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Winning space for conservation: the growth of wildlife conservancies in Kenya

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Kenya's conservation areas consist of national parks and reserves, national forests, and private and community wildlife conservancies. The historically protected areas only account for 10% of Kenya's land mass (national parks, reserves, and protected forests). Conserving Kenya's biodiversity referred to as a "national heritage" is at the core of the country's conservation agenda. The success of Kenya's model of free-ranging wildlife is based on allowing as much unhindered movement and distribution of wildlife as possible. However, the human population increase, along with the expansion of agriculture into arid lands and the impacts of climate change, has affected the dynamics of pastoralism, where increased competition for natural resources has escalated in some areas. One of the identified measures to mitigate the current challenges is to increase the space for conservation and provide incentives for communities to conserve. The development and growth of the wildlife conservancy movement in Kenya have been a prominent response. As of 2023, there have been 230 wildlife conservancies in Kenya totaling 9.04 million ha and comprising 16% of Kenya's total land mass (with 195 being members of the Kenya Wildlife Conservancies Association). To contribute to the global target of protecting 30% of lands, freshwaters, and oceans by 2030, the Kenyan Government considers the expansion of the number and area of wildlife conservancies as an important mechanism to achieve these targets. Here, we discuss Kenya's wildlife conservancies from legal and policy perspectives, the factors that have enabled their growth, the challenges they face, and the opportunities ahead.

KEYWORDS

biodiversity conservation, conservancies, Kenya, privately protected areas, wildlife

Introduction

Kenya covers a land area of approximately 583,000 km² that supports a population of 55.1 million people as of January 2023 ([United Nations Population Fund, 2023](https://www.un.org/en/development/desa/population/publications/)). Kenya has a diverse range of marine, freshwater, and terrestrial ecosystems, from the top of Mt. Kenya in central Kenya to Lake Turkana in the northwestern part of the country, to the savannas of the Maasai Mara ecosystem and east to the Somali grasslands and the Indian Ocean.

Kenya is a mosaic of government, private, and communally managed lands and supports some of the most intact conservation systems in the East African region. Buffering those areas are the rangelands, which play host to wildlife conservancies across contiguous and interconnected landscapes, wildlife corridors, and patches of biodiversity hotspots.

Kenya's rich wildlife resource plays critical ecological functions that are important for the interconnected web of life-supporting systems as well as tourism (Ministry of Tourism and Wildlife, 2022). Tourism plays a hugely significant role in Kenya's economy, contributing to approximately 25% of Kenya's gross domestic product (GDP). Wildlife tourism in Kenya's numerous national parks and reserves represents a substantial part of this, with approximately 70% of tourism revenue in Kenya coming from wildlife tourism (Korir et al., 2013).

Although the 2021 National Wildlife Census Report (Kenya Wildlife Service, 2021) recorded an increase in some of the more sought-after species, such as elephants, rhinos, lions, giraffe, Grévy's zebra, and hirola, there were relatively lower records of the plain game species. Evidence from the census illustrates that activities such as agriculture, human settlements, and infrastructure development have an impact on wildlife movements and loss of space for wildlife, and thus, has a socioeconomic impact.

Kenya's rural lands also support the agricultural sector, which provides the livelihood (employment, income, and food security needs) for more than 80% of Kenya's population. Population increases, along with the expansion of agriculture into arid lands and the impacts of climate change, have affected the dynamics of pastoralism. This includes increased competition for natural resources, which has escalated conflict in some areas. Human-wildlife conflict is high in Kenya because over 65% of Kenya's wildlife (large mammal populations) is found on private and communal lands outside protected areas (Western et al., 2009; Mukeka et al., 2019a). The success of Kenya's model of free-ranging wildlife is based on its ability to allow as much unhindered movement and distribution of wildlife as possible, and this has succeeded despite the growing human population and the need for improved livelihoods.

Kenya is also endowed with biologically rich marine ecosystems ranging from mangrove forests, coral reefs, seagrass beds, estuaries, sandy shores, sand dunes, and rocky shores. These ecosystems provide important goods and services, including serving as habitats for fish and other aquatic and terrestrial organisms, aiding in coastal erosion control, providing wood and non-wood forest resources, and providing food, water, and industrial resources to millions of people along the coast (Obura, 2001). Marine-protected areas (MPAs) in Kenya are managed by the government as per the *Wildlife Conservation and Management Act 2013*. The Act sets out restrictions on different uses, jurisdictions, and responsibilities of the managing authority (Kenya Wildlife Service). The Act also provides a basis for community participation, through Marine Conservancies. Community-managed MPAs in Kenya (also called locally managed marine areas, LMMAs) are characterized by local communities taking a lead in the conservation and sustainable use of marine resources, which are essential for the long-term social

and economic well-being of communities. Kenya has seen a rapid rise in the number of LMMAs since 2010 (Kawaka et al., 2017), with more than 24 marine conservancies established (KWCA, 2023).

The Kenya Constitution 2010 is the supreme law of the land where all other laws are derived from and provides for regulations governing land and environment. The Constitution states that all land in Kenya belongs to the people of Kenya collectively as a nation, as communities, and as individuals, and land is classified as public, community, or private land. It further provides for the principles of land policy and classification of land. It gives clarity on landholding by non-citizens, regulation of land use and property, establishment of the National Land Commission, and legislation on land.

The *Wildlife Conservation and Management Act 2013* provides for the establishment of national parks, national reserves, marine protected areas, conservancies, and sanctuaries. The Act defines a "wildlife conservancy" as "land set aside by an individual landowner, body corporate, group of owners or a community for purposes of wildlife conservation in accordance with the provisions of this Act". Under the Constitution, private land consists of the following categories:

- a. registered land held by any person under any freehold tenure;
- b. land held by any person under leasehold tenure; and
- c. any other land declared private land under an Act of Parliament.

The expansion of wildlife conservancies in Kenya has provided more space for wildlife movements, corridors, and breeding ground outside of government-protected areas. The need for their support to put strong governance structures and sustainable financing mechanisms in place for their survival is a priority for the Kenyan Government (KWCA, 2020). The Northern Rangelands Trust and the Maasai Mara Wildlife Conservancies Association are model regional associations supported by many NGOs and the government. Bilateral partners like USAID and the European Union and non-government organizations (NGOs) such as The Nature Conservancy (TNC), World Wildlife Fund (WWF), and African Wildlife Foundation (AWF) have supported the creation of wildlife conservancies as well as the establishment of an umbrella body—the Kenya Wildlife Conservancies Association—to shape the growth and governance of community-led conservation in Kenya. However, there is more work to be done toward empowering communities and putting in place governance structures for their management and financing in the long term.

In this paper, we explore the evolution of private and communal land conservation, the growth of wildlife conservancies and their current status, how they contribute to national and international policy, and the challenges and opportunities going forward.

Evolution of wildlife conservancies

The history of conservation in Kenya dates back to 1898 when a Game Ordinance was enacted to control hunting, and subsequently, in 1946 when the first National Park was established. Conservation

has moved from a focus on hunting to setting aside protected areas, to conservation of species, communities living around protected areas, ecosystems, and biodiversity in the 20th century.

The changing nature of conservation has been guided by environmental aspects and how the public has continued to view nature. Conservation spaces moved from being only recreational facilities to visit, view, and enjoy biodiversity to other benefits. More recently, these areas have been recognized as natural solutions to climate change. Conservation efforts for over 30 years have focused on anti-poaching efforts, resulting in increased numbers of wildlife (Ministry of Tourism and Wildlife, 2018). As wildlife numbers increased, they moved to community areas and human-wildlife conflict began to increase across the country. This introduced new perspectives into conservation, specifically how to enhance human wildlife co-existence and benefit sharing. Thus, the growth of wildlife conservancies is a result of evolution of conservation in Kenya.

In Kenya today, all protected areas not State-owned are almost invariably referred to as “Wildlife Conservancies” (Carter et al., 2008), many of which are considered privately protected areas. Starting the year 2000, through the support of The Nature Conservancy, WWF, and the Kenya Wildlife Service, there has been an acceleration of establishment of wildlife conservancies in Kenya, and in 2013, the Kenya Wildlife Conservancies Association (KWCA) was established—a landowner-led national membership organization representing community and private conservancies, with 13 regional wildlife associations.

Conservancies in Kenya are mainly classified into three categories (Table 1). “Community Conservancies” are formed on jointly owned community land. The community members come together and agree to set aside the land for conservation. These conservancies can include multiple objectives such as keeping livestock and allowing the area for wildlife movement. The communities then share benefits accrued jointly. Most community conservancies border the national parks like Marsabit, Amboseli, and Tsavo. “Group Conservancies” are formed through combined private land and community land, and by coming together, they increase the area for conservation. This type of conservancy tends to be managed more by professional wildlife and tourism operators. Most group conservancies are found around the Maasai Mara National Reserve and Amboseli National Park. “Private Conservancies” are formed on private land by private individuals or corporates for the purpose of conservation.

In Kenya, community and private conservancies are legally recognized via the *Wildlife Conservation and Management Act 2013*. Many are reported to the World Database on Protected Areas as privately protected areas (PPAs) and would typically comply with this definition (Olivier, 2014; Mitchell et al., 2018a). Some consider they may also qualify as “other effective area-based conservation measures” (OECMs). A review conducted by Waithaka (2017) in June 2017 to establish whether the conservancies would qualify as OECMs concluded that they all satisfied the criteria, except that some had no guarantee of sustained conservation outcome over the long term. Waithaka and Warigia Njoroge (2018) further found conservancies were established in areas identified as important for conserving Kenya’s biodiversity using a scientific approach based on biological, social, and economic considerations. Most conservancies in Kenya are either in wildlife corridors, dispersal areas, or are breeding grounds for wildlife and most buffer state-protected areas (Figure 1). However, these assessments were undertaken before global guidance on OECMs was adopted (CBD (Convention on Biological Diversity), 2018; IUCN-WCPA Task Force on OECMs, 2019). Noting that an area cannot be an OECM if it is already considered a protected area (IUCN-WCPA Task Force on OECMs, 2019), greater policy clarity and comparison to international guidance on definitions of privately protected areas and OECMs (e.g., Mitchell et al., 2018b) are needed.

As of 2023, there have been 230 wildlife conservancies in Kenya totaling 9.04 million ha and comprising 16% of Kenya’s total land mass (with 195 being members of KWCA through registration; Table 1) (Source KWCA Conservancy status report 2023; note that the area for each different conservancy type is not available at the time of writing). It is not mandatory that all conservancies must be members of KWCA.

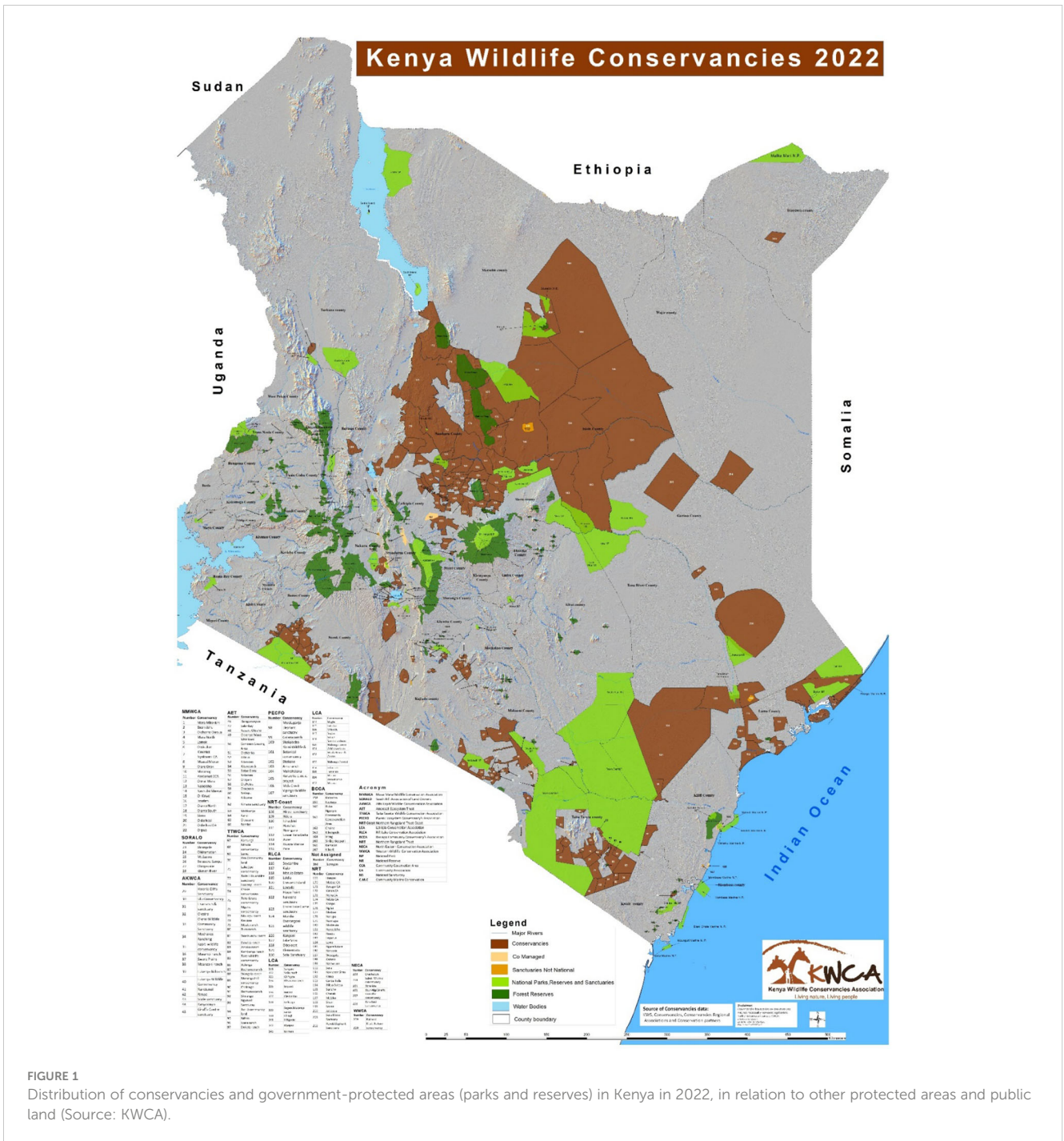
Role of wildlife conservancies in contributing toward international and national conservation and protected area targets

Over the last 20 years, Kenya has made significant progress to reclaim space for nature through community and privately owned

TABLE 1 Different types of wildlife conservancy in Kenya and the number of those that are members of the Kenya Wildlife Conservancies Association (KWCA) (Note: Not all conservancies are members of KWCA).

Conservancies that are members of KWCA				
Type	No. of conservancies	Percentage of conservancies	Size (ha)	Percentage of size
Community conservancy	99	51%	8,927,751	92%
Private conservancy	54	28%	478,461	5%
Group conservancy	38	19%	252,599	3%
Co-managed	4	2%	68,578	1%
Total	195	100%	9,727,389	100%

Source: KWCA (2023).



and managed wildlife conservancies increasing to 9.04 million ha. PPAs complement government-owned protected areas by providing additional habitat and refuge for wildlife, buffering government-protected areas where they adjoin and providing increased connectivity between protected areas (Figure 1). They enable adjacent communities to protected areas to identify and own conservation efforts while deriving benefits.

Communities that live on land right outside of the boundaries of the state-protected areas that were traditionally wildlife territories have been empowered through conservancies, to address livelihood problems and reduce human-wildlife conflict that has evaded long-

term solutions since 1895 when Kenya became a British colony. At independence on 12 December 1963, Kenya's population was only 8.1 million but is now at 54.03 million. Due to the increase in population, land populated by abundant wildlife has been taken up by housing and infrastructure development. Population increase has increased the loss of biodiversity that has interfered with wildlife movement and their breeding grounds (Ogutu et al., 2016).

Kenya committed to the Convention on Biological Diversity's Kunming-Montreal Global Biodiversity Framework in late 2022, including the global goal to conserve at least 30% of terrestrial and inland water areas and marine and coastal areas by 2030 (Target 3;

the “30 × 30 target”). In addition, the Kenyan Government has committed to protecting 30% of the country’s terrestrial and freshwater ecosystems by 2030 (Langat, 2022; Chebet, 2023). Currently, over 20% of Kenya’s land mass is under a conservation or protection framework: national parks and reserves (8%); forests (2%); and wildlife conservancies (11%) (KWCA, 2021). Private and communal rangelands span about 88% of Kenya and support 65%–70% of Kenya’s large wildlife (Ogutu et al., 2016), much of which migrates and occurs in or moves through wildlife conservancies (KWCA, 2016; Ojwang et al., 2017) (Figure 2). Wildlife conservancies have enabled the inclusion of landscapes in the conservation estate in a way that broadly aligned with the values and rights of indigenous people and local communities and their livelihoods. Thus, through investing in conservancies, the journey toward achieving the 30 × 30 requirements has been accelerated, and some of the social implications of meeting the target (e.g., Sandbrook et al., 2023) have been alleviated.

Various Kenyan Government strategies and policies specify the need to establish wildlife areas outside state-protected areas owned by communities and private people. The National Wildlife Strategy 2030 (Ministry of Tourism and Wildlife, 2018) outlines a vision for wildlife conservation as part of a strong environmental foundation for achieving Kenya’s sustainable development agenda as articulated by the Constitution of Kenya 2010, the Wildlife Policy 2020, the Wildlife Conservation and Management Act 2013, Vision 2030, and the Bottom-Up Economic Transformation Agenda (which seeks to improve manufacturing, improve food security, housing, and healthcare while also improving the economic

livelihood of the citizens). These goals align with, and support, international treaties and obligations, including the Convention on Biological Diversity and the Sustainable Development Goals.

Conservation and economic benefits from conservancies

Figure 2 illustrates some of the benefits that communities derive from taking up conservation as a sustainable land-use option. The conservancy movement has enabled Kenya to increase space for wildlife outside the state-protected areas. Some of the endangered species, including Kenya’s “big five”—elephant, lion, buffalo, leopard, and rhino—are found in and protected by communities that manage the conservancies. The Kenya Wildlife Service supported the first translocation of critically endangered black rhinos to Sera Rhino Sanctuary, a community conservancy in northern Kenya. Sera Rhino Sanctuary is East Africa’s first and only community-run black rhino sanctuary, established in 2015 with a founder population of 10 black rhinos, and it is now home to 21 black rhinos. Private and community conservancies are likely to become increasingly important for the survival of the black rhino, complimenting government efforts.

Conservation can provide livelihood incentives, which helps in the reversal of wildlife decline, thus ensuring continuity for future generations. Historically, these lands had a mixed use of livestock and wildlife. However, with increasing urbanization, creation of county governments and the increase in land prices, land is being

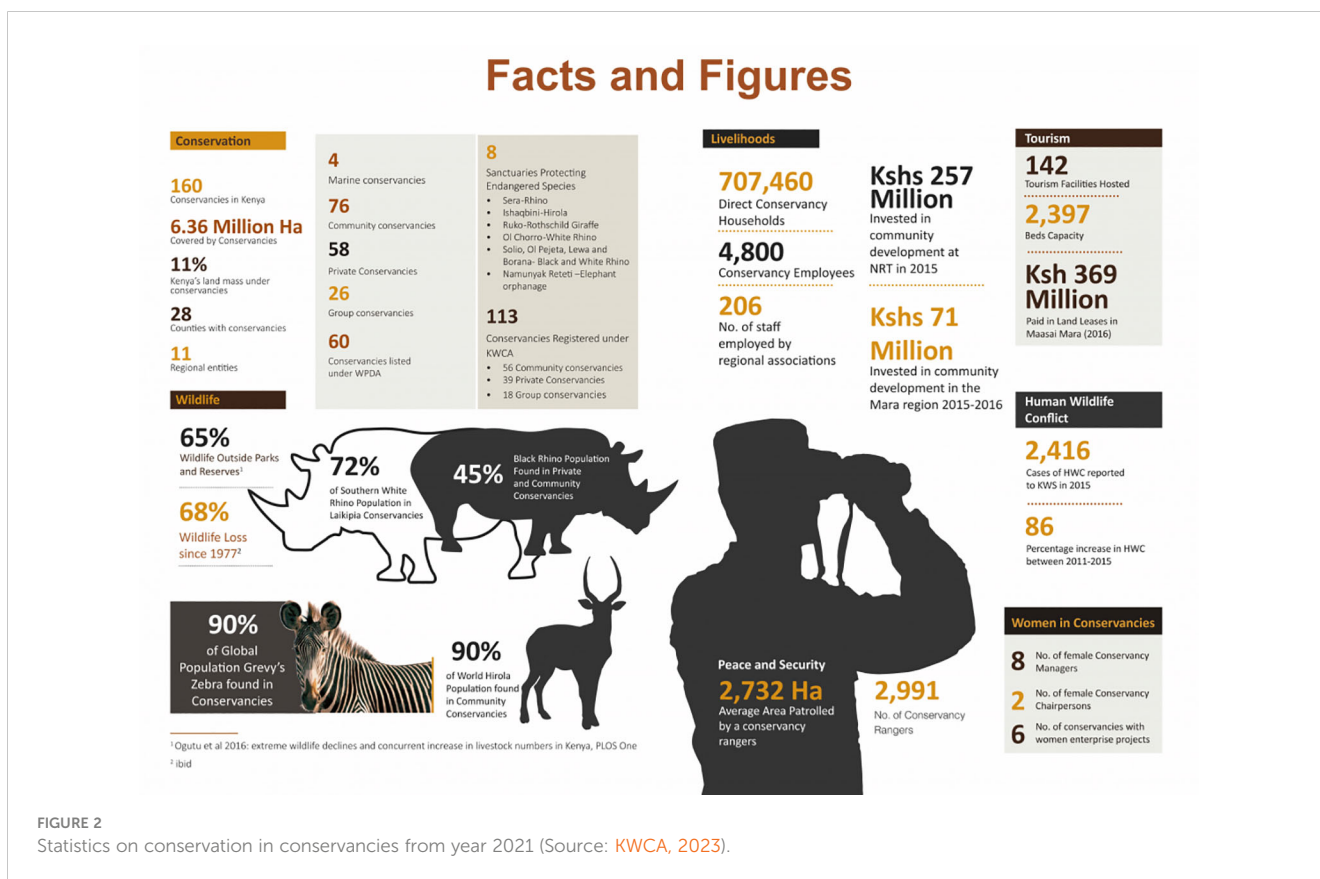


FIGURE 2 Statistics on conservation in conservancies from year 2021 (Source: KWCA, 2023).

increasingly subdivided for sale. Loss of space and connectivity is threatening Kenya's wildlife heritage, its multi-billion-dollar tourism industry and the livelihoods for rural communities that are dependent on that industry. Wildlife conservancies can act to reduce this threat. Increasing development pressures and impacts of climate change are also challenging conservation efforts and human wellbeing. Conservancies are not only providing a public service by protecting and conserving majority of the wildlife in the country but also enhancing livelihoods (KWCA, 2023). Communities that take up wildlife conservation anticipate improved livelihoods from conservation of the existing natural resources on their land (Lesorogol and Lesorogol, 2024). Conservancies derive tourism conservation fees that are invested in social and economic ventures to benefit the conservancy members. Some of the benefits include direct employment; social projects like water, health, and educational facilities; and economic businesses like beadworks, livestock sales, carbon markets, and small-scale businesses.

Wildlife conservancies also serve to promote healthy ecosystems that support wildlife, livestock, and human needs (Figure 2). This includes retaining good quality and quantity of grass for livestock during all seasons around the year, improving the conditions of degraded areas, minimizing invasive species, ensuring adequate supply of water for wildlife, people, and livestock, and integrating indigenous knowledge specifically among the pastoralist's communities to cope with climate variability.

A benefit for northern Kenya conservancies under the membership of Northern Rangelands Trust (NRT) is "peace and security" (Pas et al., 2023). For many years, northern Kenya has been an area of insecurity, livestock thefts, and banditry attacks. The establishment of community conservancies has brought about peace and improved security for ethnic communities that have fought for years.

Legal and governance arrangements

Even though the term "wildlife conservancy" has been in use since the 1990s, the first legal definition of the term came in 2013 under the *Wildlife Conservation and Management Act 2013*: "land set aside by an individual landowner, body corporate, group of owners or a community for purposes of wildlife conservation in accordance with the provisions of this Act". Establishment of conservancies represents a voluntary decision by landowners to give priority to biodiversity conservation, and by extension, wildlife. The KWCA's guide *Establishing a Wildlife Conservancy in Kenya* (King et al., 2015) describes the conservancy establishment process until it is formally registered with KWCA and Kenya Wildlife Service. The conservancy concept is based on the premise that given the necessary support, incentives and policy framework, communities and landowners can be the stewards of wildlife conservation working together with county and national governments to protect and benefit from a healthy and productive environment. Since the first few conservancies began in the 1990s, the scope and institutional complexity have grown far beyond just wildlife conservation and

tourism to include peace and conflict resolution, land management, income generation, employment, community cohesion, and community-led development (King et al., 2015).

In 2023, Kenya prioritized halting and reversing loss of its biodiversity, wetlands, rivers, lakes, ecosystems, wildlife, forest cover, and general degradation of the environment (*Presidential Executive Order No. 2 of 2023*). To achieve this goal, a process of integrating the legal, policy, and institutional frameworks that guide the management of these critical resources have been put in place. The intent is to improve synergies and enhance integration of ministerial, state departments, and state agencies' mandates and roles. The Office of the President through its 2023 Executive Order gave a directive for a review of the whole of the natural resource management sector with particular focus on areas of critical biodiversity and the lands that host them. An integrated natural resources management policy will be developed, coordinated, and anchored within the executive office of the president. A coordinating secretariat has been established within the executive office of the president, and it is responsible for the coordination and management of all natural resources. With the planned enhanced coordination of the natural resources, the growth of the wildlife and natural resources conservation and management is expected to improve with more benefits to people and nature.

Environmental easements have also been applied on some conservancies in Kenya, such as Lewa and Loisaba (Niesten et al., 2018). An environmental easement is an agreement between a landowner and an easement holder, which restricts certain uses of a property to achieve conservation purposes. An easement enables a landowner to retain ownership while simultaneously achieving a conservation outcome. Easements were adopted into the Kenyan law by the Kenya Colony Order in Council 1921, which approved the general application to Kenya of the English common law as it was in August 1897 (Gitahi, 2006). Easements are most known in Kenya as creating a right, such as a right of way or a water usage right. The use of easements for conservation purposes was historically provided for in the *Environmental Management and Co-ordination Act 1999* (Fitzgerald, 2014) but has been used to protect land to allow for wildlife movement (Kameri-Mbote, 2019).

Landholder perceptions

In Kenya today, community and private landowners receive minimal direct benefits from wildlife. Kenya compensates for human death, human injury, and property damage caused by wildlife (Mukeka et al., 2019b); however, the compensation is not adequate and therefore, public attitudes toward wildlife are negative, especially among landowners who practice small-scale farming and pastoralism. Franzel and Wambugu (2007) explored some of the issues arising from interactions between local landowners and wildlife in a prominent wildlife area in Laikipia, Kenya, with private landowners of three categories, small-scale, pastoralist, and large-scale. Policy and developmental issues found critical to discussions involving biodiversity conservation in Laikipia were wildlife utilization legislation, wildlife

proprietorship, human population stabilization, identification of core biodiversity areas, coordinated electric fencing, institutional development, biodiversity education, negotiations with landowners, and incorporation of incentives, wildlife damage compensation, ecotourism development and an enabling political environment (Franzel and Wambugu, 2007). More recently, Hoare et al. (2022) found the influence of conservation education on students of Maasai communities regarding knowledge about wildlife, and positive attitudes and an understanding of pro-environmental behaviors were evident, but that the filtration of knowledge and pro-environmental behaviors to the community level were positive but limited. In their study, culture and human–wildlife conflicts were the predominant factors influencing attitudes.

These findings have important implications for support required for existing and future wildlife conservancies. Further developing additional income streams beyond the traditional income sources from agriculture, such as tourism, philanthropic funding via Project Finance for Permanence, REDD+, carbon credits, and restoration payments will be essential to ensure well-funded and well-managed conservancies.

Challenges facing wildlife conservation and conservancies in Kenya

Despite the growth of community and private conservancies, numerous challenges to wildlife and their habitat in Kenyan landscapes remain. These include climate change, habitat degradation and loss, forest depletion, tourism market volatility, human–wildlife conflict, land fragmentation, conversion of wildlife habitat, encroachment of wildlife habitat, and the impact of rapid population growth on ecosystems brought on by population growth and changing land use habits of communities that co-exist with wildlife.

Some of the challenges experienced by conservancies include a lack of land tenure rights for community conservancies leading to fragmentation and subdivision of land, especially around the Amboseli ecosystem, fencing, and the individual land tenure rights that threaten change of land use in the Mara ecosystem. The requirements for land ownership have also raised concerns about equity for participation and funding (e.g., Bedelian et al., 2024; Ogutu, 2024). The slow implementation of the *Community Land Act 2016* also threatens the sustainable conservation of wildlife in areas outside of the state-protected system that has seen traditional conservation areas being converted to agriculture and infrastructure development.

Sustainable financing for conservation is also a big challenge. There is a lack of sufficient incentives and benefits derived from wildlife as a land-use option. Most of the community conservancies do not have funding for social projects, management plans, and economic investments (although see Jirmo, 2018; Malleret King and Dyer, 2018). In recognition of this, The Nature Conservancy has partnered with the Government of Kenya, conservation

stakeholders, private sector, and communities to develop a sustainable financing mechanism—Project Finance for Permanence (PFP)—that will see the establishment of a conservation trust fund for the long term. A PFP is a financial model that brings together governments, indigenous peoples, and local communities, funders, and other partners to secure long-term conservation, full and sustained funding, and community benefits (McCormick et al., 2012). Through this approach, protected places stay protected because they are collaboratively designed, locally led, nationally supported, sustainably funded, and highly accountable. Kenya is one of several countries where PFPs are being developed, under the auspices of Enduring Earth (<https://enduringearth.org/>), a collaboration of The Nature Conservancy, The Pew Charitable Trusts, World Wildlife Fund, and ZOMALAB.

Concluding comments

To ensure the sustainability of community and private conservancies in Kenya, a concerted effort by all stakeholders is required. Although the Kenyan Government is committed to conserve wildlife, which is a “national heritage”, more actions need to be done by the government, including pledging to long-term funding commitments to support conservancies. Kenya’s wildlife conservancies support conservation while increasing benefits to communities, which then improve both their social and economic livelihoods. Through placing communities at the center of wildlife conservation and improving conservation incentives, conservancies in Kenya are securing livelihoods resulting in the protection of Kenya’s iconic wildlife for future generations. Kenya has a strong community conservancy movement under the leadership of Kenya Wildlife Conservancies Association with 13 regional ecosystem conservancy associations. Maasai Mara Wildlife Conservancies Association and NRT are leading model associations for the rest to emulate. TNC, WWF, and AWF, among others, with USAID support have been instrumental in the conservancy growth and movement in Kenya within the mentioned regional associations’ conservation ecosystems. The emerging challenge for wildlife conservancies is how best to improve their governance and management systems while expanding the areas under their coverage.

Data availability statement

The original contributions presented in the study are included in the article/supplementary material. Further inquiries can be directed to the corresponding author.

Author contributions

MB: Writing – original draft, Writing – review & editing. EW: Writing – original draft, Writing – review & editing.

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