READINESS PREPARATION PROPOSAL (R-PP)
ASSESSMENT NOTE

ON THE PROPOSED PROJECT WITH KENYA
FOR REDD+ READINESS PREPARATION SUPPORT

UNDP REDD+ Team
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CH-1219 Châtelaine, Geneva, Switzerland. @ tim.clairs@undp.org www.undp.org
SUMMARY INFORMATION
OUTLINE
Country: Kenya
Project Title: Readiness Preparation Package (FCPF)
Project Duration (in months): 36
Expected start month: September 2017
Date of R-PP Formulation Preparatory Grant signature (if applicable): N/A
Number of FCPF Participants Committee Resolution Approving the R-PP: PA3/PC7 2010

COUNTRY PROGRAMMING

Project within CPAP, UNDAF Action Plan, YES NO
HACT macro-assessment available: YES NO
HACT micro-Assessment(s) completed: YES NO

UNDAF Outcome(s): Environmental Sustainability, Land Management and Human Security

Outcome 4.1–Policy and legal framework: Kenya has robust policies and legal frameworks linking issues of environmental sustainability, climate change and land management to human security and resilience therefore requiring an integrated and coordinated response at all phases

Outcome 4.2–Community security and resilience: By 2018 counties and communities are able to anticipate, prevent and respond effectively to disasters and emergencies

Project Objective: To contribute to the development of Kenya’s capacity to design a sound national REDD+ strategy, develop and sustain national readiness management arrangements, develop the REDD+ implementation framework, assess social and environmental impacts, contribute to the development a Reference Level and a Forest Monitoring System

Expected Result: Contribution made to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change

Implementing Partner / Executing Entity: Ministry of Environment and Natural Resources

Responsible Parties / Implementing Agencies: UNDP, Kenya Forest Service, National Land Commission and an Indigenous Peoples Organization working on REDD

LINKS TO UN-REDD PROGRAMME

UN-REDD Programme partner country: YES NO
UN-REDD National Programme (NP):

NP under implementation when the R-PP project is expected to start:

UN-REDD Targeted Support

PROJECT FINANCING DATA

Total R-PP Resources Required: $3.6M
Total R-PP Resources Available from FCPF: $3.6 M
Unfunded Budget:

Co-financing:
1. Other Donors
   Cash:
   Parallel:
   In-kind:
2. Government
   Cash:
   Parallel:
   In-kind:
3. UNDP
   Cash:
   In-kind:

CONTACTS & CLEARANCES

<table>
<thead>
<tr>
<th>Country Office Contact Person: Amanda Serumaga</th>
<th>Telephone No.:</th>
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<td></td>
<td>Email:</td>
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<tr>
<td></td>
<td><a href="mailto:amanda.serumaga@undp.org">amanda.serumaga@undp.org</a></td>
</tr>
</tbody>
</table>

CLEARANCES TO THE READINESS PREPARATION PROPOSAL ASSESSMENT NOTE:

Resident Representative/Country Director: Amanda Serumaga {Date}

Regional Technical Advisor: Elsie Attafuah {Date}

Principal Technical Advisor: Tim Clairs {Date}
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<th>Code</th>
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<tr>
<td>BAU</td>
<td>Business as Usual</td>
</tr>
<tr>
<td>BUR</td>
<td>Biennial Update Report</td>
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<tr>
<td>CBD</td>
<td>Convention on Biological Diversity</td>
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<td>CFA</td>
<td>Community Forest Associations</td>
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<tr>
<td>CIDP</td>
<td>County Integrated Development Plan</td>
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<td>CSOs</td>
<td>Civil Society Organizations</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
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<td>EU</td>
<td>European Union</td>
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<td>FAO</td>
<td>Food and Agriculture Organization</td>
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<td>FCPF</td>
<td>Forest Carbon Partnership Facility</td>
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<td>FDI</td>
<td>Foreign Direct Investment</td>
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<td>FLEG</td>
<td>Forest Law enforcement and governance</td>
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<td>FPIC</td>
<td>Free Prior and Informed Consent</td>
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<td>FRL</td>
<td>Forest Reference Level</td>
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<td>GRM</td>
<td>Grievance Redress Mechanism</td>
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<td>GEF</td>
<td>Global Environmental Facility</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GHG</td>
<td>Greenhouse Gas</td>
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<tr>
<td>GIS</td>
<td>Geographic Information System</td>
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<td>GOK</td>
<td>Government of Kenya</td>
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<td>Ha</td>
<td>Hectares</td>
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<td>HACT</td>
<td>Harmonized Approach to Cash Transfers</td>
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<tr>
<td>INDC</td>
<td>Intended Nationally Determined Contribution</td>
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<td>IUCN</td>
<td>International Union for the Conservation of Nature</td>
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<td>IP</td>
<td>Investment Plan</td>
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<td>IPCC</td>
<td>Intergovernmental Panel on Climate Change</td>
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<td>JICA</td>
<td>Japan International Co-operation Agency</td>
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<td>KEFRI</td>
<td>Kenya Forestry Research Institute</td>
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<td>KFS</td>
<td>Kenya Forest Service</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>KFWG</td>
<td>Kenya Forests Working Group</td>
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<td>KWS</td>
<td>Kenya Wildlife Service</td>
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<tr>
<td>KM</td>
<td>Knowledge management</td>
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<td>MENR</td>
<td>Ministry of Environment and Natural Resources</td>
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<tr>
<td>MRV</td>
<td>Monitoring, Reporting and Verification</td>
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<td>MTEF</td>
<td>Medium-Term Expenditure Framework</td>
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<tr>
<td>MtCO2e</td>
<td>Million Tonnes of Carbon Dioxide Equivalent</td>
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<td>NLC</td>
<td>National Land Commission</td>
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<td>NCCRS</td>
<td>National Climate Change Response Strategy</td>
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<td>NCCAP</td>
<td>National Climate Change Action Plan</td>
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<td>NCCC</td>
<td>National Climate Change Council</td>
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<td>NACOFA</td>
<td>The National Alliance of Community Forest Associations</td>
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<td>NAMA</td>
<td>Nationally Appropriate Mitigation Action</td>
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<td>NFMS</td>
<td>National Forest Monitoring System</td>
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<td>NRCO</td>
<td>National REDD+ Coordination Office</td>
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<td>PEB</td>
<td>Project Executive Board</td>
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<td>PES</td>
<td>Payment for Environmental Services</td>
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<tr>
<td>POPP</td>
<td>Programme and Operations Policies and Procedures</td>
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<tr>
<td>PLR</td>
<td>Policy, legal and regulatory framework</td>
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<tr>
<td>QA/QC</td>
<td>Quality Assurance / Quality Control</td>
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<tr>
<td>REDD</td>
<td>Reduced Emissions from Deforestation and forest Degradation</td>
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<tr>
<td>REDD+</td>
<td>Reduced Emissions from Deforestation and forest Degradation, including the role of conservation and enhancement of carbon stocks and sustainable management of forest</td>
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<tr>
<td>R-PIN</td>
<td>REDD+ Readiness Plan Idea Note</td>
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<td>R-PP</td>
<td>REDD+ Readiness Preparation Proposal</td>
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<td>REDD+ SC</td>
<td>REDD+ Steering Committee</td>
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<td>RTA</td>
<td>Regional Technical Advisor</td>
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<tr>
<td>SE</td>
<td>Stakeholder Engagement</td>
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<td>SESE</td>
<td>Strategic Environmental and Social Assessment</td>
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<td>SESP</td>
<td>UNDP’s Social and Environmental Screening Procedure</td>
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<tr>
<td>SNC</td>
<td>Second National Communication</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>TIPs</td>
<td>Transition Implementation Plans</td>
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<tr>
<td>TWG</td>
<td>Technical Working Group</td>
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<tr>
<td>UNCCD</td>
<td>United Nations Convention to Combat Desertification</td>
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<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
</tr>
<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
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<tr>
<td>WWF</td>
<td>World Wildlife Fund</td>
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1. INTRODUCTION

UNDP is a Delivery Partner for the FCPF. As part of its responsibilities, UNDP has been asked to ensure that the FCPF’s activities comply with UNDP’s policies and procedures, and the Common Approach.

The purpose of this Readiness Preparation Proposal Assessment Note (R-PP Assessment Note) is for UNDP to assess if and how the proposed REDD+ Readiness Support Activity, as presented in the R-PP, complies with the above policies, procedures and approach, discuss the technical quality of the R-PP, outline the activities that have taken place to advance the R-PP activities, record the assistance UNDP has provided to the REDD+ Country Participant in the formulation of its R-PP, and describe the assistance it might potentially provide to the REDD Country Participant in the implementation of its R-PP.

1A. Country Context

Kenya’s national development plan, Kenya Vision 2030, aims to achieve middle income status by the year 2030 by investing in strategic social, economic, environmental and political pillars.

The Country’s Gross Domestic Product (GDP) is estimated to have expanded by 5.8 per cent in 2016 compared to a revised growth of 5.7% in 2015 and 5.3% in 2014¹. The growth prospects under the second medium term plan of the Vision 2030 holds promising scenarios towards realization of objectives of this longer-term development vision.

The sectors that contribute to the economy are high-value horticulture, tea, tourism, financial services and emerging information and communication technologies (the latter is the largest in the region). 82% of the population have access to mobile phones. Kenya is the economic, financial, and transport hub of East Africa. This GDP growth has been highly variable and interspersed with periods of extreme rates of inflation. Kenya’s vulnerability to high inflation results from three key factors. Firstly, Kenya has a fledgling energy sector, and thus the economy is sensitive to increases in international crude oil prices. Secondly, the economy is vulnerable to inflationary pressures when the Kenya Shilling weakens against the currencies of its major trading partners. Thirdly, inflationary pressure arises during periods of drought when the water-dependent economic sectors come under pressure.

Agriculture remains the backbone of the Kenyan economy, contributing one-third of GDP. About 75% of Kenya’s population of roughly 44.2 million work at least part-time in the agricultural sector, including livestock and pastoral activities. Over 75% of agricultural output is from small-scale, rain-fed farming or livestock production².

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¹ Kenya Economic Survey, 2017
² World Bank Central Intelligence Agency - World fact book /CIA Fact Sheet) June 2017
Droughts brought much hardship and cost 12 billion over the last decade. Kenya is classified as chronically water scarce. 70% of the population live in about 12% of the land with increasing demand for land, water and energy. Drought-like conditions in parts of the country have pushed March 2017 inflation above 9%. Chronic budget deficits, including a shortage of funds in mid-2015, hampered the government’s ability to implement proposed development programmes, but the economy is back in balance with many indicators, including foreign exchange reserves, interest rates, and Foreign Direct Investment (FDI) moving in the right direction.

As a Party to the UNFCCC, Kenya has taken bold measures to secure the country's development against the risks and impacts of climate change. Three major climate-change related strategies have been developed; a National Climate Change Response Strategy, the National Climate Change Action Plan 2013-2017, and the Green Growth Strategy. These all highlight the forestry sector as one of the six priority areas to move Kenya towards a low-carbon, climate-resilient development pathway. A Climate Policy and a Climate Act (No. 11 of 2016) have been written into the legal framework.

In 2013, the country adopted a devolved system of government with the creation of 47 counties, and is in the process of devolving more revenues and responsibilities to the counties. Peaceful national elections in March 2013 and a smooth transition to the devolved governance system in accordance with the 2010 Constitution, a renewed business confidence, strengthening prospects for the economy to achieve a growth rate of five percent in 2013, compared to 4.3% in 2012 are bolstering growth. However, the impending 2017 nation-wide elections will be an important test for the country.

2B. Sectoral and Institutional Context

The economic pillar in the Second Medium Term Plan (2013-2017) consists of six priority areas, namely, tourism, agriculture and fisheries, manufacturing, business processes and information technology enabled (IT) services improved and development of oil and other minerals.

Within this context, Kenya's forest resources are of immense importance for the environmental and ecosystem services they provide, for their contribution to economic development and for their contribution to rural livelihoods. The objectives of the Kenya's vision for development cannot be achieved without the adequate protection and sustainable management of Kenya's forested lands. Forestry underpins most sectors, including agriculture, horticulture, tourism, wildlife, and energy. Forests are not distributed evenly in the country. Over 80% of Kenya's land area is either arid or semi-arid with relatively low human population densities, as opposed to the wetter and more arable 20% of the remaining

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3 Economic survey of Kenya, 2017  
4 National Climate Change Response Strategy 2010  
5 National Climate Change Action Plan 2013-2017
land area, in which over 70% of its human population lives. It is estimated that Kenya has 3.47 million ha of forest (indigenous forests, open woodlands, and plantations) and an additional 24.5 million ha of bush-land. Much of Kenya’s biodiversity and wildlife resources depend on forests, woodlands and dryland forest, being a major factor in attracting foreign tourism. It is also estimated that 530,000 forest-adjacent households (which amount to 2.9 million people living within 5 km from forests) derive direct benefits from indigenous closed canopy forests. This amounts to 10 per cent of Kenya’s population. A large rural population depends on woodland and bush resources to provide firewood, charcoal and other forest products that are critical to rural livelihoods.

The devolution process prompted by the 2010 Constitution has influenced the forest sector. The new Constitution requires that Kenya increases its total forest cover to 10% and gives strength to the Farm Forestry Rules under the Agriculture Act of 2009, requiring that 10% of farm land be set aside for the growing of trees. Also, per the Legal Notice No. 138 from August 2013 and within the Transition to Devolved Governments Act, Kenya’s Transition Authority has approved the transfer of functions regarding farm forest extension services, forests and game reserves formerly managed by local authorities to counties. This transfer to the counties management excludes forests managed by Kenya Forest Service, National Water Towers and private forests. The Kenya Forest Service (KFS) is charged with managing all State forests and with formulating policies and implementing guidelines and regulations regarding the sustainable management, conservation and utilization of all forest lands in the country.

KFS is a semi-autonomous agency under the Ministry of Environment and Natural Resources. KFS has administratively divided the country into ten ecological boundaries forming ten conservancies namely: North Eastern, Eastern, Ewaso North, Central Highlands, Nairobi, Coast, Mau, North Rift, Western and Nyanza. Of great importance, also are the five-critical water catchment forest mountainous areas, known as “water towers”, (Mt Kenya, Aberdare Ranges, Mau Complex, Cherangani Hills and Mount Elgon) located within four of the 10 conservancies. These catchment forests are classified as montane forests and serve as water catchments for several rivers draining into the major water bodies in Kenya and the East African Region.

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8 Devolution is at the heart of the new constitution and a key vehicle for addressing spatial inequities. The Constitution creates two levels of political authority: national and county. The two are to be —distinct and interdependent, engaging on the basis of consultation and cooperation. This means that county governments are not subordinate to the national government; they are equal partners before the Constitution.
9 The transfer applies if the responsibility for personnel emoluments related to the discharge of the devolved functions shall be managed by the national government for a period not exceeding six months or as shall be agreed upon between the two levels of government, whichever comes first.
10 The contribution of forests in water catchments is critical to Kenya’s rural and urban water supplies, and approximately 70% of power is hydro generated. (R-PP, 2010)
State of forest and causes of deforestation

Kenya loses about 12,000 hectares (ha) of forest each year through deforestation\textsuperscript{11}. About 12% of the land area which was originally covered by closed canopy forests had been reduced to a mere 1.7% of its original size, due to population pressure for settlements\textsuperscript{12}, infrastructure, demand for wood products and conversion to agriculture\textsuperscript{13}. Deforestation and degradation is evident in both the high elevation water towers, and in bush land in the arid and semi-arid lands areas.

Over the past three decades, large areas of forest reserves have been de-gazetted and officially converted to other uses, mainly agriculture. The remaining protected indigenous forests have been degraded by decades of logging, both legal and illegal, of valuable timber trees resulting in reduced carbon stocks and degraded biodiversity values. Forests on community trust lands under the control of local authorities (now under counties) continue to be degraded and destroyed through over-exploitation for timber, poles, charcoal\textsuperscript{14}, fuel wood, through unregulated grazing and clearance for agriculture; depicting what is commonly known as the “tragedy of the commons”.

The area of publicly owned plantations has progressively reduced from 150,000 ha in the early 1990s to 107,000 by 2011\textsuperscript{15} and so have large swaths and pockets of natural forests. Contrary to this, tree cover in farms either as isolated groves of woodlots and not subject to state regulation has increased. Similarly, on private plantations mainly owned by tea estates and companies there have been marginal increases in aggregate area. These trends are important to note and build on. These private forests are not subject to oversight by KFS except in cases of destruction or mismanagement, in which case they can be declared provisional forests and are temporarily brought under the jurisdiction of KFS.

Efforts to address deforestation

The country is exploring a wide range of options, including policy reforms and investments, to protect the existing forests and to substantially recover the forest ecosystems and the cover surface across the country. The Kenya Vision 2030, identifies forestry as one of the most important sector of the economy. The vision has made a commitment to protect the five main water towers and increase the forest cover to a minimum of 10% through an aggressive

\textsuperscript{11}2010 FAO State of the World’s Forests. The annual loss of 12,000 ha of forest results in a loss of approximately 1.6 million tons of carbon per year.
\textsuperscript{12}For example, many pastoral communities in drylands have changed their lifestyles becoming more sedentary. This has led to formation of more permanent settlements, and hence, more permanent grazing areas. Establishment of such permanent settlement has further increased demand for forest products, thereby exacerbating degradation of the dry land forests.
\textsuperscript{13}In all the regions of Kenya loss of cover caused by agricultural expansion occurs with variations as to whether such agricultural expansion is motivated by subsistence or the market economy.
\textsuperscript{14}Charcoal making is rampant because majority of Kenyans, especially those living in peri-urban and urban areas, heavily depend on charcoal as a source of energy for cooking and heating.
\textsuperscript{15}RPP, 2010.
afforestation, reforestation and forest restoration programme. The minimum 10% tree cover, is a constitutional requirement (art. 69(1)), that is specifically set out in the Constitution as a mechanism to ensure realization of the basic right to a clean and healthy environment.

The Forest Management and Conservation Act 2016 revised from the Forest Act 2005 came into force in 2007. This Act was a major milestone in the Government of Kenya’s (GoK) plan to establish a modern, enabling framework for sustainable forest management. Significant changes brought about by this Act are: the creation of the Kenya Forest Service; mechanisms for an enhanced role for communities such as Community Forest Associations (CFAs); incentives to promote sustainable use and management of forest resources, including recognition of the concept of Payment for Environmental Services (PES); stronger rules on de-gazettement or excisions of forest lands making the processes more transparent and consultative; management plan requirement for all gazetted forests ecosystems; among others.

Subsidiary legislation, which comprises the operating rules and regulations required to implement the Act effectively are currently at various stages of development. For example, the Forest Conservation and Management Act 2016, provides for fiscal and tax incentives to increase investments in the forest sector; it is expected that once such regulations are fully operationalized, it will enable establishment of initiatives such as National Community Forestry Programme, a National Afforestation Programme and a Permanent Forest Sink Initiative as proposed in the National Forest Programme 2016-2030.

The Amended Land Act 2016 and Community Land Act 2016 have also provided key guidance on forest governance. A new Land Policy has been approved and other forest regulations are in progress. This framework for forest governance is the result of almost two decades of planning and consultation that needs strengthening but paves the way for a new era in forest governance in Kenya.

Besides policy reforms, the government, private sector, development partners, local communities and civil society are making deliberate efforts to conserve and restore degraded forest areas throughout the country. The water catchment forests have received close attention due to their significance in soil, water and biodiversity conservation, in addition to amelioration of regional climatic conditions. Still many efforts remain to be done, which will be undertaken in part through the proposed grant.

2. NATIONAL REDD+ DEVELOPMENT

Kenya embarked on the process of REDD+ Readiness in 2008 by submission of the Project Idea Note – R-PIN) that outlined Kenya’s approach towards formulation of the REDD+ Readiness Preparation Proposal (R-PP). With support from the Forest Carbon Partnership Facility (FCPF) through the World Bank, the REDD+ Readiness Preparation Proposal (R-PP)\(^\text{16}\) was developed through an extensive consultation process and approved by the Participant Committee of the FCPF for implementation in 2010. It intends to achieve four goals: (i)

\(^{16}\) Kenya National REDD Readiness Plan (2010)
Table 1. Drivers of deforestation and forest degradation

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>DIRECT DRIVERS</th>
<th>INDIRECT DRIVERS</th>
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</table>

realization of Constitutional and vision 2030 objectives of increasing forest cover to a minimum of 10%; (ii) supporting government’s efforts in designing policies and measures to protect and improve its remaining forest resources (iii) realization of the National Climate Change Response Strategy goals; and, (iv) contributing to global climate change mitigation and adaptation efforts.

The R-PP provided a detailed assessment of the forest sector and the policy, social and legal framework that currently drive activities in this resource. It presents various components that propose:

- four strategy priority areas and actions to design and test REDD+ measures that have emerged from the R-PP formulation process as options for Kenya’s forest carbon emission management strategy;
- a management and consultation approach that will underlie all activities in the upcoming R-PP implementation phase, and recommends some legal, economic and financial arrangements for subsequent REDD+ implementation;
- an approach to design Kenya’s carbon emissions reference scenario and the means for monitoring these emissions; and
- an approach to assess and subsequently monitor social and environmental impacts from the REDD+ strategies and an overall REDD+ programme monitoring mechanism.

The R-PP presented a 3-year roadmap for elaboration of a National REDD+ strategy and implementation framework that includes activities that mitigate emissions, eligible for international finance and in-line with national economic, social and environmental priorities. The R-PP contains an assessment of the drivers of deforestation and forest degradation, terms of reference for defining their emissions reference level based on past emission rates and future emissions estimates, establishing a monitoring, reporting and verification system for REDD+, adopting or complementing their national REDD+ strategy, and actions for integrating environmental and social considerations into the REDD+ Readiness process, including the national REDD+ strategy. These elements of the R-PP are still relevant and will be taken forward through to the new Project Document for REDD+ Work.

The R-PP identified conversion of forest land to agriculture, settlements and other developments; charcoal production and use; unsustainable utilization of forest resources, weak forest governance and forest fires as the key drivers of deforestation and forest degradation.

Table 1 below shows a list of identified direct and indirect drivers of deforestation:
<table>
<thead>
<tr>
<th>GOVERNANCE DRIVERS</th>
<th>De-gazetting forest lands (Note this was an important driver of deforestation in the past although it is now addressed through the Forest Act 2005)</th>
<th>Poor governance, including weak institutions, corruption, illegal logging, weak law enforcement. Weak community participation in forest management Inadequate benefit sharing from forest resources (including revenue sharing) Local authorities do not value their forests Communal land systems - lack of private ownership of the resources/land Unclear tenure and access to forest resources (e.g. Local Authority forests)</th>
</tr>
</thead>
<tbody>
<tr>
<td>POLICY DRIVERS</td>
<td>Allowing grazing in forest reserves during droughts causes degradation Banning Taungya system has slowed reforestation Unsuccessful administration of the Taungya system</td>
<td>Agricultural policies urging farmers to produce more cash crops for export The focus on gazetted forests has led to reduced attention on dry land woodlands and other types of forests including coast and riparian forests Harvesting ban in plantation forests</td>
</tr>
<tr>
<td>OTHER GOK POLICIES</td>
<td></td>
<td>Inadequate of integration of the forest sector into the economy and national accounting</td>
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<tr>
<td>ECONOMIC DRIVERS</td>
<td>Poverty (broad issue - focus on livelihoods) Reliance on charcoal fuel / Unsustainable charcoal production/large urban market for charcoal fuel Conversion of trust land woodland to agricultural use for large-scale commercial production of biofuel crops or other agricultural crops Population pressures causing clearing (Competing land uses), including agricultural expansion Conversion of coastal forest to other uses</td>
<td>High prices for agricultural products. Subsidies/Incentives- tax exemption for fertilizers, for farming tractors Fixing timber prices at too low levels</td>
</tr>
<tr>
<td>TECHNOLOGY DRIVERS</td>
<td>Lack of knowledge and use of appropriate technology in tree growing, and nurseries production Lack of knowledge by the population about impacts of deforestation Lack of knowledge on tree planting and lack of access to information (ref. Uganda success in tree planting partly due to provision of good extension information) Improved saw milling technology</td>
<td>Lack of security of supply of timber to the sawmilling industry (low investment in timber processing technology, poor timber conversion ratios)</td>
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<tr>
<td>CULTURAL DRIVERS</td>
<td></td>
<td>The cultural urge to own land</td>
</tr>
</tbody>
</table>
2A. IMPLEMENTATION OF THE R-PP AND OTHER COMPLEMENTARY WORK ON REDD+

Since endorsement of the R-PP by the Participant Committee of the FCPF in 2010, its full implementation has stalled due to issues explained in other parts of this Assessment Note. Notwithstanding, the Government of Kenya has made good progress on the analytical work that would be relevant for advancing REDD readiness activities that would have otherwise been funded through FCPF support. Thus, activities that were to be funded by the FCPF grant, were supplemented and supported by other multilateral and bilateral donors and agencies including Australia, Finland, Japan, the UN-REDD Programme, USAID, and others, who have joined in the interest and commitment towards Kenya’s readiness process for REDD+ and the quest for the sustainable management of forests in the country.

In addition to FCPF, Kenya joined the UN-REDD Programme as a partner country in February 2010 and received financial and technical support from UN-REDD through the targeted support\(^\text{17}\) modality from 2012. Through this support, the following analytical studies have been undertaken; REDD+ governance dimensions\(^\text{18}\), a corruption risks assessment for REDD+\(^\text{19}\), scoping of carbon rights and benefit-sharing dimensions\(^\text{20}\), assessment of legal preparedness for REDD+\(^\text{21}\), the assessment of the forest sector and its contribution to the green economy\(^\text{22}\), Stakeholders Engagement and Free Prior and Informed Consent Guidelines and associated tool kits and a charcoal chain value analysis among others. In addition, the country has developed a roadmap for the design and establishment of a Forest Reference Level (FRL) and a national forest monitoring system (NFMS) through a consultative process. The process of establishing the FRL and NFMS has commenced with support from the Government of Japan.

A more detailed assessment of the drivers of deforestation was conducted in 2013 and provided more clarity in terms of where within the country these drivers operate and thus be able to recommend specific sub-national approaches and interventions to address them in

\(^{17}\) Funding to Kenya from the UN-REDD Programme began in 2012 to date through three targeted support amounts for just under US$ 1 million

\(^{18}\) Stakeholder Engagement Guidelines, and FPIC Guidelines draft documents

\(^{19}\) A Corruption Risk assessment for REDD+ in Kenya (link to document [here](#))

\(^{20}\) Kenya Carbon Rights and Benefit Sharing for REDD+ (link to document [here](#))

\(^{21}\) assessment of Kenya’s legal preparedness for REDD+, led by FAO with significant contributions from UNDP

\(^{22}\) The Role and Contribution of Montane Forests and Related Ecosystem Services to the Kenyan Economy led by UNEP
line with the devolved system of government as informed by the Constitution\textsuperscript{23}. The Study aimed to: (i) identify the critical drivers (both direct and underlying) of deforestation and forest degradation and assess their significance with reference to major forest types in the country\textsuperscript{24}; and (ii) provide strategic options and develop a set of indicators that can be used to monitor progress to address the identified drivers of deforestation and degradation. The study also sought to establish an indicative framework for policy and institutional reform required to improve existing practices for conservation and sustainable management of forests in the various regions. The following points illustrates the summary findings:

- Agricultural expansion, harvesting or extraction of wood for charcoal, fire wood were the most dominant direct drivers of forest cover loss in Kenya. At present, extraction of wood for charcoal and firewood are pre-dominant, particularly in the arid and semi-arid woodlands.

- The various regions of Kenya generally experience the same direct drivers of deforestation and forest degradation, but on closer examination, the underlying drivers differ in nature and even intensity. The study provides detailed regional information based on selected case studies.

- Irrespective of the regions, the indirect or underlying drivers identified were: poor governance and unwritten policies (particularly underlying the officially sanctioned but ill-advised excisions of gazetted forests in the Mau Forest Complex conducted before 2001 when the Forest Act could not prevent it, weak enforcement, and local political interference, industrial demand for fuel wood (heavily influenced by high costs of electricity); increase in commodity prices (including charcoal); costs of alternative energy sources; population pressure (causing encroachment of various forest blocks as well as increase demand for fuel wood and charcoal); insecurity (which has forced people to live closer to forest areas hiding bandits and attackers); increased sedentarization (with a shift from pure pastoralism to mixed crop and livestock production); rural poverty; and, infrastructure.

\textsuperscript{23}The identification, analysis and description of drivers, is a critical element in any national REDD+ strategy, but it has its own challenges and opportunities. Some of the greatest drivers of change are from outside the forest sector and there is no tradition of monitoring them or discussing them in the past, hence new skills are needed. Also, the identification of underlying causes is one thing, estimating their likely effects is yet another challenge for which there is no standard approach. The drivers of deforestation and forest degradation tend to vary in type and magnitude from one forest area to another within a given location, so any general statement on drivers may not be advisable because of the geographical variations.

\textsuperscript{24}The forest types are: (i) The high mountains and high ranges: Elgon, Kenya, Aberdares, Cherangani and Mau; (ii) Western plateau: Kabarnet, Kakamega, Nandi – Trans – Mara; (iii) Northern mountains: Ndotos, Mathews, Leroghi, Kulal, Marsabit; (iv) Coastal forests: Arabuko – Sokoke, Tana, Kayas, coral rag and mangrove forests; (v) Southern hills: Taita Hills, Kasigau, Shimba Hills, Chyulu Hills, Nguruman; (vi) Riverine forests: Tana and tributaries, Ewaso – Ngiro, Kerio, Turkwell, Galana; (vii) Lowland plains of Northern and North Eastern Kenya.
• Given the fact that the same driver of deforestation and degradation may have different underlying causes depending on the region within Kenya, the study suggested that any future REDD+ Strategy recognize those differences and recommend mitigation strategies that take those differences into account.

Implementation of the relatively recent set of the policy, legal and regulatory (PLR) framework around natural resource management described above are yet to be fully embraced by communities living in public forest. These communities who identify themselves as indigenous peoples and identified by the Constitution as part of marginalized communities have not endorsed the Community Forest Association model proposed by the Forest Management and Conservation Act. These communities have been demanding historical land tenure injustices be addressed and respected in relation to their rights as hunter or gatherer communities. As result of this, Kenya has witnessed a seven-year delay in implementation of the R-PP. The main reason for delay is the suspension of World Bank activities since 2015 in the broader natural resource management sector, which was triggered by complaints of alleged eviction of communities from Cherengany forest area and the subsequent Inspection Panel Assessment that ensued. The Panel recommended a dialogue between the Government and indigenous people25.

The activities proposed in this assessment note can draw on lessons learned from previous projects such as the World Bank supported Natural Resources Management Project (NRMP) implemented from 2007 to 2013 with the objective of enhancing the institutional capacity to manage water and forest resources, reduce the incidence and severity of water shocks, such as drought, floods and water shortage in river catchments and improve the livelihoods of communities in the co-management of water and forest resources.

Key lesson learned throughout the process of developing this assessment note and consultations conducted, is the need for recognition of existing challenges particularly regarding land tenure issues and forest dwelling marginalized communities (forest indigenous people). While recognizing that historical land issues cannot be solved by a project with limited resources and timelines such as this, the REDD+ process present an opportunity for laying a platform for a dialogue process that forest communities have been asking for in line with issues that bear on REDD+. Doing so calls for partnership with the National Land Commission and an Indigenous People Organization to lead the dialogue on historical land injustices and capacity building of indigenous people to enable them engage in the dialogue respectively. It is recommended that, part of the grant resources be allocated towards a national dialogue process to be led by the National Land Commission. This is because, as long as the issues raised by the forest indigenous people remain unattended to, REDD+ readiness and its implementation as well as overall investments into the forestry sector would remain a challenge in the long-term.

At a regional scale, the project will also benefit from other REDD+ processes led by UNDP in such countries as Ethiopia, Democratic Republic of Congo (DRC), Ghana, Nigeria, Zambia and

25 The latest progress report of all the actions that were agreed to by the stakeholders is found here
such initiatives in Africa such as the community based REDD+ and the Central Africa Forest Initiative.

**2B. INSTITUTIONAL CONTEXT OF REDD+ IN KENYA**

The Ministry of Environment and Natural Resources (MENR) is responsible for overall coordination of environment, climate change and natural resources (including forests) management matters. It hosts the UNFCCC Focal Point, functions and has established a Climate Change Directorate to coordinate national climate change-related activities and reporting to UNFCCC. The Ministry is also the focal point for the Convention on Biological Diversity CBD, United Nations Convention to Combat Desertification (UNCCD) and Global Environmental Facility (GEF)\textsuperscript{26}.

The R-PP proposed establishment of an apex body for REDD+ management as the National Steering Committee. The Steering Committee has been established and is chaired by the Principal Secretary in the MENR. The following are the terms of reference:

i. Policy guidance on overall implementation of REDD+ Readiness activities

ii. Support to National coordination of inter/intra-sectoral REDD+ initiatives including establishment of Technical and Thematic Working Groups

iii. Ensuring REDD+ initiatives respond to stated objectives including increased forest cover and climate change mitigation

iv. Approval of REDD+ work plans and budgets

v. Resource mobilization to support Readiness activities

vi. Assurance of timely delivery of a national REDD+ strategy, national reference emission level and an effective MRV and monitoring system

vii. Monitoring and evaluation of various activities

viii. Quality control of REDD+ preparedness outputs

ix. Provide mechanism for International collaboration with other REDD+ processes.

The Steering Committee membership\textsuperscript{27} was composed of Permanent Secretaries from the Ministries of Environment and Mineral Resources, Agriculture, Energy, Local Government, Planning, Finance, the Directors of KFS, Kenya Forestry Research Institute and National Environmental Management Agency, National Land commission, the Gender Commission, IUCN, WWF, Kenya Forest Working Group, Representatives of Indigenous forest peoples and The National Alliance of Community Forest Associations (NACOFA), a representative from Universities. Since 2010, several legislative developments have taken place in the country, including the promulgation of a new constitution, changes in ministries and a devolved system of governance in place. To implement this grant, the Steering Committee will be reconstituted to reflect the changes and would include indigenous people’s representatives.

\textsuperscript{26} The Ministry has its own accounting officer giving it powers and privileges to operate independently. The structure includes a cabinet secretary, a principal secretary who is the accounting officer, departments at the headquarters, Kenya Forest Service, Kenya Wildlife Service, Kenya Forest Research Institute, county departments and sub county departments.

\textsuperscript{27} This Steering Committee has not met since the suspension of the FCPF funding, since then there have been Constitutional and legislations changes in the country leading to merging of some ministries. In the implementation of this project the Steering Committee will be reconstituted to lay the functions envisioned by the RPP and play oversight over the implementation of this Grant.
The Steering Committee had earlier approved the establishment of a National Technical Working Group (TWG) and six thematic working groups to drive the REDD+ implementation process:

1. Governance, Policy and Institutional Working Group
2. REDD+ Strategy Development Working Group
3. Safeguards Information System and SESA Working Group
4. MRV and Monitoring System Working Group
5. Financing and Benefit Sharing Working Group
6. Communication and Stakeholder Engagement Working Group

In addition, four thematic Working Groups on: 1) social environmental strategic assessment, 2) consultation and participation, 3) monitoring reporting and verification (MRV); and 4) an anti-corruption taskforce was established. All these working groups are composed of representatives from all stakeholder groups, including government ministries and specialized agencies, civil society, forest dependent communities, marginalized groups and the private sector. The necessary adjustments may be made to these Working Groups during the project design and implementation.

A REDD+ Coordination Office has been established under the MENR. The office is led by a National REDD+ Coordinator. The office works closely with the Climate Change Directorate and climate change focal points in line ministries (Treasury, Agriculture, Energy, Land, Planning) and line agencies. Further, the R-PP proposes establishment of taskforces comprising experts to address specific areas and themes during REDD+ strategy development process. In addition, and in line with administrative structures of forest management, the ten local conservancies will be engaged in the REDD+ strategy development process.

The following is the proposed structure in the R-PP for REDD+ management in the country.
While the R-PP identified KFS to house the Coordination Office for REDD+ during the R-PP development process, and this has been the case since 2010, drawing from lessons learnt and consultations with stakeholders and legislative developments made in the country since 2010, it is proposed that coordination of REDD+ be located at the Ministry of Environment and Natural Resources. This will enable the Ministry to leverage trust and efforts of other government institutions including other line ministries and independent commissions. In addition, this will encourage and community support from especially the forest marginalized communities.

It is proposed that, for communities to support a REDD+ process in the country, the REDD+ process should also involve the National Land commission (NLC). This Commission has the constitutional mandate to coordinate and address historical land injustices and management of natural resources including all natural forests. This is one of the major issues raised by communities and government institutions. It is attributed to cause the delay in REDD+ readiness and implementation and has affected other forest conservation programmes in the country including the EU funded Water Programme.

Other institutions to be involved in REDD+ readiness and implementation include the Gender and Equality Commission, Ethics and Anti-Corruption Commission, the National Museums,
Kenya Wildlife Service (KWS) and other line ministries that contribute to the identified drivers of deforestation and degradation. The National Environment Management Agency has a compliance and enforcement role, under the Climate Change Act, including enforcement of any rules on Greenhouse Gas Emissions.

2C. Linkages Between REDD+ and Climate Change Governance

A National Climate Change Response Strategy, 2010 (NCCRS) was developed to allow for coordinated and cross-cutting efforts to address the challenges of climate change in the country. The NCCRS proposed establishment of a Climate Change Secretariat within the Ministry of Environment and Natural Resources to be responsible for coordination of all climate change activities. After the writing of the R-PP in 2010, the Climate Change Action Plan 2013-2017 and Climate Change Act 2016 have been adopted and enacted. The Climate Change Act 2016 established the following:

a. National Climate Change Council
The National Climate Change Council (NCCC), is chaired by the President, and comprises the Deputy President (Vice-Chair); strategic Cabinet Secretaries (Treasury, Energy, Planning, Agriculture, Environment); Council of Governors, and representatives from academia (research and teaching), private sector, civil society, and marginalized communities. The key function of the NCCC is to provide political convening power that allows for sensitive climate change issues to be considered at the highest level of government, and their mainstreaming into various sectors. In addition, the NCCC has the role of identifying the strategic priorities for application of the Climate Change Fund, and approval of the National Climate Change Action Plan (NCCAP).

With respect to the Council, at the time of writing this Assessment Note, the process of appointment of members of the NCCC drawn from outside of government is underway, with vetting by both Houses of Parliament. Key to this is that, in its first meeting (expected to be after the August national elections), the NCCC will have the opportunity to make critical policy decisions on strategic climate change focus areas which the country can focus on for a defined period.

b. Climate Change Directorate
A Climate Change Directorate was created within the State Department responsible for climate change, with a role to undertake all technical coordination, and support the Cabinet Secretary in the implementation of the Climate Change Act. The Directorate is a successor to the Climate Change Secretariat, and will serve as the technical secretariat for the Council.

c. County governments
There is a statutory requirement for each County government to further mainstream priorities from the NCCAP through the County Integrated Development Plan (CIDP)28. A CIDP is a planning tool required by the 2012 County Governments Act, which guides County

28 A CIDP is a planning tool required by the 2012 County Governments Act, which guides county governments in setting out priorities in a coherent sense across all their functions, including spatial planning, and budgeting.
Governments in setting out priorities in a coherent sense across all their functions, including spatial planning, and budgeting. Thus, the Climate Change Act has designed the mainstreaming system to utilize existing County government administrative mechanisms. It is envisaged that the CIPD’s will play an important role in the REDD+ readiness process.

The County Governments play a key role in management of community forests that were previously under the County councils, as well as implementation of the Transition Implementation Plans (TIPs). The REDD+ readiness process should therefore be positioned to be integrated into the national climate change agenda and reinforce all activities and future sector engagements.

**2D. REDD+ AND CONTRIBUTION TO CLIMATE CHANGE**

The National Climate Change Action Plan 2013-2017’s low carbon analysis is important to a situational analysis for REDD+ readiness in Kenya. This analysis demonstrated that mitigation actions can contribute to low-carbon pathways in the six sectors set out in the UNFCCC: energy, transport, industry, agriculture, forestry and waste. The first step in the assessment was the development of a comprehensive greenhouse gas inventory for 2000 to 2010. Emissions were then projected out to 2030 to form the reference case, with emissions increasing from 59 million tonnes of carbon dioxide equivalent (MtCO2e) in 2010 to 102 MtCO2e in 2030. This reference case formed the baseline against which abatement potential was estimated for the potential mitigation sectors. In the reference case, emissions increase up to 2030 in all sectors but forestry, which decline after 2020 due to reduced clearing of forests and an increase in the size and number of trees, a result of tree-planting programmes and reduced wood harvesting.

The conclusion drawn by the NCCAP was that low carbon development actions in the forestry sector have the potential to abate an additional 40 MtCO2e per year in 2030 compared to the baseline, with emissions declines expected after 2020 due to the reduced clearing of forests and increases in the number and size of trees, a result of tree-planting programmes and a reduced projection in wood harvesting. Per the NCCAP, and echoed by the 2015 Second National Communication (SNC),\(^\text{29}\) the most significant abatement potential can be achieved through restoration of forests on degraded lands. Thus, abatement potential of 32.6 MtCO2e per year by 2030 is likely through conservation and sustainable forest management interventions. Restoration of degraded forests has an abatement potential of 6.1 MtCO2e per year by 2030, and reducing deforestation and forest degradation potentially can abate 1.6 MtCO2e per year by 2030\(^\text{30}\). The SNC emphasizes that Kenya is working to address these


challenges, including the development of a National Strategy for Reducing Emissions from Deforestation and Forest Degradation and fostering conservation, sustainable management of forests, and enhancement of forest carbon stocks (REDD+)\textsuperscript{32}. Thus, according to the SNC, the REDD+ Strategy will seek to incentivize activities to help meet the minimum 10% tree cover goal of the Constitution and Vision 2030.

Therefore, REDD+ activities undertaken in context of the National REDD+ Strategy in the period after 2020 (when a National REDD+ Strategy is expected to be complete) could enhance the abatement potential further by 2030 considering the targets set out by Kenya’s Intended Nationally Determined Contribution (INDC) submission of 23 July 2015 to the UNFCCC Secretariat. In the INDC, Kenya seeks to abate its GHG emissions by 30% by 2030 relative to the BAU scenario of 143 MtCO\textsubscript{2}eq; and in line with its sustainable development agenda.\textsuperscript{33} The mitigation priorities relevant to forestry including making progress towards achieving a tree cover of at least 10% of the land area of Kenya, and enhancing clean energy technologies to reduce overreliance on wood fuels.\textsuperscript{34}

3. KENYA’S REDD+ PROJECT
The following section describes the proposed project concept.

3A. PROJECT CONTEXT
The proposed project goal is to contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change building on the work described above.

Overall, activities involve carrying out consultative qualitative and quantitative analysis of the different options including those that have already been outlined in the R-PP (see the results framework) to produce by 2020, a comprehensive National REDD+ Strategy with an accompanying implementation and investment plan. The total budget for REDD+ readiness preparation as identified by the R-PP is US$9,702,500. The FCPF grant of US$3,600,000 will support Kenya in carrying out some of the key activities outlined in the R-PP to advance its national capacity for REDD+.

The grant will build on REDD+ support to the Government by UNDP, the UN-REDD programme and other development partners and stakeholders that have been instrumental in advancing some of the analytical studies, capacity building programmes and policy support proposed in the Readiness Preparation Proposal. In addition, it will build on other

\textsuperscript{34} Kenya (2015) Intended Nationally Determined Contribution (INDC), Ministry of Environment and Natural Resources, p. 2.
initiatives such as the Systems for Land Based Emissions in Kenya (SLEEK-supported by the Australia and the Clinton Foundation) and the National Forest Programme (supported by Finland) – that have been implemented in the country since the approval of the R-PP.

In recognition of lessons learnt on the REDD+ process in the country to date, in consultation with different stakeholders, recognizing existing tension between the government and forest marginalized communities (indigenous peoples), and lessons from different development partner, the following outcomes are proposed and will be further developed and validated in the Project document development process:

- Outcome 1: REDD+ national strategy,
- Outcome 2: Investment plan for the REDD+ Strategy,
- Outcome 3: Capacities in place for effective and efficient implementation with full participation of all stakeholders,
- Outcome 4: Technical advisory support to refine the forest reference emission level and MRV system as per the requirements for REDD+.

The project would build on some of the work already undertaken during the R-PP stage. Notably, the candidate REDD+ strategies to address drivers of deforestation and forest degradation.

The R-PP suggested a series of priority REDD+ strategies\(^\text{35}\). The candidate strategies involve activities related to reducing emissions from deforestation and forest degradation as well as activities that increase CO\(_2\) removals such as improved forest management and enhancement of forest carbon stocks. These strategies were further analyzed in the 2013 study and will be further developed through the Project.

| Table 2. REDD+ Strategy options for addressing key drivers of deforestation and forest degradation |
|-------------------------------------------------|-------------------------------------------------|-------------------------------------------------|
| SECTOR | DRIVER | PROPOSED REDD+ STRATEGY OPTIONS | EXPECTED BENEFITS |
| AGRICULTURE | Agricultural Expansion | • Improved agricultural policies to respond to environmental concerns | • Reduced emissions through reduced conversion of forest lands |

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\(^{35}\) The REDD+ Strategies or Candidates refer to various policies, measures and actions taken by public and private actors for reducing emissions and increasing removals of CO\(_2\) in the land use sector. They can involve modifications or improvements to existing policies, development of new policy measures and programmes, investments by authorities in the capacities and management structures of their respective institutions, and financial incentives and instruments that induce a change in behavior. Other measures that are important foundations for the successful implementation of REDD+ strategies include awareness raising and support to communities, private forest owners and forest industries to enable and encourage them to engage in REDD+ activities. Overall, candidate strategies include interventions that will have both direct and indirect impacts on deforestation and degradation.
| FOREST | Unsustainable Wood Extraction  
• Firewood  
• Charcoal  
• Timber  
• Poles | Implementation of Farm Forestry regulations to supply firewood for domestic use and market  
• Develop protocols for sustainable woodland management  
• Implement Charcoal regulations, and enforce sustainable charcoal production policies and procedures for suppliers  
• Promotion of efficient charcoal making technology aimed at reducing waste and associated pollution  
• Promote energy efficiency in firewood use  
• Promote creation of woodlots and local treatment plants for durable fencing posts  
• Create new plantations in marginal areas and in places such as the Counties in the Coast  
• Promote Sustainable Forest management practices  
• Supporting alternative income generating activities among forest adjacent communities including forest-based enterprises targeting non-wood forest products  
• Sustainable supply of poles and wood for energy reduces net emissions  
• Energy efficiency reduces emissions and can have significant impacts on emissions if implemented in urban areas –  
• Increased incomes to local communities  
• Increased carbon sequestration and protection of water catchments  
• Reduced emissions from communal woodland  
• Increased mitigation from afforestation and reforestation |
| Fires  
• Use of fire for agricultural expansion  
• Wildfires | Develop fire management policies and protocols particularly in the Water Towers and Dry Woodlands  
Promotion of improved fire management in coordination with agriculture and livestock sectors,  
• Reduced emissions from unnecessary fires |
<table>
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<tr>
<th>Wildlife Damage</th>
<th>Forest Governance Issues and capacity constraints</th>
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| • Creation of wildlife corridors to enable dispersal (e.g. Simba Hills and Tsavo)  
• Trans-location of animals from overstocked areas (already done in Shimba Hills)  
• Use other approved population control methods | • Ease in the de-proclamation of forest lands  
• Weak institutional capacity for law enforcement. And monitoring of forest resources  
• Unclear tree and land tenure in un-adjudicated lands  
• Corruption  
• Highly centralized governance structure in the past |
| • Reduces risk of biodiversity loss  
• Reduces emissions from decaying vegetation  
• Reduces human-wildlife conflict | • Develop a clear strategy paper to implement the Constitutional Provision for increase in forest cover  
Implement new Forestry and conservation Act 2016 (Preparation and validation of legislations, rules, regulations and guidelines required to implement the Act)  
• Create awareness and empower County Governments to implement the Constitution and Forest Act  
• Devolution of responsibility to County Governments, development of competent Community Forestry Associations (CFAs)  
• Propose incentives for afforestation / reforestation  
• Strengthen national capacity for FLEG (through advocacy, training and awareness creation) for forest law enforcement and governance  
• Clear benefit sharing guidelines for joint management of forests & woodlands  
• Undertake consultations to clarify the access and user rights of forest areas  
• Strengthen the participatory system for Monitoring and tracking of illegal logging and other forest crimes, and forest resources  
• Participatory development of forest management targets for selected key counties  
• Promote greater focus on management of trees, forests and |
| • Enabling environment for the promotion of sustainable forest management practices at all levels of government and within community  
Improved management of water towers or catchments  
• Reduced emissions from communal woodland  
• Increased supply of wood from afforestation and reforestation areas to meet domestic needs  
• Elimination and/or significant reduction in excisions of forest lands  
• Increased forest cover to meet constitutional target  
• Increased skills levels in Community Forestry Associations  
• More competent County Governments  
• Participatory community monitoring of resources |
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<th>MINING</th>
<th>INFRASTRUCTURE</th>
<th>ENERGY</th>
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| • Diversion of forest land for mining  
• National Development, International demand for valuable industrial minerals (titanium, niobium, rare earths etc.)  
• Oil and Gas extraction | • Legitimate development needs to provide housing, transport services  
• Creation of Regional Transport Corridors – Ethiopia, South Sudan, Uganda, Rwanda & Eastern DRC | • Urban Demand for biomass fuels (domestic and industrial)  
• Prohibitive prices of electric power and gas for domestic and industry use |
| • Implement Mitigation Actions in line with Environmental Impact Assessments  
• Develop a national system for mines to offset deforestation by funding afforestation / reforestation – mining offsets | • Identify likely environmental impacts of infrastructure projects and design mitigation strategies – restricted extractions, sustainable management policies, planning of settlement areas | • Promote policy dialogue with energy sector to understand and appreciate how pricing policies for energy damage the environment  
• Under REDD+ create a permanent forestry-energy policy forum  
• Demonstrate the benefits of forest management to energy production – application of the payment for ecosystem services (PES) concept  
• Develop and propose price incentives to increase use of electricity and gas in urban centers and industry  
• Develop rules for use of biomass fuels by industry |
| • Income from mining will be environmentally responsible  
• Creates and demands greater Corporate Social and Environmental Responsibility | | • Increases consumption of cleaner energy  
• Promotes protection of water towers for multiple use  
• Creates more awareness in the energy sector and implementation of PES |

woodlands outside forest reserves  
• Awareness and advocacy activities among farming communities, and the wider public on the impacts of forest clearance/degredation
3B. PROPOSED PROJECT RESULTS FRAMEWORK

The FCPF funding will contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

The REDD+ Readiness Results Framework for REDD+ Readiness in Kenya is summarized in Table 3 below.
Proposed Project Results Framework

**Table 3: Proposed Project Results Framework**

Based on stakeholder engagement and studies conducted, the following results framework is proposed. It is to be noted that it will be further developed and refined in the Project Document through the participatory project development process. A description of the activities follow the Table.

**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

<table>
<thead>
<tr>
<th>OVERALL OBJECTIVE</th>
<th>Activities</th>
<th>INDICATOR</th>
<th>BASELINE</th>
<th>TARGET END OF PROJECT</th>
<th>SOURCE OF VERIFICATION</th>
</tr>
</thead>
</table>
| By 2020 Kenya will have developed a comprehensive National REDD+ Strategy with an accompanying Implementation and Investment Plan | • Formulation of the National REDD+ Strategy through participatory processes  
• Formulation of an Implementation plan as part of REDD+ strategy development through participatory processes  
• Formulation of an Investment Plan through participatory processes | A National REDD+ Strategy, with Implementation Plan and Investment Plan in place | • No REDD+ Strategy in place  
• No Investment Plan in place | By the end of 2020 Kenya has prepared all elements required to be eligible for results-based payments under the Warsaw Framework | • Submissions to the UNFCCC through National Communications and on the REDD+ Information Hub  
• Annual reports / BUR  
• End of Programme evaluation  
• UN-REDD mission reports  
• FCPF assessment reports  
• Official correspondence |

**OUTCOME 1: National REDD+**

<table>
<thead>
<tr>
<th>Activities</th>
<th>INDICATOR</th>
<th>BASELINE</th>
<th>TARGET END OF PROJECT</th>
<th>SOURCE OF VERIFICATION</th>
</tr>
</thead>
</table>
| • Analytical work to inform REDD+ Strategy Options conducted                | • Number of analytical reports prepared as a REDD+ strategy | • No National REDD+ strategy                                           | • Stakeholders have a common  
• REDD+ Strategy Document  
• UNDP reports to                                                            |                         |
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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</tr>
</thead>
</table>
| **Strategy**      | • Multi-stakeholder consultative meetings including high level dialogue on a REDD+ strategy and its contribution to attainment of Vision 2030 objectives  
• Formulate and facilitate endorsement of REDD+ Strategy | contribution to the strategy development process  
• Issues and options report drafted  
• National REDD+ Strategy Formulated  
• Number of stakeholders (disaggregated by men and women) consulted on the strategy  
• Number of consultative meetings held including with forest dependent communities | prepared | vision for Kenya’s REDD+ Initiative.  
• By end-2020 the National REDD+ Strategy for Kenya is completed and endorsed by Stakeholders | Government of Kenya (GOK) and the FCPF  
• Annual reports / BUR  
• End of Programme evaluation  
• UN-REDD mission reports  
• Official correspondence |

| **Output 1.1**  
Analytical work for REDD+ Strategy Options conducted | • Review work done on drivers of deforestation and forest degradation to reflect forest cover change analysis, land use, land use change, changes  
• Assess implications of updates in forest and | Number of Policy actions and measures identified as viable options  
• Drivers of Deforestation Study conducted in 2013  
• Recent extensive changes in | Identification of up to five clear outcomes and associated policies and measures to address deforestation, | • Technical reports on analytical works  
• Technical reports on analytical works  
• Annual reports / BUR  
• End of Programme evaluation |
**Goal:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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<td>forest-related Policy, Legal and Regulatory (PLR) framework. • Review institutional arrangements relevant to REDD+ implementation • Identification of PLRs that can contribute to and support REDD+ Implementation • Cost/Benefit analysis and prioritization of strategy options. • Social and Environmental Risk assessment of REDD+ options (through a SESA/ESMF) • Assessment of alternative livelihood options that will contribute to reduction of deforestation and forest degradation • Gender assessment of REDD+ options</td>
<td>PLRS between 2013-2016 not integrated in assessment reports • No targeted policy work undertaken to identify high impact points of entry for REDD+ policy and project level activities</td>
<td>forest degradation as well as the + part of REDD+</td>
<td>• UN-REDD mission reports • Official correspondence</td>
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**Output 1.2:**
Private sector role and engagement in REDD+

• Private sector mapping and identification of key actors, challenges and opportunities for participating in REDD+ (Identify main private

• Innovative systems identified to incentivize the private sector in context of a

• Private sector not engaged in the Kenya REDD+ Initiative.

• By 2020 key areas of engagement with relevant private sector groups

assessment reports
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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<td>characterized, assessed and proposed</td>
<td>sector groups and entry points) • Assessment of incentives mechanism including fiscal incentives, tools and systems to enhance private sector participation in REDD+ • Value chain analysis of key sectors with potential to achieve REDD+ • Develop strategy/innovative systems/models/initiatives for private sector engagement • Dialogue with the private sector on the engagement in REDD+ organized</td>
<td>defined REDD+ theory of change from Business as Usual (BAU) to GHG abatement and co-benefits • Critical agriculture value chains identified as well as other supply chains that rely on natural resources or linked to natural resources and recommendation proposed on how private sector actors can be innovate or incentivized to support transformative land and forest resources management</td>
<td>identified</td>
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**Output 1.3: National Safeguards**
• Roadmap for Kenya’s approach to addressing and respecting UNFCCC
• REDD+ Strategy options incorporate

New Environment and social

• By 2020, FPIC trials, SESA, ESMF
• Social and Environmental Screening report
• Technical reports on SESA,
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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| Framework developed, including design of a Safeguards Information System (SIS)   | and UNDP safeguard requirements  
• Undertake a participatory Social and Environmental Strategic assessment of the REDD+ options (PAMs) with an Environmental and Social Management Framework as an output  
• Design a Safeguard Information System, identify objectives and functions.  
• Set up a Feedback and Grievance Redress Mechanism for REDD+ (including a project level mechanism for interim use) | social and environmental risks and mitigation measures and are refined accordingly  
• SESA / ESMF reports prepared  
• A SIS is designed considering International best practice and national context  
• Interim GRM functional  
• National GRM designed | safeguards in 2015 revisions to Environmenta l Management and Coordination Act (EMCA) in Kenya | completed and reported on FCPF/UNDP website  
• By 2020 SIS and GRM design and functions determined, institutional arrangements finalized and data sources established. | FPIC field trials, and SIS and GRM reports.  
• ESMF on FCPF website  
• Institutional home for SIS and GRM identified |

**Output 1.4:** Institutional Framework for REDD+ policies and measures

• Assessment of opportunities for women, youth and other vulnerable and marginalized group’s participation in proposed investment options  
• Assessment of institutional mandates to identify incoherence, areas of complementarity  
• Implementation framework for REDD+ Strategy developed  
• Assessment report available | No work on this is available | • By end-2020 a National REDD+ Strategy which identifies how REDD+ policies and measures will be implemented | Technical reports on analytical works  
• Annual reports  
• End of Programme evaluation  
• UN-REDD mission reports  
• Official correspondence |
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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<td>and opportunities for implementation of identified PAMs</td>
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<td>is developed and endorsed by Stakeholders</td>
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<td>• Assessment of opportunities for implementation through the County governments through integration in the County Development Plans and County regional development blocks and national regional authorities</td>
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<td>• By 2018 opportunities identified to support implementation of REDD+</td>
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| **OUTCOME 2:** Investment Plan for REDD+ Strategy  
Output 2.1: Investments to support implementation of REDD+ strategy objectives, focusing on sectoral/cross-sectoral issues in priority watersheds/landscapes/Counties identified | • Assessing, scoping and prioritizing specific investments  
• Cost/benefit analysis of investments  
• Consultation meetings with Stakeholders  
• Analyze potential for REDD+ results based payments,  
• Assess current benefit sharing and distribution arrangements including tenure, roles and responsibilities to support design of a gender sensitive model/mecchanism that can be adapted and deployed for REDD+ | • Investment plan drafted and generally agreed by a broad range of stakeholders  
• Possible proxy indicators for emission reduction and conservation enhancement of carbon stocks identified and estimated  
• Report of benefit sharing available | No Investment plan in place  
No framework for REDD+ benefit sharing identified or proposed | REDD+ Draft Investment Plan prepared by the end of 2020 to aid discussions on Implementation of the National REDD+ Strategy  
By year 2020 a benefit sharing mechanism and benefit distribution system developed and endorsed by stakeholders | • Technical reports on analytical works  
• Annual reports  
• End of Programme evaluation  
• UN-REDD mission reports  
• Official correspondence |
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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| **Output 2.2:** Resource mobilization and Financing mechanisms for REDD+ implementation developed | • Opportunities and synergies for financing sources, instruments and mechanisms identified and linked to investment plan and national REDD+ Strategy | • Resource mobilization strategy document | • No resource mobilization strategy in place for REDD+ | By 2020 there is general agreement on how REDD+ Strategy implementation will be financed. | • Technical reports on analytical works  
• Annual reports  
• End of Programme evaluation  
• UN-REDD mission reports  
• Official correspondence |
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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| **Outcome 3:** Capacity exists for effective and efficient implementation of REDD+ strategy with full participation of relevant stakeholders | • Institutional and context analysis/ stakeholder engagement Plan  
• Strengthening forest-dependent people’s and local communities’ including women and youth-focused groups’ representation in platforms and capacities to engage in REDD+ readiness and implementation processes (e.g. draw from existing models and processes that can be contextualized in Kenya)  
• Relevant stakeholders including IP/CSOs represented in national and subnational REDD+ governing structures  
• Operationalization of the FPIC where relevant in the context of marginalized and vulnerable communities.  
• Application of national stakeholder engagement guidelines  
• Mainstreaming gender | • Report on stakeholder mapping or ICA  
• Plan for Stakeholder Engagement developed and disseminated  
• Number of IP/CSO representatives in national and subnational REDD+ governing structures  
• Number of stakeholders (disaggregated by sex and stakeholder and age group) consulted in REDD+ process  
• Women represent at least 30% of workshops/trainings participants and seats of REDD+ | Gaps in Stakeholder engagement identified | Stakeholders categorized and their roles/ responsibilities in REDD+ Strategy implementation clearly defined.  
REDD+ activities mainstreamed into relevant sector operations | • Analytical reports  
• Minutes or reports of consultation meetings |
**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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<td>into REDD+ readiness and implementation processes</td>
<td>stakeholder platform(s) and body(is)</td>
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| **Output 3.2:** Knowledge management (KM) and communication strategy developed and implemented around selected and strategic initiatives to support strategy implementation | • Based on ICA or stakeholder mapping analysis develop a KM and Communication strategy  
• Develop relevant knowledge management products  
• Integrate KM considerations into REDD+ strategy development  
• Develop a Learning and M&E Strategy with qualitative and quantitative assessments tools to measure impact and learning of knowledge, lessons learned and communication materials | Knowledge management and Communication strategy formulated and disseminated  
Number of knowledge products disseminated to target audiences  
Number of stakeholders sensitized on REDD+ (disaggregated by group) | Some knowledge management and communication channels for REDD+ are in place but need to be strengthened and expanded upon (REDD+ website available) | Knowledge management and communication strategy developed by 2017 for implementation for the project | • Technical reports on analytical works  
• Annual reports  
• End of Programme evaluation  
• UN-REDD mission reports  
• Official correspondence |
**GOAL:** Contribute to Kenya's overall REDD+ goal of enhancing protection, conservation and sustainable management of the country's land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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<td><strong>Output 3.3:</strong> National REDD+ Management Arrangement</td>
<td>• National Readiness Management Arrangements (including support to the National REDD+ Co-ordination office) and linked to the thematic working groups, and to the National Climate Change Council established</td>
<td>Efficient and effective REDD+ management arrangements defined; REDD+ Coordination office fully functional and adequately staffed,</td>
<td>REDD+ Coordination office, in place but needs to be strengthened</td>
<td>Capacity in place to coordinate REDD+ implementation</td>
<td>Operational REDD+ coordination office established Technical working groups and national steering committee and associated human resource in place</td>
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<td><strong>Outcome 4:</strong> Technical advisory support to consolidate and refine FREL/FRL and MRV</td>
<td>• Stocktaking of ongoing support on MRV/FRL including identification of gaps • Review applicability of work undertaken and proposed on the development of the NFMS and FRL and link it to the national REDD+ strategy formulation process; • Provide technical inputs into NFMS and /FRL with a view to ensure compatibility with relevant UNFCCC guidance and modalities and with the national REDD+ strategy.</td>
<td>The established FREL is consistent with the Warsaw Framework and other relevant UNFCCC decisions. The NFMS is consistent with the Warsaw Framework and other relevant UNFCCC decisions. The FREL/FRL and the NFMS are well</td>
<td>No existing National Forest Monitoring System to enable REDD+ FREL to be developed, MRV to be carried out and results to be provided in the BUR No FREL/FRL established</td>
<td>By 2020 FREL/FRL has been submitted and subject to a technical assessment, the NFMS is operational, enabling REDD+ MRV and the submission of REDD+ results in a technical annex to the BUR, as per guidance and modalities provided by the Warsaw</td>
<td>Submissions to the UNFCCC: • FREL/FRL • REDD+ Technical Annex to the BURFREL/FRL technical assessment report</td>
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**GOAL:** Contribute to Kenya’s overall REDD+ goal of enhancing protection, conservation and sustainable management of the country’s land and forest resources in ways that will improve livelihoods, conserve biodiversity, contribute to the national aspiration of attaining a minimum 10% forest cover and mitigating climate change.

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|                   | • Develop strategic partnerships to support MRV/FREL requirements.  
• Provide technical backstopping in preparation for and during Kenya’s participation in the UNFCCC FRL technical assessment process and in the FCPF technical assessment  
• Establish institutional arrangements to ensure technical consistency with national GHG reporting, national communications and Biennial Update Reports (BUR)  
• Provide support to develop a REDD+ technical annex to be reported as part of the BUR in the context of results-based payments | integrated with the National REDD+ strategy. |          | Framework and associated UNFCCC decisions |                      |
**Outcome 1: National REDD+ Strategy**

The REDD+ Strategy will identify various policies, measures and actions to be taken by public and private actors for reducing emissions and increasing removals of CO$_2$ in the land use sector. They can involve modifications or improvements to existing policies, development of new policy measures and programmes, investments by authorities in the capacities and management structures of their respective institutions, and financial incentives and instruments that induce a change in behavior. Other measures that are important foundations for the successful implementation of REDD+ strategies include awareness raising and support to communities, private forest owners and forest industries to enable and encourage them to engage in REDD+ activities. These interventions will respond to the drivers of deforestation and forest degradation and work to alleviate barriers to effective and sustainable management of forests. The lynchpin of the Strategy will be for stakeholders to achieve and attain a common vision for REDD+ that will deliver on the carbon mitigation potential but most importantly for Kenya that will set out a coherent national pathway to protect and enhance management of land and forest resources to benefit livelihoods and well-being.

1.1 **Analytical work for REDD+ Strategy Options conducted.** The REDD+ Strategy will identify various policies, measures and actions to be taken by public and private actors for reducing emissions and increasing removals of CO$_2$ in the forestry and land use sector. The strategy development process will involve analytical work and stakeholders’ consultation on policies, actions and measures that will respond to the drivers of deforestation and forest degradation and work to alleviate barriers to effective and sustainable management of forests. The lynchpin of the Strategy will be for stakeholders to achieve and attain a common vision for REDD+ that will deliver on the carbon mitigation potential but most importantly for Kenya that will set out a coherent national pathway to protect and enhance management of land and forest resources to benefit livelihoods and well-being. Towards this outcome, the following outputs are proposed:

   a. Review work done on drivers of deforestation and forest degradation to reflect forest cover change analysis, land use, land use change
   b. Assess implications of updates in forest and forest-related Policy, Legal and Regulatory framework
   c. Review institutional arrangements relevant to REDD+ implementation
   d. Identify PLRs that can contribute to and support REDD+ implementation
   e. Conduct cost/benefit analysis and prioritization of strategy options
   f. Assess Social and Environmental risks of REDD+ options (through a SESA/ESMF)
   g. Assess alternative livelihood options that will contribute to reduction of deforestation and forest degradation
   h. Conduct gender assessment of REDD+ options
   i. Analyze potential for REDD+ results based payments
j. Identify benefit sharing and distribution arrangements including tenure, roles and responsibilities to support design of a gender sensitive model/mechanism applicable during implementation phase

The analytical work will provide the opportunity to delve further into the emerging landscape and for instance will consider;

- Further analysis on the promotion of on-farm forestry for wood stocks and charcoal production – together with efficient improved kiln technologies in relevant areas where this is driving deforestation and forest degradation.
- Options for industrial demand for biomass energy sustainable woodlot or charcoal production explored
- Studies on the extent and impact of infrastructure and mining as drivers of deforestation, based on analysis of the national development pathway and priorities, for instance as informed by Vision 2030, and LAPSET
- Assessments of what will be required in terms of capacity and resources to implement and monitor REDD+ activities
- Capacity requirements for effective implementation and monitoring of the REDD+ Strategy
- Implementation of participatory forest management plans through community forest associations including indigenous forest communities to enhance forest conservation and co-benefits; explore options for the role of CFAs, including options for management of forest areas under CFA control
- Benefit sharing arrangements and tenurial roles and responsibilities linked to each of the policies and measure

1.2 Private sector role and engagement in REDD+ characterized, assessed and proposed

Recognizing private sector role in national development and the REDD+ process, analytical work could include:

a) Private sector mapping and identification of key actors, challenges and opportunities for participating in REDD+ (Identify main private sector groups and entry points)
b) Dialogue with the private sector on the engagement in REDD+ organized
c) Assessment of incentives mechanism including fiscal incentives, tools and systems to enhance private sector participation in REDD+
d) Value chain analysis of key sectors with potential to achieve REDD+
e) Development of strategy/ innovative systems/ models/initiatives for private sector engagement

Analysis will further consider the role of the private sector as agents of deforestation and managers of change, sources of financing for REDD+ activities leveraging on public finance and private equity funds for preparing and implementing REDD+ activities.
1.3 National Safeguards Framework developed, including design of a Safeguards Information System.

Under this output, the following activities are proposed:

a. Produce a roadmap for Kenya’s approach to address and respect UNFCCC and UNDP safeguard requirements
b. Undertake a participatory Social and Environmental Strategic Assessment (SESA) of the REDD+ policies and measures with an Environmental and Social Management Framework (ESMF) as an output
c. Design a Safeguard Information System (SIS), identify objectives and functions
d. Set up a Feedback and Grievance Redress Mechanism for REDD+ (including a project level mechanism for interim use)

In order to prepare the country’s approach to safeguards, the objectives and scope will be defined for the safeguards work. The Cancun safeguards will be interpreted in the national context and the policy, legal and regulatory framework which supports compliance with these safeguards will be described. An institutional arrangement which supports the national approach to REDD+ safeguards will be set up.

A benefit and risks assessment will be carried out once the draft policies and measures have been articulated to inform their design. A draft SESA roadmap for Kenya has been prepared in 2013 and sets the stage for the safeguards work. It encompasses the benefit and risks assessments as well as complies with UNDP’s requirements to put in place an environmental and social management plan that will include information on how the risks will be avoided, mitigated, managed and monitored. The safeguards national approach will seek to:

- Identify social and environmental priorities that should be included in planning and policy processes
- Assess gaps in the institutional, policy, and legal frameworks to address these priorities
- Identify potential adverse social and environmental impacts associated with policy options
- Engage decision makers and stakeholders to ensure a common understanding and broad support for implementation
- Formulate policy and institutional measures to close policy and legal gaps, address institutional weaknesses and avoid negative social and environmental impacts

An ESMF will be developed, see template in Guidance on Social and Environmental Assessment and Management. The ESMF sets out the principles, rules, guidelines and procedures to ensure the social and environmental risks and impacts identified in the SESA are fully assessed and management measures put in place prior to implementation. It will contain measures and plans to avoid, reduce, mitigate and/or offset adverse risks and impacts, provisions for estimating and budgeting the costs of such measures, and information on responsibilities for addressing project risks and impacts. This work can and should draw from the host country’s past and ongoing work related to addressing and respecting the safeguard requirements as outlined by the UNFCCC.

A grievance redress mechanism (GRM) will also be set up for implementation of the FCPF grant and for future REDD+ implementation. It acts as recourse to facilitate handling of any
request for feedback or complaint by stakeholders, wherever they originate, with attention to providing access to geographically, culturally or economically isolated or excluded groups. This is core pillar of REDD+ due to the complexity of issues and diversity of actors involved, and the range of issues and interests. As part of the project activities, there will be a GRM to enable UNDP and the REDD+ coordination office to respond to feedback, complaints and grievances that may be received as part of the implementation of the FCPF grant.

The need for a robust GRM was acknowledged and advanced under the Natural Resource Management Project that closed in June 2013. In August 2013, a meeting held among key stakeholders reviewed the experience of grievance redress in the forest sector; identified likely grievance issues that can come up in the context of REDD+ preparation and implementation; identified existing opportunities for redress in the local, national and international context; and established the next steps for addressing strengths/weaknesses and gaps regarding the grievances associated with REDD+. This initiative will be built upon during project implementation.

1.4 Institutional Framework for policies and measures implementation in National REDD+ Strategy identified

The proposed activities will include:

a) Assessment of opportunities for implementation at the County level through integration in the County Development Plans and County regional development blocks plans and national regional authorities
   a. Assessment of institutional mandates to identify incoherence, areas of complementarity and opportunities for implementation of identified PAMs
   b. Assessment of opportunities for women, youth and other vulnerable and marginalized group’s participation in proposed investment options

Output 2

2.1 Investments to support implementation of REDD+ strategy objectives, focusing on sectoral/cross-sectoral issues in priority watersheds/landscapes/Counties identified

Once the overall framework for the REDD+ Strategy is developed, an Investment Plan (IP) would be developed. The IP is to help facilitate the implementation of policies and measures as well as mobilize the requisite financing and investments associated with the implementation of the strategy. Thus, the IP would help the country to define, scope and prioritize key investments as well as the associated costs. Different types of investments would be mapped, for instance, those which impact forests negatively (grey investments) or positively (green investments). Thus, the IP would encourage programmatic investments aimed at transformational change in the forest sector and other sectors that affect forests. The development of the investment plan would adopt an innovative and iterative approach.

Indicative activities include:
a. Assessing, scoping and prioritizing specific investments and REDD+ actions to meet the REDD+ strategy objectives, focusing on cross-sectoral issues based on priority landscapes and addressing the needs of communities;
b. Supporting the development of appropriate financial instruments for REDD+ (including existing financial instruments such as the carbon tax) through technical, economic and financial analyses and in line the national climate change financing framework;
c. Holding multi-stakeholder and multi-sectoral dialogue with key sectors on key investments and associated financial instruments;
d. Engaging the private sector to scale-up action including through ongoing and emerging investments;
e. Assessing risks and conduct environmental and social assessments;
f. Holding consultative meetings with Stakeholders as per the stakeholder engagement plan in output 3.1.

2.2 Resource mobilization and Financing mechanisms for REDD+ implementation developed (also linked with output 1.1)

The first activity here will be to identify opportunities through financing sources, instruments and mechanisms. These will be linked to the investment plan and the national REDD+ Strategy. A mapping of the main existing programmes and sources of finance (public, domestic or ODA and private to the extent possible) that are considered transformative and contribute to the REDD+ Strategy will be undertaken. Potential International financing windows such as the Green Climate Fund and other bilateral funding will be explored. Regarding the latter, this will be done in line with proposed Climate Change resources management in the country.

The second activity will be to explore the funding architecture and possibilities for fund management – for example, the NCCAP identifies options for structuring and accessing public resources which should be accessible for REDD+ utilization. The Climate Change Fund which has recently been set, is administered by the National Climate Change Council and is vested in the National Treasury. For example, existing structures such as the Consolidated Fund would be explored. It could provide an opportunity for the MENR to mainstream REDD+ funding requests through the Medium-Term Expenditure Framework (MTEF) budgeting cycle, which is undertaken every three years. This would allow for the possibility to mainstream REDD+ into the economic planning cycle and the budget process. This would allow REDD+ finance flows to be subject to controls applicable to the government budgetary and expenditure process.

Output 3

3.1 Multi-stakeholder engagement in REDD+ processes enhanced

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36Mungai, Obadiah (2016) Kenya REDD+ Financing Systems
As recommended at the end of the stakeholder’s consultation process conducted prior to development of this assessment note, a stakeholder engagement plan will be developed. The existing consultation and participation plan developed by the government with support from IUCN and Kenya Forest Working Group will be updated. Stakeholder analysis and mapping exercise to update stakeholders likely to be affected by REDD+ strategy options will be conducted.

Further, the following activities will be conducted:

- Strengthening forest-dependent people’s and local communities’ including women and youth-focused groups’ representation in platforms and capacities to engage in REDD+ readiness and implementation processes (e.g. draw from existing models and processes that can be contextualized in Kenya)
- Engaging relevant stakeholders in national and subnational REDD+ governing structures (ensuring that IP/CSOs are also represented)
- Operationalizing the FPIC where relevant in the context of vulnerable and marginalized communities
- Mainstreaming gender into REDD+ readiness and implementation processes
- Supporting the implementation of the Stakeholders Engagement and Free Prior and Informed Consent Guidelines
- Developing a capacity development programme for the forest indigenous people and communities living around forests. This will aim at supporting these communities put in place measures that will enable a self-selection and representation process as proposed in various mechanisms for indigenous people’s participation and the national colloquium held in the country in 2015. In addition, programme will create an opportunity for awareness creation about REDD+ to ensure communities participate and engage effectively in the REDD+ process. It is anticipated that through such a programme it will help in part in addressing challenges of elite capture and enhance participation of many community representatives in REDD+ process.

### 3.2 Knowledge management (KM) and communication strategy developed and implemented around selected and strategic initiatives to support strategy implementation

Informed by stakeholder mapping analysis conducted under output 3.1 above, the following activities will be conducted:

- A KM and Communication strategy would be developed. It aims at contributing to the success of REDD+ process in Kenya by enhancing collaboration between key partners, increasing the visibility of the REDD+ process and supporting the consultation process. The vision of the KM and Communication Strategy is to clearly communicate REDD+ to an array of diverse stakeholders and raise awareness of REDD+, effectively managing relevant information and to empower stakeholders within Kenya with information about REDD+. The process will commence with defining the key target

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37 Stakeholders Engagement and Free Prior and Informed Consent Guidelines
audiences at both national and local levels, their potential role in driving and supporting the national REDD+ process, and the approaches and techniques that will be used to engage and communicate with those audiences. It will outline the methodology to define the knowledge conveyed, key messages and dissemination process as well as the communication approaches and channels that can be strategically used to ensure optimal results.

It is expected that the KM and communication strategy would enhance effective collaboration between key stakeholders and partners. Stakeholders must understand what REDD+ is, and how it may affect them (potential benefits and risks). This understanding is a prerequisite to building a consensus, to avoid confusion and conflict, and to ensure that people are empowered to join the dialogue on REDD+.

- Develop and disseminate knowledge and communication materials tailored to specific stakeholder groups.
- Implement a rigorous learning and M&E plan to monitor and evaluate the effectiveness of the KM and communication strategy. This will measure impact and learning against three objectives (capacity, community, and change) and include both qualitative and quantitative assessment tools, including but not limited to focus groups, in-depth interviews, content analysis of radio drama scripts, transcription/analysis of recorded call-in shows, registries of audience participation in the radio show and community events and workshops.
- Share best practices and lessons learned through the REDD+ Kenya website.

3.3 National REDD+ Management Arrangement

National arrangements on how REDD+ will be managed (including support to the National REDD+ Co-ordination office) and linked to the thematic working groups, and to the National Climate Change Council) will be established. This will include recruitment of the Project Management Unit (PMU).

Other activities under this Output could include:
- Operations of the project management unit for day-to-day management of readiness process
- Training and capacity-building for Taskforce, working groups and Government agencies

Output 4

4.1 Technical advisory support to consolidate and refine FREL/FRL and MRV

The Government of Japan through JICA is supporting KFS to develop an NFMS system through the project “Capacity Development Project for Sustainable Forest Management in the Republic of Kenya (REDD+ Readiness Component): Towards providing support towards this deliverable the project will conduct the following activities:

- Stocktaking of ongoing support on MRV/FRL including identification of gaps
- Review applicability of work undertaken and proposed on the development of the NFMS and FRL and link it to the national REDD+ strategy formulation process
- Provide technical inputs into NFMS and FRL development processes with a view to ensure compatibility with relevant UNFCCC guidance and modalities and with the national REDD+ strategy
- Develop strategic partnerships to support MRV/FREL requirements, including with UN-REDD and FCPF
- Provide technical backstopping in preparation for and during Kenya’s participation in the UNFCCC FRL technical assessment process and in the FCPF technical assessment. Establish institutional arrangements to ensure technical consistency with national GHG reporting, national communications and Biennial Update Reports
- Support provided toward developing a REDD+ technical annex to be reported as part of the BUR in the context of results-based payments.

**3C. PROJECT STAKEHOLDERS ASSESSMENT**

The development of REDD+ in Kenya will have impacts on a wide number of stakeholders. A detailed understanding of these stakeholder groups, their interests and how they will be impacted by any potential activities for REDD+ is important if future REDD+ is to be efficient, effective and equitable. As part of the implementation a detailed stakeholders mapping, analysis and assessment will be conducted. This will build on the consultation and participation plan\(^{39}\) conducted by the government with the assistance from IUCN.

In the preliminary, the following block of stakeholders have been identified and will be involved in the implementation of the project;

**a. Government institutions and agencies**

The Government agencies are responsible for policy, regulatory and planning tasks related to establishment and maintenance of the enabling conditions for Roadmap implementation. This includes enforcement of legislation and regulations, conflict resolution, service delivery, and ensuring that necessary capacity and technical assistance are available for development. Both national and County government stakeholders will be involved. The national government will be involved through the Climate Change Council\(^{40}\) and Ministry of Environment and Natural Resources, Independent Commissions: *National Land Commission, Kenya Human Rights Commission, Gender and Equality Commission, Ethics and Anticorruption*

\(^{39}\) Consultation and participation plan for REDD+ in Kenya [here](#)

\(^{40}\) Made up of the Presidency, Ministries of Environment and Natural Resources, Treasury, Agriculture, Energy, Planning; Council of Governors and representatives from academia (research and teaching), private sector, civil society, and marginalized communities.

b. Civil society and marginalized communities
Kenya has many civil society and marginalized communities (indigenous people’s) organizations working on environment, forestry, climate change issues and indigenous peoples issue. They will be involved in the implementation through their networks representatives and members of Indigenous Peoples National Steering Committee on Climate Change. The project will be designed to provide resources to support the forest marginalized communities conduct a self-selection process to enable them identify and select legitimate representatives and reach out to a wide range of forest marginalized communities to participate in the REDD+ process.

- Private Sector
Private sector is a key actor in REDD+ readiness and implementation. A full assessment of the typology of private sector, including ways of engaging with them will be assessed. This will include saw-millers and timber loggers, charcoal associations, agro-based industry including the tea, wheat, coffee industries, small scale farmers and Kenya Private Sector Alliance, among others. The role of the private sector in addressing deforestation and forest degradation would be further explored and ways of enhancing their engagement in REDD+ promoted. This would include but not limited to working with the private sector to reduce deforestation long commodity value chains.

Notably, the R-PP and the National Forest Programme mention that, there is increasing interest shown by private individuals in establishing commercial plantations in recent years. Wood processing is primarily a private sector activity and in recent years several saw-millers have established fast-growing plantations as a means of securing future timber supplies.

c. Knowledge Institutions
Kenya has several established policy research institutions and academic institutions. These include Kenya Forest Research Institute, Kenya Industrial Research and Development Institute (KIRDI), academic institutions offering environment climate change, forestry and related development sciences include University of Nairobi, Moi University, Eldoret University, Karatina University, Kenyatta University, Jomo Kenyatta University among others. The Forest Society of Kenya will also be engaged in the project.

d. Development Partners and UN organizations

41 The Constitution 2010 Article 260 identifies marginalized communities to include: .... “an indigenous community that has retained and maintained a traditional livelihood based on hunter or gatherer economy and pastoral communities ... Sengwer, Awer, Ogiek, and Yaaku communities identify themselves to be under this criterion and identify themselves as the Forest indigenous peoples and communities.
Development partners have provided vital support to the development of Kenya’s forest, environment, land and climate change sectors; UN-REDD Programme, Finnish Government, Australia Government, Clinton Climate Initiative, Japanese Government and USAID, among others have supported REDD+ related activities. Development partner (DP) experience will play an important role in linking national and international process on REDD+. It is important that, communication between DP’s and Government is also clearly maintained to ensure that efforts towards REDD+ are coordinated with other initiatives.

3D. IMPLEMENTING PARTNER ASSESSMENT

The Ministry of Environment and Natural Resources is the implementing partner. It is responsible for policy and implementation of forestry and natural resources, climate change coordination in the country. It is also the UNFCCC and GEF focal point for the country and responsible for other environment and forests conventions. It coordinates all forestry semi-autonomous government organizations including the Kenya Forest Service, Kenya Wildlife Service, Kenya Water Towers Agency and Kenya Forest Research Institute.

A capacity assessment for the MENR is done together with the executive summary of the HACt micro assessment; the overall assessment is low risk.

3E. PROPOSED IMPLEMENTATION ARRANGEMENTS

**Oversight of FCPF Activities.** The National REDD+ Steering Committee (RSC): The RSC will be co-chaired by the Principal Secretary in the Ministry of Environment and Natural Resources and UNDP. The Ministry will ensure alignment of REDD+ process with overall forest development policy and oversight functions to ensure sustainable forest management and conservation, afforestation and reforestations programmes and water catchment areas protection. RSC membership is composed of Principal Secretaries from the Ministries of Environment and Natural Resources, Agriculture, Energy, Devolution and Planning, National Treasury, Council of Governors, Water, the Directors of KFS, Kenya Water Towers, KEFRI and NEMA, National Land Commission, the Gender Commission, KFWG, Representatives of Indigenous forest peoples and NACOFA, a representative from Universities, FAO, UN-WOMEN, UNOHCR, UN Environment and the Donor Coordination Group representative.

The RSC will provide policy guidance and implementation of REDD+ activities, National coordination of inter/intra-sectoral REDD+ activities, garner political support required to mobilize and provide the platform for International collaboration with other REDD+ processes at the global level.

**Management of the FCPF activities:** FCPF activities, performance and results will be overseen by a Project Executive Board (PEB). This PEB includes representatives from the Ministry of Environment and Natural Resources, Climate Change Directorate, National REDD+ Coordination Office, Kenya Forest Service, Kenya Wildlife Service, Kenya Forest Research Institute, civil society organizations (both working on environment and climate change issues as well as oversight and anticorruption), Indigenous Peoples organizations, Private sector, UN
Agencies, and major bilateral donors. The PEB reports to the National REDD+ steering committee.

**Administration of FCPF Activities.** UNDP has a role in the oversight of the project implementation. As stated in the Delegation of Authority during project implementation UNDP Country Office will have the following responsibilities and will take the following actions:

- Apply relevant provisions of the Programme and Operations Policies and Procedures (POPP) and UNDP Monitoring & Evaluation Handbook
- General oversight and monitoring, including the provision of UNDP project assurance as set out in the POPP
- Prepare and revise the annual workplan with the national implementing partner, monitor progress of key activities as defined in annual workplans
- Perform oversight functions through field visits and periodic audits
- Liaise with UN Country Team counterparts to ensure the coordination of activities
- Support the project’s systems, IT infrastructure, branding, knowledge transfer
- Prepare progress reports as required
- Conduct budget revisions, verify expenditures, advance funds, issue combined delivery reports, and ensure no over-expenditure of budget
- Ensure necessary audits
- Provide other information on the status of implementation as may be requested by UNDP REDD+ team
- Coordinate harmonized UNDP positions in advance of Project Board meetings and other key in-country meetings
- Facilitate and support Project Board meetings as outlined in project document and agreed with the Regional Technical Advisor (RTA)
- Initiate and supports missions of REDD+ team
- Arrange mid-term review: prepare terms of reference, hire personnel, plan and facilitate mission / meetings / debriefing, circulate draft and final reports
- Ensure translation of mid-term review into English
- Prepare management response to midterm review

A Project Management Unit (PMU) will be recruited. Specific mandate will be to implement the FCPF grant and will be charged with the day to day running of the project activities and reporting.

**UNDP QUALITY ASSURANCE INPUTS**

UNDP staff prepared this assessment note through a comprehensive consultative and due diligence process in assessing opportunities and challenges of the REDD+ process in Kenya. UNDP participated in the development of the R-PP and has since supported REDD+ process
through targeted support under the UN-REDD programme. The R-PP is still largely relevant, guiding the work of national stakeholders, and development partners.

UNDP’s REDD+ regional team based in Nairobi has provided technical support since 2010 to date and will continue providing this support throughout the implementation process. In addition to the technical expertise, the following mandatory requirements shall be complied with:

- UNDP operational guidance must be applied during the implementation of the project
- If changes are made at the output or activity level, they may be agreed by the Project Steering Committee/PEB. Before such changes are contemplated they must be discussed with and approved by the Regional Technical Advisor
- If changes are proposed at the Outcome level, they must be discussed with the UNDP/REDD+ Principal Technical Advisor before being approved by the Regional Technical Advisor
- The project is subject to a final evaluation conducted per Terms of Reference established by UNDP
- Funds will be audited in accordance with UNDP Financial Regulations and Rules and audit policies
- A mid-term review may be undertaken if requested by UNDP’s Environment and Energy Group

3G. Compliance with The Common Approach to Environmental and Social Safeguards

Implementation will ensure compliance with the FCPF Common Approach. UNDP’s Social and Environmental Policies and Procedures that ensure compliance with the Common Approach include the following elements:

- Social and Environmental Screening Procedure: The SESP is a mandatory requirement to undertake an environmental and social screening of UNDP projects (country, regional and global and all thematic areas) with a budget of $500,000 or more. The screening process results in an outcome which determines if further environmental and social review (e.g. impact assessment) and management measures are required. The results of the screening for the Kenya’s R-PP and potential project document are shown in Annex 3.

- UNDP’s Social and Environmental Standards (SES): The objectives of the Standards are to: (i) strengthen the social and environmental outcomes of UNDP projects; (ii) avoid adverse impacts to people and the environment affected by projects; (iii) minimize, mitigate, and manage adverse impacts where avoidance is not possible; (iv) strengthen UNDP and partner capacities for managing social and environmental risks; and (v) ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people. The Standards are underpinned by an Accountability Mechanism with two key components:
- The Social and Environmental Compliance Unit (SECU) investigates alleged non-compliance with UNDP's Social and Environmental Standards and Screening Procedures from project-affected stakeholders and recommends measures to address findings of non-compliance.

- The Stakeholder Response Mechanism helps project-affected stakeholders, UNDP's partners (governments, NGOs, businesses) and others jointly address grievances or disputes related to the social and/or environmental impacts of UNDP-supported projects.

**National-level Grievance Mechanism**

In addition to addressing the above institutional requirements, UNDP will be responsible for supporting the partner country to establish a national-level grievance mechanism to address issues related to REDD+. The proposed mechanism (see Annex 4) will be responsible for managing a series of steps, as outlined in the flow chart below, including receiving and assessing claims on a range of challenging issues; determining the suitable options for addressing the claims; managing the process to address the claim and ensuring feedback and learning processes are carried out throughout the process.

![Grievance Mechanism Flow Chart]

Most importantly, the mechanism will be required to undertake the above activities while ensuring the below principles are met:
• **Independence:** Independence requires that the mechanism be established and operate without undue influence from the institution’s operational decision-makers, or from any external stakeholders. Respondents on behalf of the Project should recuse themselves if there is an actual or potential conflict of interest in addressing a dispute.

• **Professionalism:** The mechanism’s decision-makers and staff should meet high standards of discretion and professionalism; the mechanism should be able to hire consultants with specific expertise when needed.

• **Fairness:** Fairness and objectivity require the mechanism to give equal weight to the concerns and interests of all stakeholders. The dispute resolution procedures should treat all parties fairly, and fairness should be an expectation of all outcomes.

• **Transparency:** The principle of transparency requires public comment and participation in the design and operation of the mechanism, and clear, demonstrable and publicly available rules of procedure. In addition, the mechanism should publicly and regularly report in a timely fashion on the number of times it has been used during the reporting period, the types of issues it has handled, the number of cases that have been resolved, are still outstanding, or have moved to other channels for resolution, and any lessons learned that can be used by the organization and/or its external stakeholders to reduce the future frequency, scope and/or intensity of grievances and disputes.

• **Accessibility and Decentralization:** To be accessible to affected people, the mechanism should maintain open lines of communications and provide information in languages and formats required to allow the greatest access practicable to affected people.

• **Effectiveness and Flexibility:** The mechanism should be effective in objectively assessing concerns raised by external stakeholders, in determining the most appropriate process for addressing those concerns, in implementing that process constructively and expeditiously, and in communicating to all stakeholders, including those who raised the grievance, the institution, and the public. The dispute resolution process must allow for flexibility in using different techniques as required in specific cases or contexts. The process should be based on voluntary participation of various stakeholders in a joint problem-solving process, such as negotiation, mediation, conciliation, or facilitation.

**Implications**

UNDP will need to strengthen its own institutional capacity as well as the partner country’s capacity to receive and address grievances in an independent, transparent, fair and effective manner, which will require delving into often sensitive governance issues.

**Conclusion**

Both UNDP and the partner country will be opening themselves up to increased feedback, input and in some cases, complaints and conflict. In some cases, UNDP could be in a position where it will be accused of not following its own policies and procedures; in other cases UNDP
will need to mediate between stakeholders who have a grievance against their government, UNDP’s main client.

There is a potential for increased reputational risks associated with receiving high profile and public claims against the organization and the government from potentially impacted stakeholders. UNDP and Kenya will have new roles and responsibilities regarding receiving and addressing these claims and will be increasingly scrutinized regarding their conduct in addressing these claims by external stakeholders, NGOs and the media.

While this new level of accountability will be challenging, if done well, there could also be several benefits, including:

- Enhanced development effectiveness through ensuring compliance with the environmental and social elements of UNDP policies and procedures;
- The provision of access to processes that would empower and protect the rights and interests of affected people, including indigenous peoples and other vulnerable groups, and afford them greater voice and a fair hearing in UNDP’s development process;
- An enhanced rights-based perspective for the advancement of human rights principles in UNDP’s development process;
- Complementary and supplementary services to existing opportunities for stakeholder engagement and dispute resolution at the country or project level;
- The promotion of results-based management and quality programmes through feedback from the compliance review and dispute resolution processes;
- The provision of recommendations for systemic or institution-wide improvements based on lessons learned in specific cases;
- Improving UNDP’s current Accountability Framework by encouraging transparency, accountability and effectiveness in its operations; and
- The reflection of best practice at other international development institutions and pioneer the development of accountability mechanisms within the United Nations system.
ANNEXES

Annex. Grievance and Redress Mechanism

A Grievance and Redress Mechanism (GRM) will be established and will be made ready for the onset of the project. The mechanism should be simple enough to handle to ensure a flexibility of use and a high level of efficiency.

The mechanism should be open to all and should allow all parties concerned by the project, whether participating in activities, or considering themselves as negatively affected, to ensure their rights are heard and to find if possible an amicable solution to the issues raised.

It is specifically aimed at treating any negative effects or impacts that the project may have on legal or traditional activities undertaken by any party, whether directly involved or indirectly affected by the project. This mechanism will be materialized by the development and staffing of specific office in the REDD+ Coordination Office, to ensure it is effective and deserves the attention that is required.

Mandate of the GRM

The mandate of the GRM will be to:

(i) Receive and address any concerns, complaints, notices of emerging conflicts, or grievances (collectively “Grievance”) alleging actual or potential harm to affected person(s) (the “Claimant(s)”) arising from Project;
(ii) Assist in resolution of Grievances between and among Stakeholders; as well as the various government ministries, agencies and commissions, CSOs and NGOs, and others (collectively, the “Stakeholders”) in the context of the Project;
(iii) Conduct itself at all times in a flexible, collaborative, and transparent manner aimed at problem solving and consensus building.

Functions of the GRM

The functions of the GRM will be to:

(i) Receive, Log and Track all Grievances received;
(ii) Provide regular status updates on Grievances to Claimants, Project Board (PB) members and other relevant Stakeholders, as applicable;
(iii) Engage the PB members, Government institutions and other relevant Stakeholders in Grievance resolution;
(iv) Process and propose solutions and ways forward related to specific Grievances within a period not to exceed sixty (60) days from receipt of the Grievance;
(v) Identify growing trends in Grievances and recommend possible measures to avoid the same;
(vi) Receive and service requests for, and suggest the use of, mediation or facilitation;
(vii) Elaborate bi-annual reports, make said reports available to the public, and more generally work to maximize the disclosure of its work (including its reports, findings and outcomes);
(viii) Ensure increased awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;
(ix) Ensure grievances are treated confidentially, assessed impartially, and handled transparently regardless of gender;
(x) Collaborate with Partner Institutions and other NGOs, CSOs and other entities to conduct outreach initiatives to increase awareness among Stakeholders as to the existence of the GRM and how its services can be accessed;
(xi) Ensure continuing education of PB members and their respective institutions about the relevant laws and policies that they will need to be aware of to participate in the development of effective resolutions to Grievances likely to come before the GRM;
(xii) Monitor follow up to Grievance resolutions, as appropriate.

Composition
The GRM will be determined, but typically should compose of staff, and a standing GRM Sub-Committee made up of at least two independent people recruited either within NGOs or the various stakeholders. The GRM Sub-Committee will be non-government and will not include any project board members with a direct interest or role in the grievance/dispute.

Implementing Partner: REDD+ Coordination Unit
• Publicize the existence of the GRM and the procedure for using it;
• Receive and log requests for dispute resolution;
• Acknowledge receipt to the requestor;
• Determine eligibility;
• Consider eligible requests for review and action;
• Track and document efforts at grievance/dispute resolution and their outcomes;
• Take direct action to resolve the grievance/dispute (e.g. bring the relevant parties together to discuss and resolve the issue themselves with oversight by the project board if relevant);
• Request further information to clarify the issue, and share that information with all relevant parties, or ensure that a government agency represented on the project board took an appropriate administrative action to deal with a complaint;
• If relevant and justified, refer the grievance/dispute to independent mediation, while maintaining oversight; or
• Determine that the request was outside the scope and mandate of the project board and refer it elsewhere (e.g. Ministry of Justice and Police or to the courts).

Modalities for Submitting a Complaint
All complaints specifically related to the project, whether in a direct or indirect manner, will be considered receivable and will be treated.

Complaints can be submitted by any person, in its own capacity or by its authorized representative. Groups or communities can also submit complaints as such and through an authorized representative.
Complaints can be deposited through post to specified offices in the region, who will be responsible for handing over the complaint document to the National REDD+ Coordination office. In addition a website page will be developed that can directly receive the complaints from parties through the website. Finally, an email address will be specifically allocated to the submission of complaints.

Complaints can be written in any of the languages officially recognized in Kenya.

The complaint should contain the following details:
- A general presentation of the problem leading to the complaint;
- The identity of the complainant, specifying whether this identity can be revealed or treated in confidential manner at all times;
- Specify whether the complaint is submitted by a representative of the complainant, acting on his behalf in a duly authorized manner, if so the mandate of the representative should be clearly specified;
- Include a return address.

The presentation of justifying evidence and documents is not compulsory but may support the complaint and may allow a more rapid treatment and the search for a solution. A complaining party may also provide a suggestion to a satisfactory resolution solution.

**Recording of a Complaint**

A register of complaints will be held by the designated officer from the National REDD+ Coordination Office and the office will keep a record for each complaint of the process taken and steps in the resolution.

All Grievances and reports of conflict will be received, assigned a tracking number, acknowledged to Claimant, recorded electronically, and subject to periodic updates to the Claimant as well as the office file. Within one (1) week from the receipt of a Grievance, the GRM will send a written acknowledgement to Claimant of the Grievance received with the assigned tracking number.42

Each Grievance file will contain, at a minimum:

i. The date of the request as received;
ii. The date the written acknowledgement was sent (and oral acknowledgment if also done);
iii. The dates and nature of all other communications or meetings with the Claimant and other relevant Stakeholders;
iv. Any requests, offers of, or engagements of a Mediator or Facilitator;
v. The date and records related to the proposed solution/way forward;
vi. The acceptance or objections of the Claimant (or other Stakeholders);
vii. The proposed next steps if objections arose;
viii. The alternative solution if renewed dialogues were pursued;
ix. Notes regarding implementation ; and

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42 Oral acknowledgments can be used for expediency (and also recorded), but must be followed by a written acknowledgment.
x. Any conclusions and recommendations arising from monitoring and follow up.

**Investigation and Consensus Building**

Within one (1) week of receiving a Grievance, National REDD+ Coordination Office will notify the project board and any other relevant institutions of the receipt of the Grievance.

The Project Board, in collaboration with the National REDD+ Coordination Office will, if required and if the complaint cannot be resolved by National REDD+ Coordination Office REDD+, identify a specific team of individuals drawn from the project board and/or their respective institutions to develop a response to the Grievance. The names of these individuals will be made available to the Claimant.

The designated team members will then promptly engage the Claimant and any other relevant Stakeholders deemed appropriate, to gather all necessary information regarding the Grievance.

Through the team members, the GRM will have the authority to request from relevant Government institutions any information (documents or otherwise) relevant to resolving the Grievance and avoiding future Grievances of the same nature.

As necessary, the team members will convene one or more meetings with relevant individuals and institutions in Nairobi, or elsewhere in Kenya within the project regions, as needed.

The objective of all investigative activities is to develop a thorough understanding of the issues and concerns raised in the Grievance and facilitate consensus around a proposed solution and way forward.

The team members will procure the cooperation of their respective staff with the investigation. At any point during the investigation, the team members may determine that an onsite field investigation is necessary to properly understand the Grievance and develop an effective proposed solution and way forward.

**Seeking Advisory Opinion and/or Technical Assistance**

At any point after receiving a Grievance and through to implementation of the proposed solution and way forward, the team members may seek the technical assistance and/or an advisory opinion from any entity or individual in Kenya or internationally which may reasonably be believed to be of assistance.

**Making Proposed Actions and Solutions Public and Overseeing Implementation**

The team members will communicate to the Claimant one or more proposed actions or resolutions and clearly articulate the reasons and basis for proposed way forward.

If the Claimant does not accept the resolution, the team members will engage with the Claimant to provide alternative options.

If the Claimant accepts the proposed solution and way forward, the GRM will continue to monitor the implementation directly and through the receipt of communications from the Claimant and other relevant parties. As necessary, the GRM may solicit information from the relevant parties and initiate renewed dialogue where appropriate.
Advertisement of the Grievance and Redress Mechanism

During all consultations related to stakeholder engagement but also at all times stakeholders are approached, the grievance and redress mechanism will be presented or highlighted.

Specific consultations will be held in all communities where beneficiaries and stakeholders are found. These information sessions will be designed and held in a manner which ensures all beneficiaries and stakeholders within communities can attend, including those from more marginalized groups (e.g. women, youth, etc.). This information will also be disseminated in a format (e.g. language, flyers, etc.), which is easily understandable to all beneficiaries and stakeholders. A demonstration of the submission and handling processes for complaints will be provided during these information sessions. All required details to submit a complaint will be presented and provided to the communities as a simple brochure.

Transparency of the Grievance and Redress Mechanism

An annual activity report will be generated and made available to the public and all stakeholders, detailing the complaints received, the process taken to resolve the situation, the summary of resolved complaints and a summary of open cases that still require resolution. For the latter a description of steps anticipated will be provided.

The database of complaints will be made accessible to interested stakeholders and parties as well as control structures but always in a manner that guarantees the confidentiality of any complainant having requested anonymity.

Files for each Grievance will be available for review by the Claimant and other Stakeholders involved in the Grievance, or their designated representative(s). Appropriate steps will be taken to maintain the confidentiality of the Claimant if previously requested.

The GRM will provide periodic updates to the Claimant regarding the status and current actions to resolve the Grievance. Not including the acknowledgment of receipt of the Grievance, such updates will occur within reasonable intervals (not greater than every thirty (30) days).

Treatment of a Complaint – Preliminary Indication

The office receiving the complaint, will within 10 days of receiving the complaint declare whether the said complaint is receivable or not. Non receivable complaints will still be noted in the register but will not be subject to further attention expect the preparation of a return courier stating that the complaint is not receivable.

For all receivable complaints, within 30 days of receipt, the office staff will develop a suggestion for a solution or resolution to the situation and forward the response by courier to the complaining party, with a proposed solution.

The complainant will then have a period of 30 days to either accept the resolution offered and remove his complaint or refuse the resolution. Should the complainant not accept the resolution suggested, he may then elect to present his complaint again or to use a different institutional tool. A 15 days extension of the period may be considered in case of partial agreement with the solution proposed and the need to discuss further has been established.
**Appeal Procedure and Mediation**

Should the resolution not be successful, the complainant may use another institutional tool available in Kenya such as the courts.

For the option of independent mediation, mediators on the roster/panel should have at least the following qualifications:

- Professional experience and expertise in impartial mediation;
- Knowledge of REDD+ and development project type and activities in Kenya and the regions of interest, including an understanding of indigenous and tribal culture and practices;
- National and local languages proficiency;
- Availability in principle for assignments of up to 20 days; and
- Willingness to declare all relationships and interests that may affect their ability to act as impartial mediators in particular cases.

If mediation succeeded in resolving the dispute or grievance, the outcome will be documented by National REDD+ Coordination Office and reviewed by the project team. If it is unsuccessful, stakeholders will have the option to return to the team members for assistance.

**Implementation Schedule – General Indicative Outline**

Aspects to implement during the project in order to develop the Grievance and Redress Mechanism are presented below for the first year of the project:

<table>
<thead>
<tr>
<th>Year 1 ➔ Months 1 – 3</th>
<th>Consultation of the institutional mechanisms available in Kenya</th>
<th>Evaluation of the proposed GRM to ensure it has an agreement within the national legal system as a first recourse for treating legitimate complaints related to the project. The development for an appeal routing in case of an unsuccessful resolution will be prepared.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation with stakeholders</td>
<td>General presentation of the principle of a GRM and what it is provided for. Consultations will document the modalities of submitting a complaint, what constitutes receivable complaints and how these will be treated. The typical response times will be decided upon and the modalities of communications. A synthesis of consultations held will be prepared to document the architecture of a GRM that can be used to treat the 7 regions of the GCF project.</td>
<td></td>
</tr>
<tr>
<td>Appointment of the staff members in National REDD+ Coordination Office that will manage the</td>
<td>Recruitment of the staff members that will handle the GRM. At this stage the GRM office will be located within the National REDD+ Coordination Office structure in order to assist</td>
<td></td>
</tr>
<tr>
<td>Grievance and Redress Mechanism</td>
<td>the development of its national level capacity. The recruitment process will have to be done from the very beginning of the project in order to ensure the work on the GRM can be immediate and allow the treatment of possible complaints during the project inception phase already.</td>
<td></td>
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<tr>
<td>Acquisition of required equipment and tools</td>
<td>Acquisition of computers and other required equipment</td>
<td></td>
</tr>
<tr>
<td><strong>Year 1 ➔ Months 4 – 6</strong></td>
<td><strong>Development of a draft GRM</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Based on the synthesis of consultations held and the good application of the legal framework, a draft of the GRM will be prepared by the recruited team. The draft will be prepared in a manner that allows an expansion of the GRM to national level after the project end.</td>
<td></td>
</tr>
<tr>
<td>Restitution and validation of the draft GRM</td>
<td>A restitution workshop will be held after a consultation period is given to parties to comment on the draft. During the workshop, the draft will be validated either as is or in a form amended by consensus</td>
<td></td>
</tr>
<tr>
<td>Development of a register of complaints and the address system where complaints can be forwarded for treatment</td>
<td>Development of a database to handle complaints from receipt to development of solutions and shipment of such proposals to the affected parties.</td>
<td></td>
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<tr>
<td>Development of an online tool or webpage to submit complaints</td>
<td>Development of web page specifically designed to receive complaints by means of a live formula.</td>
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<tr>
<td>Test of the GRM</td>
<td>A test of the GRM will be conducted by submitting test complaints by some of the stakeholders. The process of submission, receipt, handling and response will be tested to ensure the GRM is efficient once presented to the affected stakeholders or parties.</td>
<td></td>
</tr>
<tr>
<td>Year 1 ➔ Months 7 – 9</td>
<td>Presentation of the GRM to stakeholders</td>
<td>The recruited team will tour the project areas to conduct presentation meetings and workshops that will provide the affected parties a full demonstration of the process of lodging a complaint and what can be expected form a resolution process.</td>
</tr>
</tbody>
</table>

**Monitoring and Evaluation of the GRM**

Bi-annually, the GRM will make available to the public, a report describing the work of the GRM, listing the number and nature of the Grievances received and processed in the past six months, a date and description of the Grievances received, resolutions, referrals and ongoing efforts at resolution, and status of implementation of ongoing resolutions. The level of detail provided with regard to any individual Grievance will depend on the sensitivity of the issues and Stakeholder concerns about confidentiality, while providing appropriate transparency about the activities of the GRM. The report will also highlight key trends in emerging conflicts, Grievances, and dispute resolution, and make recommendations regarding:

(i) Measures that can be taken by the Government to avoid future harms and Grievances; and

(ii) Improvements to the GRM that would enhance its effectiveness, accessibility, predictability, transparency, legitimacy, credibility, and capacity.