Indigenous Communities' representatives through the reference group into key climate change processes to ensure their effective representation.
- h. Providing information and exchanging updates on ongoing processes by both parties to this engagement framework.
- i. Promote social acceptance, support & reduced conflict through exploration of potential for creative, equitable solutions thereby savings of time and money in the long run
- j. Promote recognition of Marginalised Indigenous Communities as frontline agents who can provide **realistic understanding of the problems and issues** and also participate in designing solutions and ensuring successful implementation of the actions.
- k. Document and recognize indigenous knowledge of the local communities and integrate the knowledge into climate actions. Ensure participation of the communities in problem identification and solution formulation based on their local priorities
- l. Prepare periodic indigenous knowledge systems and practices informed climate change response innovative stories with the view of sharing at the Local Communities and Indigenous Knowledge Platform (LCIP) under the UNFCCC

# 3.0 Co-ordination structure of the framework



## 3.1 Functions of the coordination structure

### Joint Advisory Committee

- The committee composed of Ministry of Environment and Forestry – CCD and Marginalised Indigenous Communities NCCAP Reference Group Members (Centre for Minority Rights Development (CEMIRIDE) serving as its Secretariat) will hold their meetings on Quarterly basis and will be the overall responsibility of coordination of the framework’s activities.

- The Indigenous Communities' nominee to the Climate Change Council will be the link the National Climate Change Council and the JAC
- Marginalised Indigenous Communities' nominee/representative at the Climate Change Council will be standing/permanent member of the Reference Group and the JAC
- JAC will spearhead fundraising for the framework, including securing resources from government, to facilitate the frameworks activities

### **The Joint Advisory Committee Secretariat**

- A Secretariat will be created to provide technical support to the JAC in its functions and to conduct day to day activities on behalf of the committee
- CCD will act as the host to the JAC Secretariat of the joint advisory committee and thus designate office space within the directorate for the secretariat staff
- The main role of the secretariat will be to coordinate the Joint Advisory Committee.
- The JAC Secretariat will also act as the information hub for Marginalised Indigenous Communities to ensure clarity in communication and responsibility for follow up on agreed actions
- The Secretariat will ensure appropriate communication to various stakeholders
- The Secretariat will be staffed with required personnel and its functions financed through joint resource mobilisation by the committee from both government and donor sources

### **Marginalised Indigenous Communities Reference Group**

This will be the key link between the marginalised indigenous communities and the Climate Change Directorate and will be composed of elected representatives of pastoralists, hunter gatherers and fisher communities, as well as chairs and secretaries of all the 4 thematic working groups.

### **Functions**

- Provide technical support on the issues of relevance to Marginalised Indigenous Communities in relation to climate change.
- Coordinate the nomination of Marginalised Indigenous Communities' representatives into key climate change processes, including to the climate change council to ensure effective representation of Marginalised Indigenous Communities.
- Promote social acceptance, support & reduced conflict through exploration of potential for creative, equitable solutions thereby savings of time and money in the long run

- Promote recognition of Marginalised Indigenous Communities not just as climate change victims needing external help but also as frontline agents who can provide **realistic understanding of the problems and issues** and also participate in designing solutions and ensuring successful implementation of the actions.
- Document and recognize indigenous knowledge of the local communities and integrate the knowledge into climate actions. Ensure participation of the communities in problem identification and solution formulation based on their local priorities.
- Contribute to identifying appropriate means of sharing benefits with the communities for access and utilisation of their traditional and indigenous knowledge to ensure that the communities are adequately compensated for their contribution to the solutions to provide the impetus for their contribution and sustainable actions in the long term.

## Thematic Working Groups (TWGs)

**The Thematic Working Groups (TWGs)** will be based on current NCCAP priority areas that underpin the NCCAP 2018-22. These are: Disaster Risk Management; Food and Nutrition Security; Water and the Blue Economy; Forestry; Wildlife, and Tourism; Health, Sanitation, and Human Settlements; Manufacturing; and Energy and Transport. These seven priority areas will be addressed under four TWGs as follows:

1. Manufacturing, Energy and Transport
2. Water and the Blue Economy, Health Sanitation and human settlement
3. Disaster risk management, Food and nutrition Security
4. Enablers thematic area including climate finance and technology
5. Forestry, wildlife and tourism

All the four TWGs will handle cross cutting issues which are

- a. Indigenous Traditional Knowledge
- b. Gender
- c. Capacity Building
- d. Indigenous traditional knowledge (ITK)
- e. Sustainable Development

### Functions

- The TWGs will consist of representatives of Indigenous (Marginalised) Peoples organizations interested in a particular thematic area. The members will elect amongst themselves a

Chairperson who must be from an organisation representing marginalised indigenous communities. The TWG can co-opt members or representatives from Academia, CSOs, County government, national agencies, private sector, among others.

- The TWG will disseminate widely the available and important knowledge products and informative packages to the county and local levels.
- The TWGs will be actively involved in the nomination of the marginalised indigenous communities' representative to the National Climate Change Council. This involvement will be captured in the nomination of marginalised community representative to the Climate Change Council framework that will be developed by the Joint Advisory Committee
- TWGs will offer technical guidance and support mobilisation of Marginalised Indigenous Communities and their organisations to ensure inclusion and participation relevant to their specific areas of focus
- TWGs Research on and review the technical, social, cultural and economic complexity of the thematic area
- TWGs Develop annual and quarterly work plans to support the implementation, reporting, monitoring, evaluation and learning of the NCCAP 2018-22
- TWGs Submit to the JAC Quarterly reports on their activities which will highlight emerging policy areas that need attention
- TWGs Receive and input into any reports, policy briefs, work plans or any other document it may be requested
- The TWGs will meet every 2 months to discuss and review the emerging and ongoing thematic issues that need to be brought to the attention of the stakeholders
- The TWG will collect and collate the views and reports which will be submitted to the JAC during its quarterly meetings
- Secretariat for the TWGs and the NCCAP Reference Group will be CEMIRIDE

## 4.0 Engagement between representatives and the Marginalised indigenous communities



### **STEP ONE** **Strategy creation**

The JAC, Marginalised Indigenous Communities Technical Reference Group and other stakeholders will work closely with the lead Department (Ministry's CCD) and where appropriate members of the Marginalised Indigenous Communities will be consulted. This will be done to affirm the commitment and through this arrangement an engagement strategy which defines the following will be will be developed;

- **Purpose**

What information do we need from the Marginalised Indigenous Communities to inform the decisions being made?

- **Commitment to the public**

What is the level or levels of Marginalised Indigenous Communities' participation needed to be used in decision-making?

- **Timeline and budget**

What is the project timeline and what resources are available to implement the engagement strategy?

- **Target audiences**

Who are the members of the Marginalised community that will be impacted by the decisions being made and how can they best be reached?

- **Design**

Based on the timeline, audience, ideas and budget how can we best solicit the feedback we are seeking from the Ministry?

## **STEP TWO**

### **Tell the story**

In order for people to provide meaningful input, there is need to make them understand what the NCCAP 2018 – 2022 seeks to achieve. Therefore, information which helps to tell the story should be availed to help Marginalised Indigenous Communities participate. Information on the global challenge - climate change and the likely effects including why it is important it tackle it today could help encourage engagement and participation in proposed plan. This will help promote initiatives that have Marginalised Indigenous Communities' interest in mind.

## **STEP THREE**

### **Raise Awareness**

Communication and promotion of input opportunities from Marginalised Indigenous Communities are critical to receiving feedback. Within the engagement plan, all communications tools will be listed and used to ensure a broad audience is reached.

## **STEP FOUR**

### **Connect**

This is when public participation happens. The questions being asked are clear, information is easy to understand and next steps are well defined.

## **STEP FIVE**

### **Close the loop**

To ensure everyone who participated in the engagement process is aware of how their input was or will be used in making final decision on climate change, reporting is important.

## **STEP SIX**

### **Evaluate**

Marginalised Indigenous Communities' time and feedback is important in helping the CCD and the Ministry make well-informed decisions that reflect this communities' needs, values and vision. Debriefing and evaluating will be an important step that contributes to the success of future engagement initiatives. The debriefs will be used to evaluate the level of Marginalised Indigenous Communities' participation and also to review how objectives were met or achieved. In addition, share experiences and recommendations for future processes.

In order to ensure Marginalised Indigenous Communities' engagement practices are most effective, we will continuously find ways to improve our approach. During evaluation, the following factors will be used as Key Performance Indicators:

- The Engagement Framework will be reviewed annually to ensure it remains relevant and effective
- Feedback from participants on the process is collected and reviewed after each initiative and incorporated where possible
- Meetings will be held between the JAC, TWGs, other representatives and the CCD team once engagement window closes
- The final decision and key considerations will be shared with participants, closing the loop with participants
- Engagement highlights will include the number of people who participated in engagement events which will be shared with the Marginalised Indigenous Communities through the quarterly reporting process.

## 5.0 Principles of engagement

- **Timely**

Engagement with the community is planned during the project planning stages to maximize the level of influence the community is able to have.

Community engagement would preferably occur during the scoping and identification of issues.

- **Sincere, respectful and meaningful**

Genuine opportunities are created for the community to participate in issues of significance to the marginalised indigenous communities.

The purpose of the engagement is clear and members of the community are informed on how their involvement will influence the decision-making process.

- **Inclusive and accessible**

All members of the Marginalised Indigenous Communities have a right to participate in the development of decisions that may impact on their lives.

Several methods of community engagement may be required to ensure engagement activities are responsive to Marginalised community needs.

Consideration is given to engaging with Marginalised community members of different cultures and faiths, abilities and family or working commitments.

- **Responsive**

The CCD will actively engage with, and listen, to the diverse range of needs and expectations of the Marginalised Indigenous Communities through their representatives.

CCD shall commit to considering Marginalised Indigenous Communities' feedback in an open and transparent manner.

- **Provision of information and feedback or transparency**

Clear information about planned projects will be easily and freely available to enable participants to be fully informed when providing input into engagement activities.

Information will be provided in 'plain English' and avoid using specialist terms, jargon or acronyms. Special consideration will be given to the differing literacy and education levels in the communities, and translated materials will be provided when relevant.

Feedback will be provided to participants at all key stages of the project. marginalised indigenous communities' engagement activities will be documented and minutes/ notes provided to those who participated and to the CCD within 20 business days.

Updates and final outcomes for marginalised indigenous communities' engagement projects will be published and shared.

- **Privacy and confidentiality**

People's privacy and confidentiality will be respected before, during and after marginalised indigenous communities' engagement activities have taken place.

Participants' personal information will remain confidential.

- **Consistent**

The CCD will engage more regularly with marginalised indigenous communities and ensure that stakeholder input informs decisions and vice versa.

- **Safe**

The CCD shall create safe engagement spaces and processes that promote thoughtful, honest information-sharing

Vulnerable members within the marginalised indigenous communities will also have a chance to express their views safely without fear of criticism, discrimination or negative consequences.

The following engagement planning considerations will be considered:

- Group size, as larger groups can be intimidating due to fear of judgement or conflict

- Group composition, as some discussions may be most comfortably held with people sharing similar backgrounds and circumstances
- Participant preferences for loosely or tightly structured activities
- The importance of offering anonymous input opportunities
- The facilitator's profile, which may include skill at managing contentious discussions, lived experience, being a respected community leader or other attributes
- Getting agreement from participants on ways they will create a safe engagement space, for example by being respectful of others and keeping an open mind

## 6.0 Conclusions and the next steps

The Marginalised Indigenous Communities envision an inclusive NCCAP which frequently and deeply responds to the needs of the communities likely to be affected by decisions on climate change interventions. This framework supports that shift by broadly defining marginalised indigenous communities, their engagement and by presenting the core principles that the engagements should consistently reflect. The marginalised indigenous communities (pastoralists, hunter-gatherers and fisher communities) in Kenya will use this framework, and related activity specific tools that will be developed when planning engagement activities. Partners and clients will use it to better understand our needs, priorities and concerns and fit into them.

Next steps in our engagement work include:

1. Promoting consistent application of the engagement principles by developing a policy that provides clear direction regarding when and how marginalised indigenous communities will engage clients and partners to inform our work, and how the resulting data will be managed and used.
2. Developing support and resources, led by marginalised indigenous communities' representatives planning team, to provide coordination, training and support to staff who are planning and implementing engagement activities
3. Identifying stakeholders who may be underrepresented in the current engagement practice, and developing a strategy to address these gaps
4. Developing an evaluation plan that supports continuous improvement in the marginalised indigenous communities' engagement framework.
5. The engagement framework will be reviewed time and again to make sure it responds to the changing circumstances within marginalised indigenous communities.

Signed:

.....	.....	.....
CEMIRIDE	REFERENCE GROUP	CLIMATE CHANGE DIRECTORATE
Date:		
.....	.....	.....

# APPENDIX 1:

## Acknowledgements

This framework is the product of many voices and numerous generous contributions of time and thought. The CEMIRIDE team that coordinated the process is acknowledged. These include Nyang'ori Ohenjo, Purity Gakuo and Edwin Otieno. We would also like to recognise the efforts and contributions of the Marginalised Indigenous Communities NCCAP Technical Reference Group. These are: Keswe Mapena (Kajiado Beef Value Chain Association), Grace Lolim (Isiolo Gender Watch), Salim Mohammed (Indian Ocean Water Bodies - Network of Coastal BMUs), Juliet Ogubi (Bunyala Development Forum) and John Samorai (Ogiek Peoples Development Program). Indigenous Peoples experts who made formal contributors include: Stanley Kimaren (ILEPA), Joseph Siekhwe (Bunyala Development Forum) and Elijah Toirai (MPIDO)

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## APPENDIX 2:

### LIST OF PARTICIPANTS ONLINE VALIDATION WORKSHOP (ZOOM) ON 16<sup>TH</sup> JUNE 2020

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