



REPUBLIC OF KENYA

**MINISTRY OF WATER, SANITATION,
AND IRRIGATION**

DRAFT NATIONAL LAND RECLAMATION POLICY 2025

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Foreword

Land degradation, defined as the reduction in the capacity of the land to provide goods and services and assure its functions over a period of time for its beneficiaries, continues to afflict Kenya, Africa and the world at large. It is a global problem and emerging crisis, especially in developing countries, manifesting in various forms, and is aptly described as “land disease”. There are significant efforts across many countries and regions to confront and combat land degradation, including efforts to reclaim degraded lands and measures towards land degradation neutrality. However, land degradation remains a formidable problem in Kenya, as elsewhere, and past and current efforts to stem its tide, undertake land reclamation and secure land degradation neutrality are far short of target. In the absence of concerted efforts, land degradation can only worsen, with dire consequences on the health and wellbeing of affected populations, ecosystems, landscapes and land forms, and the global and national economies. Poorly managed water is the agent for land degradation, conversely while well managed water is the most effective agent for reclamation consequently ***every land use decision is a water management decision.***

The direct and indirect causes of land degradation include anthropogenic factors such as inappropriate and unsuitable agricultural land use, poor soil and water management practices, de-vegetation and deforestation, invasion of alien species, mining, increased population, infrastructural and industrial developments, uncontrolled fires, and overstocking of livestock, among others. Underlying and driving forces include climate change, frequent and severe droughts especially in arid and semi-arid areas (ASALs), floods and landslides.

Land degradation has direct impact on sustainable water availability, land productivity and environmental integrity, and affects especially communities in ASALs and marginal areas. Land degradation also has huge social, economic and environmental impacts. Among others, it affects negatively the implementation of the Constitution of Kenya 2010 (CoK 2010), Kenya Vision 2030, Sustainable Development Goals (SDGs), Medium Term Plans (MTPs) and other national goals. Land degradation also increases the possibility and intensity of resource-based conflicts, insecurity and migration patterns, especially in ASALs, and is a key driver of floods and severe droughts because the land has a weak capacity to take and hold surface water.

The Policy focus is on measures towards land reclamation and securing land degradation neutrality, whilst, at the same time working with relevant stakeholders to address threats to land resources and quality, such as decreasing water supply, increasing wastewater discharge into the environment, declining soil fertility, diminishing agricultural lands, increasing frequency of episodic floods; loss of mangrove habitats, invasive alien floral and faunal species, infrastructural practices and deforestation, among others.

The Policy proposes measures for accelerated reclamation of various categories of degraded lands; measures for controlling and preventing further land degradation and securing land degradation neutrality; as well as coordination of actors in the sector and cross-cutting issues such as community participation, research, development and extension, investments in land reclamation and national land use planning.

The Policy also proposes institutional and legal arrangements to support and enable accelerated land reclamation and secure land degradation neutrality. These include a Land Reclamation Directorate; County Land Reclamation Units and Community Land Reclamation Associations.

Other key measures are monitoring, evaluation and learning and knowledge management, including implementation and reporting mechanisms such as development of an implementation strategy, capacity building of sector players, monitoring and evaluation, and periodic policy review. The latter set of measures will ensure that the Policy is organic, dynamic, evolving and successfully implemented in an inclusive manner.

Potential socio-economic benefits of land reclamation interventions are huge, given the significance of land values, aesthetics, and viability of additional land for food production, settlement and other uses. The rising demand for land, including reclaimed land, drives the need to avail new usable land resources.

This Policy has been developed through wide and intensive consultation amongst stakeholders, including National Government, County Governments, various inter-sector agencies, private sector and non-state organizations, as well as the general public. The process was led by an inter-ministerial steering committee and supported by technical experts provided by development partners. Significantly, this Policy has incorporated inputs from the stakeholder consultative workshops at regional and national levels as testament of public participation in the process of its development and validation.

In this policy, chapter one presents a background on Land reclamation in Kenya, discusses the existing problem and provides the rationale, objectives and scope of the policy. Chapter two is an analysis of the situation, previous government efforts, existing legal and institutional framework. The Third Chapter provides Policy Statements and interventions to address land reclamation in Kenya. The Fourth and Fifth Chapters cover the implementation Framework and the Monitoring, Evaluation Learning and Review of the policy.

We believe that this Policy will radically change the way we do things in the sector, accelerate land reclamation and secure land degradation neutrality, and ultimately improve the livelihoods of the people of Kenya.

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Preface

The CoK 2010 recognizes stakeholder participation in policy formulation, analysis and implementation. The State Department responsible for Land Reclamation affairs realizes that to achieve success, an all-inclusive approach is necessary. This pioneering National Land Reclamation Policy was achieved through such a process using the workshop methodology at regional and national levels, as well as technical meetings and retreats. The Policy was further informed by literature reviews of various Government policy documents, Laws of Kenya, rules and regulations, guidelines, strategic plans, and global best practices.

I appreciate the inter-ministerial steering committee drawn from Ministries of Water, Sanitation and Irrigation, East African Community, the ASALs and Regional Development, Agriculture and Livestock Development, Environment, Forestry and Climate Change, Mining and Blue Economy, Tourism and Wildlife, Transport and Infrastructure, various state agencies, development partners, consultants and other stakeholders including civil society organizations and private sector who contributed immensely towards the processes that culminated into the production of this Policy. In particular, I appreciate the support by the National Drought Management Authority (NDMA) throughout the entire Policy drafting process.

I acknowledge the generous support provided by the Government and the people of the Federal Republic of Germany through the GIZ, IUCN and Government and people of the Federal Republic of Italy, through the Italian Development Corporation.

I wish to particularly acknowledge the Cabinet Secretary for providing overall leadership and guidance of the policy formulation process. I appreciate the Irrigation Secretary, Director Land Reclamation & Climate Resilience and staff of the State Department for Irrigation for invaluable technical and other support and input. In particular, I appreciate the efforts made by the Ministerial Land Reclamation Policy and Bill Task Team that finalized the drafting of this Policy.

Finally, I am indebted to all Stakeholders and development partners for their tremendous contributions towards the preparation of this Policy.

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Table of Contents

Foreword	ii
Preface	iv
Table of Contents	v
Abbreviations and Acronyms	viii
Definition of Terms	ix
CHAPTER ONE: INTRODUCTION	1
1.1 Background	1
1.2 Problem Context	1
1.3 Rationale for the Policy	3
1.4 Policy Objectives	4
Overall Objective	4
Specific objectives	4
1.5 Policy Scope	4
1.6 Guiding Principles	5
CHAPTER TWO: SITUATION ANALYSIS	6
2.1 General Overview	6
2.2 Land Degradation	6
2.2.1 Causes of Land Degradation	6
2.2.2 The Extent and Severity of Land Degradation	8
2.2.3 Impacts of Land Degradation	8
2.3 Policy, Legal and Institutional Context	8
2.3.1 International laws, policies and regulations and commitments	8
2.3.2 National laws, policies and regulations	9
2.4 Institutional context	11
2.4.1 Institutional framework	11
2.4.2 Challenges related to the policy, legal and institutional framework	12
2.5 Capacity Building, Research and Knowledge Management Context	12
2.6 Monitoring and Evaluation Context	12
2.7 Financial Resources/Funding	13
2.8 Past and current efforts in land reclamation	13
CHAPTER THREE: POLICY STATEMENTS AND INTERVENTIONS	15
3.1 Accelerating Restoration of Degraded Lands	15
3.1.1 Diagnosis: Identification and Assessments of Degraded land	15
3.1.2 Mapping of degraded areas and Development of National land use Plans	16

3.1.3	Treatment: Design and implementation of interventions	16
3.2	Sustainable Management of Reclaimed Land	17
3.3	Controlling and Halting Further Land Degradation	18
3.3.1	Regulating Activities of Actors that Degrade Land	18
3.3.2	Halting Land Degrading Activities and practices	19
3.3.3	Containing Land Degrading Agents	20
3.3.4	Responsive Land Tenure System	21
3.4	Enhancing Country Capacity and Systems for Sustainable Land Use Management and Reclamation	21
3.4.1	Research, Technology and Innovation in land reclamation	21
3.4.2	Technical Training	23
3.4.3	Capacity Building for Land Owners/Users	24
3.4.4	Information and Knowledge Management Systems	24
3.4.5	Equipment and Tools	25
3.4.6	Leadership, Public Awareness, Advocacy and Public Participation	25
3.4.7	Climate Change in Land Reclamation	26
3.4.8	Gender and social inclusion	27
CHAPTER FOUR: POLICY IMPLEMENTATION FRAMEWORK		28
4.1	Overview on Policy Implementation Framework	28
4.2	Legal and Institutional Framework for Policy Implementation	28
4.2.1	Governing Legal and Regulatory Frameworks	28
4.2.2	Institutional Roles and Mandates	29
4.3	Policy Implementation Coordination Framework	32
4.4	Financing and investments in land Reclamation	33
4.4.1	Investment in Land Reclamation	33
4.4.2	Public Financing	33
4.4.3	Private Sector Financing	34
4.4.4	Financing from development partners	35
4.4.5	Climate Financing	35
4.4.6	Community Financing	35
CHAPTER FIVE: MONITORING, EVALUATION, LEARNING AND REVIEW OF THE POLICY		37
5.1	Monitoring, Evaluation and Learning	37
5.2	Policy Review	38
ANNEXURES		39
ANNEX 1: Summary of Policy Interventions and Implementation Strategies		39

ANNEX II: Financial Framework for Policy Implementation	44
ANNEX III. Degradation Levels in Kenya (2015).	46
Annex IV: Degraded lands for reclamation in Kenya	47

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Abbreviations and Acronyms

AF	Agroforestry
ASALs	Arid and Semi-Arid Lands
AU	African Union
CBD	Convention of Biodiversity
CETRAD	Centre for Integrated Training and Research in ASAL & Development
CoK, 2010	Constitution of Kenya 2010
EU	European Union
FAO	Food and Agriculture Organization
FDI	Foreign Direct Investments
GCF	Global Climate Fund
GDP	Gross Domestic Product
GEF	Global Environment Facility
GIZ	German Corporation for International Cooperation
GoK	Government of Kenya
HMPA	High and Medium Potential Areas
IGAD	Inter-Governmental Authority on Development
IUCN	International Union for Conservation of Nature
LADA	Land Degradation Assessment
LDN	Land Degradation Neutrality
MDG	Millennium Development Goals
MEF	Ministry of Environment and Forestry
MOAL	Ministry of Agriculture and Livestock
MTEF	Medium- Term Expenditure Framework
MTP	Medium Term Plans
MWSI	Ministry of Water, Sanitation and Irrigation
NDMA	National Drought Management Authority
NEMA	National Environment Management Authority
NLC	National Lands Commission
PPP	Public Private Partnerships
SDG	Sustainable Development Goals
SIDA	Swedish International Development Agency
UNCCD	United Nations Convention to Combat Desertification
UNEP	United Nations Environmental Programme
UNFCCC	United Nations Framework Convention on Climate Change

Definition of Terms

<u>Term</u>	<u>Definition</u>
Anthropogenic	Refers to anything originating from human activity or caused by humans
Artificial Intelligence	Computer systems capable of performing complex tasks that historically only a human could do, such as reasoning, making decisions, or solving problems.
Aridity	This is nature-produced imbalance in the water availability consisting of low average annual precipitation with high spatial and temporal variability resulting in overall low moisture and low carrying capacity of ecosystems.
ASALs Zones	These are arid and semi-arid areas in Kenya which receive unreliable average rainfall of between 150-550mm per year for arid areas and from 550-850mm for semi-arid. ASALs experience high temperatures through-out the year with high rates of evapotranspiration.
Climate Change	It is a change in the climate system which is caused by significant change in the concentration of green-house gases as a consequence of human activities and which is in addition to natural climate change that has been observed during a considerable period.
Community Land	Community land is land that a specific community holds, manages and uses. It is governed by customs and traditions of user group.
Degraded Lands	This is land that results from persistent decline or loss of productivity, biodiversity or ecosystem function and services that cannot fully recover without water aided interventions.
Degrader Pays Principle	A guiding code to make the party responsible for degrading the land pay for the damages or reclamation of the land to offer ecosystem services.
Desertification	The phenomenon or process by which once productive lands are transformed into barren land or desert as a consequence of various factors including climatic change or human activities. It results into severe biodiversity loss, and loss of productive capacity.
Driving Forces	Driving forces are factors determining trends in land degradation.
Ecosystem	A geographic area where a particular physical environment with specific physical characteristics such as the climate, temperature humidity, concentration of nutrients or PH (abiotic factors) are in

constant interaction and therefore, in a situation of interdependence with a set of living organisms such as animals, plants or micro-organisms (Biotic factors)

Ecosystem Services	The goods and services provided by ecosystems to humans. The Millennium Ecosystem Assessment of 2006 delineates the four categories of ecosystem services as; Provisioning Services (such as food from crops, livestock, game wild crops, and spices; raw materials; genetic resources; biogenic minerals; medicinal resources; energy (hydropower, biomass fuels); and ornamental resources); Regulating Services (such as water and air purification; carbon sequestration and climate regulation; waste decomposition and detoxification, predation on prey populations; Biological control of pest and disease; and pollination and flood protection); Cultural Services (such as use of nature as motif in books, film, painting, folklore, national symbols, advertising, etc; spiritual and historical; recreational experiences e.g. ecotourism, outdoor and sports; science and education and therapeutic e.g. eco-therapy, social forestry and animal assisted therapy); and Supporting Services (those that allow for the other ecosystem services to be present such as nutrient recycling and primary production).
Environment	A combination of the various physical, geographic, biological and social elements that affect the life of an individual or organism.
Equity	The fairness, the standard by which each person and group is able to maximize the development of their latent capacities. Justice is the vehicle through which equity is applied, its practical expression.
Food Security	Is when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life
Fragile Lands	Geographic areas containing natural, ecologic, scientific or aesthetic resources that may easily suffer damage or destruction by land degradation. Examples include arid and semi-arid lands; uncommon surface geologic formations; valuable habitats for fish or wildlife such as mangrove ecosystems; critical habitats for endangered or threatened species of animals or plants such as Turtle breeding grounds, coral reef ecosystems and encroached rainforests; environmental corridors containing a concentration of ecologic and aesthetic features; and, areas of recreational value.
Garbage	Any waste materials that if not properly processed or handled may contribute to land degradation.

Humid Zones	These are areas comprising ecological zones I – III, with relatively high rainfall averaging well over 1000mm/year. They have increased water abundance but with rapidly increasing demand due to population growth and economic development.
Impacts	Describe effects of a change on a specific type of land that are likely to affect the functioning of an ecosystem or human health and safety. Impacts may be positive or negative with intense to low magnitude.
Integrated Water Resource Management (IWRM)	A process which promotes the coordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems.
Land	Land in Kenya includes— (a) the surface of the earth and the subsurface rock; (b) any body of water on or under the surface; (c) marine waters in the territorial sea and exclusive economic zone; (d) natural resources completely contained on or under the surface; and (e) the air space above the surface.
Land Degradation	The reduction in the capability of the land to provide goods and services, and/or benefits from a particular land use under a specific form of land management. Or the long-term loss of ecosystem function and productivity caused by disturbances from which the land cannot recover unaided.
Land Degradation Neutrality	A state whereby the amount and quality of land resources necessary to support ecosystem functions and services remain stable, or increase within specified temporal and spatial scale.
Land Reclamation	Land reclamation is the process of rehabilitating, restoring or improving degraded land to support a specified end use. It concerns all categories and classifications of land, and often employs the use of water management
Land Restoration	The re-establishment or bringing back into a previous condition/state of ecological function and health of degraded land with a focus on environmental sustainability and biodiversity
Land Rehabilitation	To return degraded land into productive use and may result into modification/changes of original state
Land Reclamation Schemes	A defined area of disturbed land that has been planned for improvement through systematic and orderly methods to make it suitable for production of the desired goods and services
Land Tenure	The physical, social and economic construct by which property rights in land are allocated within societies. Land tenure systems determine who can use what resources for how long, and under

what conditions. Land tenure is a relation of human beings, individuals, and groups to the soil which they cultivate and use. This relation often transforms the land through subdivisions, classification and apportionment as may be influenced by legal issues, sentiments and mythological beliefs. Also, peoples' relation to the soil makes, determines livelihoods and demographic transition of communities.

Nature-based Solutions	These are actions to protect, conserve, restore, sustainably use and manage natural/modified terrestrial, freshwater, coastal and marine ecosystem which address social, economic and environmental challenges effectively and adaptively while simultaneously providing human wellbeing, ecosystem services, resilience and biodiversity benefits.
Public-Private-Partnerships (PPPs)	In the context of land reclamation, investments arrangements by which the public and private sector may negotiate for collaboration and contribute jointly to a venture targeting reclamation of degraded lands for the benefit of both investors upon restoration or rehabilitation.
Pressures	These constitute a wide range of external factors caused by human activities affecting land. Examples are economic, political, cultural and gender related factors influenced by societal developments such as demographic, production and consumption, population, poverty, urbanization, industrialization, technological developments, governance, conflicts, trade, globalization, finance and information. Certain policy interventions, except for the Environmental, water and land-related policy intervention, are also known to cause pressure on land.
Salinity	This describes the content of soluble salts in the soil. Salinity may be caused by the presence of salts in the soil or from irrigation water.
Salinization	The increased accumulation of excessive salts in land and water at sufficient levels to impact human and natural assets (plants, animals, aquatic ecosystems, water supplies or agriculture).
Social Inclusion	Social inclusion is defined as the process of improving the terms of participation in society, particularly for people who are disadvantaged, through enhancing opportunities, access to resources, voice and respect for rights.

State	This refers to observable values of land. A single or combination of indicators can be used to identify and measure the State of different categories of land.
Upland Areas	With respect to alluvial valley floors, those geomorphic features located outside the flood plain and terrace complex, such as isolated higher terraces, alluvial fans, pediment surfaces, landslide deposits, and surfaces covered with residuum, mud flows or debris flows, as well as hilly/highland areas underlain by bedrock and covered by physical, chemical or metamorphosis residual weathered material or material deposited by sheet wash, rill wash, or wind.
Wastelands	These are lands that are desolate, barren, or ravaged, uncultivable or without vegetation, often neglected and improperly managed. These lands typically have limited or no agricultural, economical or ecological value without significance water related restoration efforts.
Waste Water	The flow of water occurring on the ground surface when excess rainwater, storm water, meltwater, or other sources, can no longer sufficiently rapidly infiltrate in the soil or sewage, effluent or industrial waste water.
Water Control	The physical control of water by measures such as conservation practices on the land, channel improvements, and installation of structures for reducing water velocity and trapping sediments.
Water Harvesting	Activities where water from rainfall and/or surface runoff is collected, stored and utilized.
Water Logging	State of land in which the water table is located at or near the surface resulting in poorly drained soils, adversely affecting crop production.
Water Resources	Is water that is available in rivers and aquifers, and having good quality to be used for human purposes.
Water Resources Management	The decision-making, manipulative, as well as non-manipulative processes by which water is protected, allocated, and/or developed.
Water Scarcity	Water scarcity is a location specific concept that signifies the relationship between demand for water and its availability for a sector such as agriculture, industry, urban settlement, among others. The higher the demand for usage the more likely the affected location shall experience water scarcity compared to another location even under similar climatic conditions without such demands. Water scarcity can be measured in terms of 1000

m³/year/person or more than 40% use relative to supply, below which, is a situation of severe scarcity.

- Water Shortage Describes an absolute shortage where levels of available water do not meet certain defined per capita minimum demand or requirements. However, this may differ from one place to another as may be determined by social, economic and environmental factors, specific to a given location.
- Wetland This is an area where plants and animals become adapted to temporary or permanent flooding by saline, brackish or fresh water.

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CHAPTER ONE: INTRODUCTION

1. Water is the main agent of reclamation; improperly managed water is a major factor of land degradation. Productivity of degraded and underutilized lands depends gravely on the availability and control of water on such land. This chapter presents a background on Land Reclamation in Kenya, discusses the existing problems and provides the rationale, objectives and scope of the policy.

1.1 Background

2. Land in Kenya is an important resource with multiple uses. It is critical to the economic, social, and cultural development of the country (Kenya Vision 2030). It is a central category of property in Kenya, the principal source of livelihood and material wealth, and invariably carries immense cultural significance for most Kenyans. Socio-economic activities such as agriculture, livestock and animal husbandry, industry, mining, infrastructure, forestry, construction of homes and businesses, recreational purposes, fisheries, and water resources management all depend on the land. Land is thus at the centre of the Country's food and water security.
3. Kenya's land mass is 582,646 square kilometres comprising 97.8% land and 2.2% water surface. Its varied land forms and associated ecosystems include mountains, ranges, hills, escarpments, valleys, plains, plateaus, rangelands, coastal and marine areas. Out of this land area, over 80% is arid and semi-arid lands (ASALs), which is largely characterized by water scarcity for domestic, livestock and agricultural production. While the rest falls within medium to high rainfall areas. 36% of the population live in the ASALs while the remaining 64% live in the medium to high rainfall areas (2019, Kenya National Population Census). The Country has varied and often contrasting climatic and weather conditions.
4. The Country is divided into five distinct catchment-based topographical basins with different land use patterns. These are; Lake Victoria basin, rift valley basin, Athi River basin, Tana River basin and Ewaso Ng'iro river basin.
5. Land resources are finite, fragile and non-renewable. Consequently, the demand and pressure on land resources is ever increasing mainly driven by the increasing rate of population growth, economic development and demand for food and shelter. It is therefore imperative that land reclamation and land degradation neutrality be intensified in order to secure the land resources for the present and future generations.

1.2 Problem Context

6. Land degradation and desertification affect over 3.2 billion people worldwide, in more than a hundred countries, and over 33% of the earth's land surface with serious effects on the ecosystem structure and function. Globally,

degraded lands accounts for 46% of the land mass. In many parts of the world, land degradation is increasing in severity and extent, more than 20% of all cultivated areas, 30% of forests, 10% of grasslands and loss of 54% of the wetlands.

7. In Kenya, there has been a rising trend in land degradation over the years, increasing from 12% in 1990 to over 28.3% currently. Land degradation is caused primarily by anthropogenic factors such as increasing population, poor agricultural land use, de-vegetation and deforestation, introduction of alien species, overstocking, poor water management practices, mining, and biophysical factors such as droughts, floods and landslides. Climate change is also a major underlying force fuelling land degradation.
8. Annually, land degradation is estimated to cost the Country 1.5 billion USD, which was equal to 5% of the country's GDP in 2016 (Nkonya et al. 2016; UNSD 2016). Land degradation cuts across all the agro-ecological and climatic zones but is more pronounced in ASALs that occupy over 80% of the land. It affects both the social and economic prosperity of the nation with water and food security being the most severely affected. Drought is attributed to land degradation. Land degradation is one factor that contributes to Post Disaster Displacement (PDD) of populations in the ASALs forcing households to migrate and cross international boundaries. For instance, in Kenya drought related damages between 2008 and 2011 led to massive loss of USD 12.1 billion while in 2016-2018 drought affected 3.6 million people and drought related interventions amounted to over USD 220 million.
9. Land degradation is principally addressed through Land reclamation. However, most degraded lands have not been comprehensively mapped leading to ineffective or uncoordinated intervention strategies. Mapping and identifying areas affected by land degradation, along with a thorough examination of its consequences, to inform targeted and effective intervention strategies has therefore not been achieved. The current rate of land reclamation is extremely low compared to the rate of land degradation. According to a report by the Global Environment Facility (GEF) and the Global Mechanism of the United National Conventions to Combat Desertification (UNCCD) 2005, the estimated cost of land degradation is at around 65 billion USD annually whereas international investment appears to be around 4 billion USD annually.
10. Degraded lands remain vast, degradation continues, investments in rehabilitation are low, and are carried out in uncoordinated manner. According to the Kenya Agricultural Productivity Programme (KAPP) 2016, Land Degradation Assessment (LADA) report, the cost of inaction is 4 times more than the cost of action.
11. Various Government Ministries, Departments and Agencies (MDAs), UN agencies and NGOs are involved in carrying out activities related to land reclamation, restoration and rehabilitation. However, there is a coordination

gap among the actors leading to duplication of efforts, lack of standards and quality control.

1.3 Rationale for the Policy

12. Kenya currently lacks a specific policy to address land reclamation and degradation. This policy aims to define the scope of land reclamation and land degradation neutrality, bridge institutional and legislative gaps, and provide coordinated guidance to prevent land degradation caused by both human and natural factors. It will also promote socio-economic development by creating employment, wealth, and restoring land productivity for national posterity.
13. Most environmental laws look at preventing and protecting land from degradation but the focus of treating/curing the already degraded lands is missing necessitating this policy to fill legal and regulatory gap.
14. Water plays a dual role in land reclamation and degradation. Proper water management whether through controlling runoff, managing excess water, or introducing external water sources is essential for improving the productivity of degraded or underutilized lands. Effective water management is integral to every land use decision, underscoring its central role in sustainable reclamation efforts.
15. Despite the growing challenges of land degradation, the rate of land reclamation and investments are relatively low. The sector suffers from fragmented and uncoordinated efforts among multiple stakeholders. This policy will enhance investments, resource mobilization, coordination and foster synergies among these players for impactful treatment of degraded lands.
16. The Land Degradation Assessment study (LADA 2016) estimates that the cost of inaction is four times higher than the cost of intervention. To address this, the policy proposes reclaiming 20,000 acres annually at a cost of KES 6 billion, saving the country KES 24 billion each year. Timely action is imperative to restore productivity, enhance resilience, and secure sustainable livelihoods. Failure to act now will impose insurmountable costs on future generations.
17. Land is a finite and valuable resource essential for human existence and activities. However, increasing population pressure and expanding demands on land have heightened the need for sustainable management. Without proactive measures to prevent and restore degraded land, food and water insecurity, poverty, and resource-based conflicts will continue to worsen, threatening national development and ecological stability.
18. Land degradation is often a gradual process, making its immediate effects less visible. However, its long-term impacts such as water and food scarcity, entrenched poverty, and ecological disasters impact negatively on environment and socio-economic growth. This policy emphasizes preventive and restorative

actions to mitigate these risks and ensure sustainable land use for the benefit of both present and future generations.

19. The policy aligns with Kenya Vision 2030 and the Constitution of Kenya (2010), and integrates international commitments, such as Sustainable Development Goal (SDG) 15, which advocates for land degradation neutrality.
20. Currently, there is no centralized repository of data on land degradation in Kenya, and many degraded areas remain unmapped and unprofiled. This lack of information hampers effective decision-making and intervention strategies. The policy calls for comprehensive mapping, assessment, and profiling of degraded lands to support targeted, evidence-based interventions.

1.4 Policy Objectives

Overall Objective

21. The overall objective of this policy is to facilitate accelerated and sustainable reclamation of degraded lands and secure land degradation neutrality for food and water security, environmental sustainability and socio-economic development.

Specific objectives

- (i) To develop land reclamation policy and provide an overall framework to guide land reclamation initiatives including land degradation assessment and land degradation neutrality across the country;
- (ii) To halt further degradation and mainstream land reclamation and climate actions for community resilience, ecosystem health including biodiversity conservation in order to benefit from ecosystem services;
- (iii) To provide a basis for development and implementation of standards, legal, institutional and regulatory frameworks for land reclamation and land degradation neutrality;
- (iv) To promote research, knowledge management and capacity building in land reclamation;
- (v) To promote enhanced resource mobilization and investments for land reclamation including land degradation neutrality initiatives; and,
- (vi) To coordinate the planning, implementation, monitoring, evaluation and reporting of land reclamation strategies for enhanced synergy among stakeholders both at the national and county levels.

1.5 Policy Scope

22. This Policy provides an overarching national framework that will guide the national and county legislations, institutional mechanisms and stakeholder coordination on reclamation, rehabilitation and restoration of degraded lands. It will create an enabling environment resulting in active well-coordinated and

informed sector, with an integrated approach to land reclamation, guided by early warning systems, effective diagnosis and established standards in a regulated environment that attracts investment into the sector.

23. In addition, water is key to any integrated approach to land reclamation efforts. It is an agent of degradation and reclamation, thus its management through irrigation, storage and enhancement of ecosystem functions is critical in making land reclamation a reality.
24. It is also meant to enable securing of land degradation neutrality in accordance with Article 10 of the CoK, 2010, Kenya Vision 2030 and SDG 15. The policy brings out the curative and preventive aspects of degraded lands and ecosystems taking into consideration the land ownership, use and actors

1.6 Guiding Principles

25. The key guiding principles of this Policy include the following: -
 - i. Equitable access to land resources, including reclaimed land
 - ii. Intra-and inter-generational equity;
 - iii. Gender equity;
 - iv. Sustainable land use;
 - v. Respect for land rights
 - vi. Efficient land and water management
 - vii. Ecosystem sustainability
 - viii. Degradation pays principle
 - ix. Leaving no one behind (LNOB)
 - x. Nature-based solutions approach
 - xi. Equitable sharing

CHAPTER TWO: SITUATION ANALYSIS

2.1 General Overview

26. Land degradation can be termed as a global danger with an equivalent of 10% of the world's annual gross product being lost. In Africa, about 28% of the land is being degraded which costs the continent an estimated USD 56 billion annually. The rapid expansion and unsustainable management of crop lands and grazing lands is the most extensive global direct driver of land degradation. For example, by 2014, it was estimated that 1.5 billion hectares of natural ecosystems globally had been converted to croplands. This causes significant loss of ecosystem services such as biodiversity, food security, water purification, energy provision amongst others.
27. In Kenya, over 80% of the land surface that include ASALs is fragile and has a population of over 16 million people, majority of who live below poverty line and suffer effects of widespread aridity, acute food and water shortage, as well as general insecurity. (Mulinge et al, 2016; Range Management and Pastoralism Strategy 2021 – 2031). The annual cost of land degradation is estimated at 1.5 billion USD, which is equal to 5% of the country's GDP (Nkonya et al. 2016; UNSD 2016).
28. Reclamation and rehabilitation of Wastelands especially in ASALs, other disturbed lands and waterways has the capacity to restore lands' ability to provide ecosystem services and increase productivity in agriculture, forestry, recreational industry and wildlife habitats, among other uses.

2.2 Land Degradation

2.2.1 Causes of Land Degradation

29. The causes of land degradation can be classified into two, namely anthropogenic and biophysical. Anthropogenic causes are direct causes of land degradation as their impacts have adverse effects even without any intervening events taking place. These includes unsustainable land use management practices such as de-vegetation, poor agronomic practices, and poor rangeland management, pollution of the environment and water resources, pollution from agricultural and commercial activities. Biophysical factors are indirect causes which includes land cover changes, climate change, soil erodibility, frequent floods and drought.

a) Anthropogenic factors;

(i) De-vegetation

30. This is the removal of trees, grasses, herbs, shrubs and other plant materials which leaves the land bare exposing it to agents of land degradation. The

drivers of de-vegetation are population increase, agricultural land use and settlement.

(ii) Poor Agronomic Practices

31. Kenya has an ever-increasing demand for food due to the increasing population. This, coupled with increasing land subdivision, has caused decline in per capita land area reducing land production and productivity. Expansion into non-agricultural lands, improper use of fertilizers and pesticides, poor soil and water conservation practices and poor irrigation farming has led to physical degradation of the soils due to soil erosion and loss of nutrients.

(iii) Poor Rangeland Management

32. Rangelands in Kenya are used by pastoralists and agro-pastoralists as sources of livelihood through the livestock rearing. Increasing human and livestock population coupled with poor rangeland practices exerts pressure on the rangeland vegetation leading to accelerated degradation manifested by bare-soils and loss of vegetation cover.

(iv) Encroachment of ecologically sensitive areas

33. Ecologically sensitive areas require special protection due to their unique ecosystems the presence of rare or endangered species or their vulnerabilities to human activities and environmental changes. This includes, biodiversity hotspots, wetlands, coral reefs, mangroves, mountain ecosystems, grasslands and savannahs amongst others. Therefore, encroachment on these areas results in rapid land degradation.

b) Biophysical factors

(i) Climate change

34. Climate change and variability is also a major driver of soil erosion and therefore land degradation. Frequent extreme weather events such as floods and droughts, evidence that climate change is occurring in Kenya, have increased land susceptibility to degradation.

(ii) Soil erodibility

35. Soil erodibility is the susceptibility of soil to erosion and is influenced by topography, rainfall, wind, soil structure and texture, surface run off and vegetation cover. Soil erodibility is high on steep slopes, high rainfall areas, soils of poor structure and texture, land with poor vegetation cover, exposed coastal zones, areas prone to extreme weather and geological events. The increasingly opening up of new land including on steep slopes for crop production, overgrazing, artisanal and small-scale mining (ASM) has increased soil erodibility

(iii) Land use and land cover

36. Land use refers to the human use of land for the economic and cultural activities practiced in a given time and space/place e.g. agricultural, residential, industrial mining and recreation. Land cover is the physical material cover on the land surface e.g. grass, trees, water, bare ground. Changes in land cover can negatively affect the potential use of the land leading to severe land degradation and a deteriorating natural resource base and ecosystem services.

(iv) Invasive species

37. These are species not native to the ecosystem and cause harm to the environment, ecosystem, or human health. Invasive species in Kenya degrade land thus reducing its productivity. These include *Prosopis* spp., water fern (*Salvinia molesta*), wild garlic (*Allium vineale*), prickly pear (*Opuntia* spp.), mexican marigold (*Tagetes minuta*), lantana (*Lantana camara*), and morning glory (*Ipomoea* spp.) and more recently *Cuscuta* Spp or dodder in various agro - ecologies

2.2.2 The Extent and Severity of Land Degradation

38. The determination of extent and severity of land degradation is done through Land degradation assessment (LADA). These are studies that analyse the ecosystem and the physical environment with the general aim of understanding status, trends, causes and drivers of land degradation for purposes of maintaining sustainable land management (LADA 2022). Once identified, mapped and assessed, degraded lands are reclaimed in a systematic process that varies depending on the type and severity of degradation.

2.2.3 Impacts of Land Degradation

39. Land degradation has resulted in environmental, social-economic and political challenges such as landlessness, underutilization and abandonment of agricultural lands, diminishing water resources, loss of livelihoods, rural urban migration, lack of pasture/browse, and resource-based conflicts. As degradation continues, it becomes increasingly difficult and costly to rehabilitate and restore affected lands to their original state. Land degradation has a direct impact on sustainable water availability, land productivity and environmental integrity.

2.3 Policy, Legal and Institutional Context

2.3.1 International laws, policies and regulations and commitments

40. Globally, land degradation is a major environmental challenge that contributed to the adoption of the 1994 United Nations Convention to Combat Desertification (UNCCD), and two 1992 Rio de Janeiro Conventions; namely the Convention on Biodiversity (CBD), and the United Nations Framework

Convention on Climate Change (UNFCCC); and was highlighted in the Millennium Development Goals (MDGs) (UNCCD, 1992; UNEP, 2008) and Sustainable Development Goals 15, life on land and other SDGs namely 6, 10,12, 13.

41. The 2015 SDGs Goal 15 focuses on the protection, restoration and promotion of sustainable use of terrestrial ecosystems, sustainable management of forests, combating desertification and reversing as well as bringing to a halt land degradation. This charges countries with the role to take significant action to reduce degradation by 2020 and to restore degraded land and soil by 2030. The UN General Assembly proclaimed 2021 to 2030 the UN Decade on ecosystem restoration to call for the protection and revival of ecosystems.
42. Other frameworks include: Paris Climate Change Agreements, 2015; Sendai Frameworks for Disaster Risk Reduction, 2015; AU Agenda 2063, 1999 IGAD sub-regional Disaster Preparedness Strategy, National Determined Contributions (NDCs), the Ramsar Convention on Wetlands of International Importance 1975 and the Kunming-Montreal Global Biodiversity Framework (GBF)

2.3.2 National laws, policies and regulations

43. The CoK 2010 provides for land and environment under Chapter Five where it highlights the principles of land management, including but not limited to: sustainable and productive management of land resources, equitable access to land as well as sound conservation and protection of ecologically sensitive areas (Article 60). The CoK 2010 further provides for the right to a clean and healthy environment under Article 42, underscoring the need to have the environment protected for the benefit of present and future generations.
44. The CoK 2010, under the Fourth Schedule of the CoK Part I Section 22 defines functions of the national government to include protection of the environment and natural resources with a view of establishing a durable and sustainable system of development, while under Part II section 10 of the same Schedule, the county governments are charged with implementation of national government policies on natural resources and environmental conservation.
45. The Land Act Cap 280 (rev2019), mainly focuses on land management and administration but does not make specific provisions for measures to be taken in land reclamation to restore degraded land to usable land. The Land Registration Act 2012 on the other hand focuses mainly on the process of land registration and therefore none of the land laws implemented provides for the measures on implementation of land reclamation in the country even with a large percentage of land being lost due to land degradation.

46. Environment Management and Co-ordination Act Cap 387 which echoed the provisions of the CoK under articles 10, 42, 69 and 70 with the aim of creating a clean and healthy environment and sustaining a well conserved environment. Although the Act puts in place measures to prevent further damage to the environment it fails to provide specifics on the measures to be taken in land reclamation
47. The Mining Act Cap 306 and the Mining Policy 2016 provide that prospectors and miners shall restore land affected by prospecting or mining activities, including restoration of abandoned mines and quarries. This Policy shall compliment the mining law and policy so as to reclaim lands degraded by prospecting and mining operations.
48. The Water Act, Cap 372 provides for preventive measures to protect and conserve water and water catchment areas. In addition, the Water Resources Regulations 2021 developed under the Water Act provides a procedure for getting authorisation to reclaim land for infrastructure development over and above the sea bed, lakes or rivers but excludes other lands which form bulk of the degraded lands in Kenya. Further, the regulations provide for issuing of permits after land reclamation for water use activity in relation to a water resource on reclaimed land. These regulations are regulatory and leaves a vacuum in the legislation as it only serves the 'what' but not the 'how' aspect of land degradation hence the necessity to have a land reclamation policy in place that provides for the process of reclamation of all degraded lands.
49. Forest Conservation and Management Act, Cap 385 main focus is to conserve and manage forests. Although the Act provides comprehensively on forest management, funding, public participation and enforcement it does not cover land reclamation and the accompanying restoration of the forests.
50. The Climate Change Act, Cap 387A provides for a regulatory framework for enhanced response to climate change, mechanism and measures to achieve low carbon climate development. However, the policy doesn't address land reclamation issues.
51. Agriculture and Food Authority Act, Cap 317 provides for rules on preservation, utilization and development of agricultural land. It compels land owners to practice sustainable land development and management. The provisions of this act complement the aspirations of the land reclamation policy, however it does not address prevention, halting and reclamation of degraded lands which is the focus of the land reclamation policy.
52. Wildlife Conservation and Management Act Cap 376 governs wildlife conservation and management in Kenya. This Act aims to create a fair and just relationship between people and wildlife by ensuring that there are

opportunities for people to benefit from wildlife without threatening ecosystems and habitats. The Act complements and amplifies other natural resource management legislations that seek to ensure sustainable development in Kenya as provided for in the Constitution. The Act however does not explicitly provide for land reclamation in wildlife habitats.

53. Mining and Minerals Policy 2016 does not provide for adequate measures to be taken to restore or reclaim the degraded land. The policy touches on regulation of mining activities as part of its strategies but leaves the regulation of the sector to the Mining Act which fails to incorporate provisions for land reclamation of pre-existing degraded lands.
54. The National Water Policy 2012, the National Water Resources Management Strategy and the Water Act 2016 have provided for the management, conservation, use and control of water resources but fail to adequately address the inter-linkages and inter-relationships between land use and the water cycle or water management generally.
55. Agricultural Soil Management Policy 2023 provides for the restoration, use and sustainable management of agricultural soils, the policy gives direction on how agricultural soils will be managed for increased crop productivity and production while at the same time conserving the environment. Inasmuch as, the policy addresses restoration of soil fertility and reclamation of agricultural lands, it is inadequate in addressing prevention, halting and reclamation of degraded lands which is the focus of the land reclamation policy.
56. The Sessional Paper No 8 of 2012 on the National Policy for the Sustainable Development of Northern Kenya and other Arid Lands; The goal of this policy is to facilitate and fast-track sustainable development in Northern Kenya and other arid lands by increasing investment in the region and by ensuring that the use of those resources is fully reconciled with the realities of people's lives. The policy addresses broad aspects of socio-economic development needs for northern Kenya hence not specific on land reclamation.

2.4 Institutional context

2.4.1 Institutional framework

57. The Land reclamation function was established in Kenya in the early 1970s under the mandate of the then Ministry of Environment. It underwent several institutional changes, including shifts and transfers from one ministry to another. Prior to 1974 it was under the Ministry of Agriculture. In 1992 it was moved to the then newly established Ministry of Land Reclamation, Regional and Water Development, and six years later it was moved to a reconstituted Ministry of Agriculture and Rural Development. In 2003 the Land Reclamation Department was moved to the Ministry of Water and Irrigation (MWI) and in

2022 retained under the newly named and current Ministry of Water, Sanitation and Irrigation (MWSI).

58. The land reclamation function is a residual function under the CoK, 2010 meaning it is not specifically allocated under Schedule 4 of the CoK to either level of government. It is therefore, by virtue of Article 186 (3) of the CoK, 2010 a function of the National Government. However, its implementation guided by the devolution Act requires collaboration and cooperation of both levels of government. According to executive order No. 1 of 2023, land reclamation is a function of the State Department for Irrigation. Water is a major agent of degradation and main agent of reclamation. This water is used to reclaim bare lands through water harvesting, storage and irrigation among others hence enhancing land productivity.

2.4.2 Challenges related to the policy, legal and institutional framework

59. Limited clarity concerning the function of the national and county governments with regard to implementation of land reclamation activities. As a result, County Governments have not given adequate attention to land reclamation in their County Integrated Development Plan (CIDP). To date, only Turkana and West Pokot counties have established Land Reclamation Units. There is lack of coordination of land Reclamation and LDN interventions among agencies and enforcement authority for existing and incoming legislations that seek to protect vulnerable lands from degradation.

2.5 Capacity Building, Research and Knowledge Management Context

60. Data and information management: Centralized data and information repository on land reclamation, restoration and rehabilitation is not available.
61. Leadership and public awareness: There is weak public awareness on land degradation and reclamation including causes and drivers, manifestations and impacts.
62. Research and innovation: There is limited research on appropriate land degradation and reclamation technologies/innovation, weak research and extension linkages between public agencies, private sector, civil society and other stakeholders.

2.6 Monitoring and Evaluation Context

63. There exists Monitoring and Evaluation frameworks at the national level (National Integrated Monitoring and Evaluation System) and county level (County Integrated Monitoring and Evaluation System). Currently, these frameworks do not adequately address the needs of the land reclamation sector.

2.7 Financial Resources/Funding

64. Land reclamation and rehabilitation for the 10-year period starting 2013 to 2022 was allocated Ksh. 394 million towards land degradation assessment and Ksh 85 million was released. This indicates that there is inadequate funding for land reclamation and LDN initiatives by the National and County Governments. There is a need to develop land reclamation and rehabilitation programmes which will translate to progressive increase of budgetary allocation to approximately 1% of the annual budget across the entire sector. Further, there is low private sector investment in land reclamation due to lack of a coordinated policy and regulation framework for land reclamation and ecosystem services restoration.
65. There are climate adaptation funds that can augment the resources provided by the exchequer. This include GEF, GCF and AF that can be accessed to carry out land restoration, rehabilitation and reclamation with support from the National Treasury.

2.8 Past and current efforts in land reclamation

66. The modest achievements of the land reclamation function over the years include reclamation and rehabilitation of some degraded lands, efforts to attain land degradation neutrality, the carrying out of a comprehensive National Land Degradation Assessment (LADA 2012) and public dissemination of its findings, and, in more recent years, efforts to develop a dedicated National Land Reclamation Policy and corresponding legislation.
67. According to the Annual Water Sector Reviews 2014-2016, several land reclamation efforts were carried out in the country. In Turkana, West Pokot and Garissa Counties, 2,500, 120 and 208 hectares respectively were reclaimed using, among others, water harvesting structures; flood-based farming systems; spate irrigation, pasture reseeding and vegetable gardening; gully healing and control; and, water harvesting and damming. By 2022, a cumulative total of 22,000 hectares of land had been reclaimed and more landowners engaged to reverse degradation trends. (Annual status report on water, sanitation and irrigation 2022).
68. A notable Programme on land reclamation; Centre for Integrated Training and Research in ASAL and Development (CETRAD) carried out sustainable land management courses in 2014-2015 in 10 counties with the aim of increasing capacity in land reclamation areas. This included training farmers on soil and water conservation practices.
69. Other current interventions that support land reclamation and rehabilitation include TWENDE which targets to restore 500,000 Ha of land, DRIVE, Restore Africa which is an ecosystem-based land restoration initiative that targets to

restore 63,133 Ha of land in Kilifi, Kwale, Narok, Migori and Elgeyo Marakwet, unlock 8.2 million carbon credits and plant 3 million trees.

DRAFT

CHAPTER THREE: POLICY STATEMENTS AND INTERVENTIONS

3.1 Accelerating Restoration of Degraded Lands

70. This policy recognizes the various forms of the degraded areas for reclamation which includes but not limited to; wastelands, rills, gullies, eroded lands, saline, sodic, marshlands, waterlogged and poorly drained lands, garbage dump sites, chemical polluted sites, infertile soils, overgrazed rangelands, rocky soils, abandoned quarries and open cast mine fields, land submerged under sand dunes and deserts, infertile or leached lands, lands devastated by landslides or earthquakes, coastal lands invaded by sea water, lands adulterated by military exercises or bombed in war or waste water, lands invaded by invasive and alien species.
71. Land degradation is more like “a land disease” which needs “diagnosis” and “treatment” in order to secure the health of the land resource and all who depend on it. Therefore, the Policy provides a framework for “curative”, “preventive” and “management” measures geared towards confronting existing degradation with curative or reclamation measures.

3.1.1 Diagnosis: Identification and Assessments of Degraded land

Challenges

72. Diagnosis of degraded lands and ecosystems is an initial and important process in land reclamation and rehabilitation process. Making the right diagnosis results in correct treatment that secures the land quality for required function. Similarly, mapping identified degraded lands makes decision making on treatment easy as well as a coordinated and integrated approach to land reclamation. Realizing this has been made difficult with the variety of forms of degraded lands in any one locality. Sub-basin and basin wide land degradation assessments (LADAs) programs have been initiated and partially implemented by national government but coverage across the entire Country remains limited.
73. There are no complete inventory and maps of degraded lands at national and county levels to support planning and resource allocation. The desired situation is that all degraded lands, including those lands at risk of degradation are identified, assessed and mapped to aid the reclamation process.

Policy statements

74. In order to realize accelerated land reclamation and rehabilitation, the National government will provide guidelines and standards for the diagnosis and inventorying of degraded lands.
Specifically, the National Government will;
 - (i) Develop and provide guidelines and standards to ensure quality and uniformity in the diagnosis and inventorying process;

- (ii) Identify, inventorize and map all forms of degraded lands;
- (iii) Undertake assessment on severity and extent of degradation for the concerned degraded land; and,
- (iv) Ensure all public, community and private lands are inspected and monitored for any signs of degradation, inappropriate uses, illegal encroachment of invasive or alien species that would lead to its degradation and other deleterious impacts.

The National Government in collaboration with the County governments will;

- (i) Identify, inventorize and map degraded land areas within their jurisdiction;
- (ii) Design appropriate reclamation measures for identified degraded lands; and
- (iii) Prioritize the identified degraded lands for interventions as specific geographical areas known as land reclamation schemes
- (iv) Ensure all public, community and private lands are inspected and monitored for any signs of degradation, inappropriate uses, illegal encroachment of invasive all alien species that would lead to its degradation and other deleterious impacts.

3.1.2 Mapping of degraded areas and Development of National land use Plans

Challenge

75. Land reclamation cannot be carried out and land degradation neutrality achieved without degraded lands being mapped and proper land use plans put in place.

Policy statement

The National Government in consultation with the County Governments will incorporate land use plans in land reclamation projects, including the use of mapping and surveying across the country.

3.1.3 Treatment: Design and implementation of interventions

challenge

76. Effective (timely and quality) implementation of reclamation interventions / treatments has been slow due to limited resource allocation, inadequate community participation, poor technology in use, and inadequate stakeholder involvement. Once degraded lands are identified, assessed and mapped at national, county or basin level, there is need to fix and secure the original or desired status for proper ecological functioning. Different forms of degraded lands require different designs and treatment. The right designs for intervention will inform the course and cost for intervention and resource mobilization.

Policy statements

The National Government will;

- (i) Provide technical support to the county governments in design and implementation of reclamation interventions;
- (ii) Develop a national strategy for reclamation and restoration of degraded and waste lands; and,
- (iii) Develop a framework and guidelines to rehabilitate all forms of degraded lands and address anthropogenic activities
- (iv) Develop regulations to address land degradation as a result of anthropogenic activities

The National government in collaboration with county governments and other stakeholders, will;

- (i) Promote education and public awareness on land reclamation;
- (ii) Coordinate reclamation of all inventoried degraded and waste lands; and,
- (iii) Undertake and promote appropriate and integrated technologies for land reclamation.

The County governments will:

- (i) Enforce application of appropriate land reclamation measures for land users;
- (ii) Domesticated and implement the national strategy for reclamation and restoration of degraded and waste lands;
- (iii) Synchronize implementation of this policy with climate change policy and other appropriate policies;
- (iv) Ensure public participation in all land reclamation and rehabilitation initiatives; and,
- (v) Involve beneficiaries and communities in the design and implementation of land reclamation initiatives

3.2 Sustainable Management of Reclaimed Land

challenge

77. Most reclaimed lands have not been well managed and maintained sustainably due to continuous catchment-wide land degradation and lack of community management structures. Post reclamation support services and linkages are weak resulting in reclaimed areas slipping back to degradation.

Policy statements

78. In order to realize sustainable land reclamation and rehabilitation;

The National Government in consultation with County Governments will;

- (i) Enact legislation and develop rules and regulations to protect land reclamation structures and oblige land degraders to restore the land they have degraded; and,
- (ii) Collaborate with other regulators to ensure compliance with all legal requirements and conditions for land use practices to ensure environmental sustainability.

The National Government and the County Governments will

- (i) Promote catchment-based land reclamation efforts, and mobilize resources in this regard;
- (ii) Promote and empower catchment-based land reclamation associations and other community-based stakeholders;
- (iii) Ensure that large farms take caution and responsibility for degradation caused by farming activities;
- (iv) Ensure that all public land is rehabilitated and reclaimed, and that measures are put in place to ensure land degradation neutrality;
- (v) Ensure public agencies incorporate and integrate land reclamation and land reclamation neutrality measures with respect to land held by the said agencies

The County governments will;

- (vi) Coordinate and enforce measures that ensure beneficiaries or local communities actively manage reclaimed land in a sustainable manner in consideration of gender inclusion and community financing.
- (vii) Promote health and safety in all land reclamation infrastructures

3.3 Controlling and Halting Further Land Degradation

79. The objective of the policy is to attain land degradation neutrality and halt any further land degradation. This policy, therefore targets the land degraders / actors, on-going land degrading activities / practices and degrading agents.

3.3.1 Regulating Activities of Actors that Degrade Land

Challenge

80. The main land degraders are road contractors, mining firms, commercial land owners, land users, displaced persons, small- and large-scale farmers.

Policy statement

81. In order to curtail land degraders, *the national Government in collaboration with county governments will;*

- (i) Promote and ensure implementation of degrader pays principle;

- (ii) Initiate innovative and appropriate incentives for degraders to restore degraded sites;
- (iii) Promote alternative means to curb degradation such as nature-based solutions;
- (iv) Promote measures towards attaining land degradation neutrality;
- (v) In collaboration and consultation with relevant partners, curb degradation by developing an incentive framework which includes rewards and sanctions to best reclamation and worst degraders respectively;
- (vi) Promotion of payment for ecosystem services in Land Reclamation in accordance with existing legislations

3.3.2 Halting Land Degrading Activities and practices

Challenges

- 82. The key practices and activities driving land degradation in humid, marginal and ASALs areas include: Floods, landslides, widespread and wanton deforestation and de-vegetation; poor land and water management practices, application of inappropriate agricultural technologies and irrigation practices.
- 83. The key activities/practices driving degradation for ocean and other water bodies include episodic intrusion of saline waters into agricultural lands and human settlements, sedimentation and siltation, unplanned and haphazard reclamation of sea front and beach areas.

Policy statement

- 84. In order to create synergy among actors in controlling and minimizing activities and practices that drive further land degradation, the *National Government in collaboration with county governments and other relevant stakeholders will;*
 - (i) Strengthen legal, regulatory and policy frameworks to support measures against wanton deforestation and de-vegetation, including those affecting water, environment and wildlife, land, mining, infrastructure, agriculture and related sectors
 - (ii) Support relevant agencies and other stakeholders to enhance vegetation cover, including through afforestation and re-afforestation programmes, tree farming, rotational grazing and reduction of livestock herds, planting of more productive animal fodder, and other conservation programmes;
 - (iii) Encourage uptake of better land and water management practices, including on-farm water harvesting, water storage, irrigation and proper management of livestock herd size;
 - (iv) In view of challenges presented by climate change, encourage alternative livelihoods for communities relying on livestock and other traditional means of livelihood that accelerate degradation;

- (v) Undertake measures to prevent episodic intrusion of saline waters into agricultural lands and human settlements, sedimentation and siltation, unplanned and haphazard reclamation of sea front and beach areas;
- (vi) Take measures to prevent or reduce salinization of soils through leaching, use of halophyte crops, trees and pasture;
- (vii) Promote Nature based solutions, ecosystem-based adaptation and climate resilience interventions for land reclamation; and,
- (viii) Develop an integrated approach in undertaking land reclamation activities.
- (ix) Explore and apply appropriate environmental trade-offs including Ground water recharge, water driven natural rejuvenation, reseeding, collaborating with other stakeholders on sand harvesting and quarrying, sand dams and earth dams)

3.3.3 Containing Land Degrading Agents

Challenge

85. The key land degrading agents include soil erosion, desertification, deforestation, overgrazing, leaching of minerals, invasion by alien and invasive species, population pressure on land leading to uneconomically small sizes of land and decline in its productivity. The levels and extent vary from place to place; with humid, ASAL zones, ocean and other water bodies, each having unique issues of intervention.

Policy statement

86. In order to control and minimize land degradation agents, *the National Government will:*
- (i) Support relevant agencies and other stakeholders to enhance, tree and vegetation cover;
 - (ii) Implement and enhance measures to improve declining quality of soils mainly through better land use practices, integrated soil fertility management and soil erosion control;
 - (iii) Collaborate with relevant agencies and stakeholders to discourage land fragmentation, encourage land consolidation and secure economically viable parcels of land;
 - (iv) Address the root causes and consequences of frequent droughts, floods and other climatic variations that cause aggravating conditions of aridity and loss of biodiversity;
 - (v) Adopt cost effective climate change adaptation and mitigation measures to contain the drivers of degradation

The national government in collaboration with the county government will:

- (i) Put mechanisms to enhance availability of surface water, through rain water harvesting in dams, pans, trenches, on-farm micro catchments structures and soil and water conservation and drainage structures;
- (ii) Support measures to ensure early detection and management of alien and invasive species
- (iii) Harmonize the National and County Integrated Monitoring System for effective surveillance and control of agents of land degradation

3.3.4 Responsive Land Tenure System

Challenge

87. Current land tenure systems include public, private and community owned land with different user rights. Privately owned lands confer absolute user rights for land owners on the use of the land. The absolute user rights make it difficult to compel land owners to implement reclamation interventions on their lands. Community and Public owned land, user rights, are determined by the holding community and government respectively.

Policy statement

88. In order to ensure degraded lands are reclaimed and further degradation halted, The National Government in collaboration with County governments will coordinate with relevant stakeholders to make them responsive to land reclamation by promoting land management practices that do not degrade the land irrespective of the land tenure system.

3.4 Enhancing Country Capacity and Systems for Sustainable Land Use Management and Reclamation

89. The policy aims at developing adequate sector capacity for research, technology and innovation in land reclamation; provision of physical resources such as tools and equipment; technical training for various actors in land reclamation; training for land owners/users; leadership, public awareness, advocacy and public participation in land reclamation; gender and social inclusion; improving information and knowledge management systems; and integrating climate change sensitive approaches to land reclamation.

3.4.1 Research, Technology and Innovation in land reclamation

Challenges

90. Much as research and innovation is essential for realization of long-term objectives of land reclamation, the sector is inadequately served by research. The major challenges facing research in the sector include lack of an institution or unit to coordinate research and low priority in funding. Up-take or utilization of the research findings has been low irrespective of the investment made and

the data generated through research which should be used for efficient policy and decision-making support to development.

91. There is limited research on appropriate land degradation and reclamation technologies; weak research and extension linkages between public agencies, private sector, civil society and other stakeholders. Although universities, science and technology institutions, NGOs and the private sector have developed some technologies on land reclamation, adoption of the technologies by land owners have been limited especially among small scale land owners. The large farms and few land owners utilize modern technologies and highly scientific methods of reclamation.
92. There is need for a consultative mechanism between research institutions, National and County Governments for coordinating research and innovation in land reclamation.

Policy Statement

93. In order to promote science and technology in land reclamation;
The National Government will;
 - (i) Build capacity of land owners and degraders to promote adoption of appropriate technologies for land reclamation;
 - (ii) Promote the use of research and innovation through institutional arrangements that are dedicated to land reclamation; and,
 - (iii) Use administrative and legislative mechanisms to ensure an efficient research and training in the land reclamation sector.

The National Government in collaboration with County governments will:

- (i) Promote, support and strengthen coordinated research, innovation and technology development for land reclamation to gain from new and emerging knowledge;
- (ii) Promote application of relevant research products by policy makers and development practitioners to empower communities;
- (iii) Establish mechanisms to strengthen research extension linkage
- (iv) Mobilize resources for investment in land reclamation and land degradation neutrality research and development;
- (v) Support investments and promotion of science and technology in land reclamation;
- (vi) Provide incentives to encourage various stakeholders to invest in science and technology, and establish stronger linkages with land owners/ users
- (vii) Encourage business models that embrace use of modern technology, including adoption of ICT in their operations.

3.4.2 Technical Training

Challenge

94. There exists a knowledge and skills gap on land reclamation at tertiary level for prospective and practising technical staff. Training is indirectly offered through units within the curricula of other degrees' programmes of various universities, such as civil engineering, agriculture and environmental sciences.
95. There is a need to train on land reclamation competencies for building the capacity of the sector. There is no targeted training programme for land reclamation and degradation neutrality in technical training institutions.
96. Additionally, the number of technical staff at County and National levels to lead and drive restoration and halt further degradation are limited. This has been occasioned by natural attrition and low public service staff recruitment over time.

Policy statement

97. In order to enhance the number and capacity of technical personnel on land reclamation and LDN and improve middle level technical training for staff, service providers and stakeholders;

The National Government will:

- (i) Recruit and train staff to manage Land Reclamation sector;
- (ii) Develop a framework for establishment of county land reclamation units;
- (iii) Provide technical support to counties on land reclamation and LDN;
- (iv) Promote development of the necessary capacity in terms of qualified technical skills and personnel;
- (v) Integrate land degradation and reclamation programmes in training institutions and schools;
- (vi) Partner with Kenya institute of curriculum development to mainstream land reclamation and degradation issues into the national basic education;
- (vii) Assess the human capacity needs of the sector and collaborate with training institutions to develop curricula for professional and technical training and certification.
- (viii) Maintain a pool of qualified technical staff to provide technical, advisory and training services

The County Government will:

- (i) Establish County Land Reclamation units to spearhead reclamation initiatives at county level.

- (ii) Recruit and train staff to manage County Land Reclamation units
- (iii) Maintain a pool of qualified technical staff to provide technical, advisory and training services;
- (iv) Promote extension and training services in land reclamation.

3.4.3 Capacity Building for Land Owners/Users

Challenge

98. There exist a knowledge and skills gap amongst land owners and users on land reclamation. Currently, land owners'/users' training is provided through agricultural extension services by county staff and non-state extension and advisory service providers. This initiative is limited and it has not been possible to build effective capacity amongst farmers and land owners on land reclamation.

Policy statement

99. To enhance the capacity of land owners and users, and fill existing knowledge and skills gap, the National Government in collaboration with County Government and stakeholders will support development, management and implementation of appropriate capacity building programmes including training for land owners and users.

3.4.4 Information and Knowledge Management Systems

Challenges

100. Information and knowledge management is critical for land reclamation planning, decision making while implementing land reclamation interventions and undertaking future programming. However, there is limited data and information on land reclamation and rehabilitation. Most of the work has been done by several agencies whose successes have not been adequately documented.
101. There exists information deficiency on the stock of reclaimable lands and selection of appropriate reclamation systems (approaches and strategies) for different agro-ecological zones. Past efforts to use GIS/ Remote sensing tools for capturing and compilation of information related to degraded lands has not been as fruitful as desired. Hence, information on degraded lands and all relevant information pertaining to land reclamation is not consolidated and updated in a central depository. The creation of proactive virtual knowledge centres requires hardware, software, personnel and financial resources to collect data and information, process, develop knowledge products, store and share the same with intended users.

Policy statement

102. To enhance information and knowledge management systems, *the National and County Governments will:*

- (i) Support information and knowledge management for land reclamation, through establishment of knowledge centre (s) and management information system for the sector;
- (ii) Develop mechanisms and modalities for an effective, innovative system to strengthen stakeholders networking as part of knowledge and information sharing.

3.4.5 Equipment and Tools

Challenges

103. The equipment and tools for diagnostic and restoration of degraded lands and ensuring LDN, are inadequate. This is compounded by the fact that reclamation of various forms of degraded lands require specialized equipment and tools.

Policy statement

104. To enhance capacity in terms of equipment and tools for land reclamation and LDN, *the National Government will:*

- (i) Provide technical guidance and standards to the County Government on appropriate equipment and tools;
- (ii) Acquire necessary equipment, and tools including use of Artificial Intelligence (AI) for national level land reclamation related interventions;
- (iii) Provide a framework for collaboration with other relevant institutions

The County Governments will;

- (i) Equip land reclamation units with necessary and adequate equipment and tools to enable accelerated land reclamation services.

3.4.6 Leadership, Public Awareness, Advocacy and Public Participation

Challenges

105. There is a weak public awareness on land degradation and reclamation, including; causes and drivers, manifestations and impacts, measures to take and the true costs of land degradation. Land degradation is a slow and gradual process that many times goes on unnoticed.

106. Most of the time, the public does not intervene due to poor leadership, lack of awareness and inadequate public involvement resulting into degraded lands spreading across the entire country. Without a dedicated effort in nurturing leadership, awareness creation, advocacy and public participation on land

reclamation and control of land degradation collective action by both State and non-state actors little may be achieved in effective land reclamation.

107. The CoK, 2010 and other relevant legal and policy instruments provide for public and community participation in public affairs, including in decisions and processes affecting natural resources. In the land reclamation sector, there are impediments to public or community participation like inadequate resources to mobilize communities, lack of or inadequate structures for public engagement, ignorance of ongoing processes and opportunities for participation, and poor incentives for participation.

Policy statement

108. In order to enhance public awareness on land reclamation and LDN, and ensure compliance with the CoK, 2010 requirements on public participation, *the National and County Governments will:*
- (i) Conduct institutional awareness campaigns and promote exposure visits for land owners and users to places where successful and best practices have been experienced;
 - (ii) Create an enabling environment for public engagement and advocacy on land reclamation.
 - (iii) Put in place appropriate incentives for active community and stakeholder participation in land reclamation and land degradation neutrality efforts;
 - (iv) Establish formal structures to enable communities to play an active role in land reclamation, mainly through community land reclamation committees which shall provide feedback and checks in land reclamation processes;
 - (v) Support and promote public and community awareness on land reclamation processes that affect them;
 - (vi) Mobilize resources to support community and stakeholder participation in land reclamation processes that affect them.

3.4.7 Climate Change in Land Reclamation

Challenges

109. Land is highly vulnerable to adverse impacts of climate change making it degraded. Extreme weather events attributed to climate change such as droughts and floods, have become more frequent and intense leading to extensive damage to land and water resources.
110. Climate change adaptation and mitigation actions have not been adequately mainstreamed in land reclamation sector. Climate financing opportunities exist that could be utilized for performance based innovative mobilization of resources, for actions such as climate proofing infrastructure, adaptation, and mitigation in the sector.
111. The effects of natural and human induced disasters associated with climate change such as floods and drought continue to have negative impacts especially

to vulnerable communities necessitating the need for disaster risk reduction measures.

Policy statement

The National and County Government will:

- (i) Mainstream climate change to safeguard the sector from its adverse effects by promoting adaptation and mitigation actions at national and county levels;
- (ii) Mainstream disaster risk reduction in land reclamation interventions nationally;
- (iii) Enhance institutional collaboration and partnerships on climate change, at all levels of government, and non-government actors for land reclamation;
- (iv) Develop and implement a strategy for the sector to leverage and access climate finance to support implementation of land reclamation actions for mainstreaming climate change;
- (v) Strengthen early warning system and response for floods in collaboration with relevant agencies;
- (vi) Mainstream human displacement issues in land reclamation interventions
- (vii) Ensure climate sensitive budgeting for climate resilience and sustainability in land reclamation through climate friendly budgeting, climate informed project appraisal, sectoral integration and public procurement of goods and services that are environmentally friendly.

3.4.8 Gender and social inclusion

Challenge

112. Inadequate gender and marginalized groups mainstreaming in decision making on issues of management of reclaimed lands, equal access and control over resources for land reclamation can accelerate or exacerbate land reclamation.

Policy statement

- (i) To ensure gender and social inclusion, the National and County Governments will ensure gender equity in decision making bodies in the sector including public participation procedures;
- (ii) Put affirmative action guidelines to enhance the recruitment, training and advancement of women, youth and persons with disabilities (PWDs) as land reclamation sector professionals

CHAPTER FOUR: POLICY IMPLEMENTATION FRAMEWORK

4.1 Overview on Policy Implementation Framework

113. The implementation framework will incorporate an integrated approach, joint planning and participation of stakeholders. The focus will be addressed through coordinated programmes and projects.
114. There will be consultation and cooperation between the National Government, County Government and other stakeholders in implementation of this policy.
115. The Ministry responsible for Land Reclamation will play the oversight role of monitoring the implementation of the Policy.

4.2 Legal and Institutional Framework for Policy Implementation

4.2.1 Governing Legal and Regulatory Frameworks

116. The CoK, 2010 enshrines comprehensive consideration of land and natural resources management. This is highlighted under Chapter Five (5) although there is no direct reference to land reclamation. As previously stated, several legislations are also pertinent to land degradation and reclamation, and they include land, environment, agricultural, mining, and forestry laws, among others.
117. Regulatory effectiveness over land reclamation performance is dependent, to a large extent, on effective cooperation among players at all levels of government towards the achievement of common reclamation objectives, and also by a clear definition of responsibilities. Land Reclamation is associated with the following public sectors and their agencies: Water and Sanitation, Environment, Natural Resources, Lands, Agriculture, Irrigation, Mining, among others. Unfortunately, these sectors and institutions individually function sub-optimally with regard to land reclamation, which provides a justification for independent institutions for the purpose.
118. The Government will propose to Parliament enactment of a Land Reclamation Act to establish an appropriate legal, institutional and regulatory framework for the land reclamation sector for effective promotion, coordination, management, regulation and development throughout the country. This will ensure enforcement of provisions of the Policy and accelerate land reclamation and land degradation neutrality.
119. The government will deploy legal instructions to regulate actions that results into land degradation and compel restorative actions where applicable through the degrader pays principle.

4.2.2 Institutional Roles and Mandates

120. The Ministry of Water, Sanitation and Irrigation (MWS&I) has been in charge of land reclamation since 2003. There are many statutory bodies, parastatals and semi-autonomous agencies partly involved in land degradation neutrality and land reclamation related interventions. However, there is poor or inadequate coordination and duplication of efforts among them. This necessitates enhanced coordination and establishment of synergies among the institutions. In addition, this policy proposes establishment of institutions dedicated to undertake specific land reclamation mandate.

a) Role of National Government in Land Reclamation

121. The fourth schedule of the Constitution of Kenya mandates the National Government to develop national policies and capacity build County Governments in their domestication and implementation.

In land reclamation, the key role of the National Government include: policy formulation, regulations and legislative proposals, standards and guidelines, compliance, inspection, capacity building and technical assistance to counties including training and innovation, research, database and knowledge management, resource mobilization, monitoring and evaluation, sector coordination, and development of national land reclamation schemes.

The specific functions will include:

- (i) Provide oversight and spearhead implementation of this Policy in consultation with County Governments;
- (ii) Ensure sector coordination for effective implementation of land reclamation programmes;
- (iii) Provide land reclamation and degradation neutrality support services to private and public schemes, in consultations and cooperation with County Government and other stakeholders;
- (iv) Provide technical advisory services to counties in design, construction supervision, administration, operation, maintenance under appropriate modalities;
- (v) Oversee the operation and management of strategic land reclamation and land degradation neutrality projects and programs, including those which straddles more than one county;
- (vi) Formulate and develop national projects and programmes in collaboration with County Governments and other stakeholders;
- (vii) Collaborate and liaise with other agencies involved in land degradation neutrality and land reclamation at local, regional and international levels;

- (viii) Develop and implement the National Land Reclamation Master Plan, Strategy and Investment Plan;
 - (ix) Carry out annual land degradation assessments in collaboration with counties and relevant agencies;
 - (x) Regulate land degradation neutrality and land reclamation functions. Put in place mechanisms for regulation of the sector;
 - (xi) Establish a land reclamation fund (LRF) to facilitate the development of the land reclamation sector. The proposed LRF shall mobilize funds for programmes and activities that provide for land reclamation and achievement of land degradation neutrality
 - (xii) Establish a Management Information System for land reclamation and land degradation neutrality in collaboration with counties;
 - (xiii) The government shall formulate mechanisms for benefit sharing arising from land reclamation activities at community level
122. The government shall establish a Land Reclamation Directorate to perform the following functions;
- a) Implement huge capital investment National land reclamation Programs
 - b) Operate and manage strategic land reclamation and land degradation neutrality projects and programs, including those which straddles more than one county;
 - c) Identify land reclamation schemes and formulate national projects and programmes in collaboration with County Governments and other stakeholders
 - d) To carry out research, technology development and training relevant to land reclamation and land degradation neutrality functions in collaboration with relevant research institutions, universities and other institutions of higher learning so as to train technical personnel in specialized skills and offer professional courses
 - e) Form and operationalize Joint Land Reclamation sector coordination secretariat.
 - f) Implementation of National policies and strategies on land reclamation.

Role of County Governments in Land Reclamation

123. County Governments are charged with the mandate of implementing policies and laws enacted by the National Government as provided for under the Constitution of Kenya, Chapter 11. Land reclamation is implied under land and water management as prescribed for in the Fourth Schedule, Part 2.
124. The County Governments will be responsible for resource mobilization, designing and implementing appropriate reclamation measures for identified degraded lands and ensure all public, community and private lands are

monitored for any signs of degradation. The County Governments shall domesticate and implement a national strategy for rehabilitation and restoration of degraded land and ensure Compliance of all legal requirements and conditions for land use practices to ensure sustainability of the environment.

b) Mandate of the County Land Reclamation Unit

125. The County Governments will establish a multi-departmental County Land Reclamation Unit (CLRU). The unit will be under the county department responsible for land reclamation and answerable to the County Government but have clear linkages to the National Government and other stakeholders. The unit shall be responsible for the following functions:
- (i) Implement land reclamation policy at the county level as per its mandate;
 - (ii) Formulate and implement county land reclamation strategy in collaboration with relevant stakeholders, in line with national policies and strategies;
 - (iii) Provide technical (surveys, designs, supervision of construction), and other support services for the development of land reclamation;
 - (iv) Mainstream land reclamation related statutory obligations and implement land reclamation schemes and programmes.
 - (v) Participate in mobilisation of resources for land reclamation programmes.
 - (vi) Undertake outreach programs on land reclamation.
 - (vii) Incorporate indigenous knowledge in land reclamation interventions
 - (viii) Undertake monitoring and evaluation of land reclamation programs

c) Mandate of Community Land Reclamation Association

126. The establishment of an inclusive community level organizational structure responsible for land reclamation matters is deemed necessary in order to empower and facilitate local communities to make their contribution and participate in land reclamation processes and decisions that affect them.
127. There is also a need to establish a network of community land reclamation associations (a platform network) at the county and national levels.
128. The mandates of the community land reclamation associations will include: management of reclaimed lands to ensure their sustainability, ensure that all the degraded land within their geographical area is reclaimed and resolve disputes among their members and monitor land reclamation activities at community level.

4.3 Policy Implementation Coordination Framework

129. Land reclamation involves many players drawn from both public and private sectors. In recognition of the role to be played by various stakeholders, *the National Government will:*

- (i) Develop mechanisms to promote coordination and harmonization among the sectors and stakeholders across both levels of government.
- (ii) Provide leadership and synergy with other stakeholders on matters related to land reclamation
- (iii) Establish and strengthen land reclamation fora at both national and county levels in collaboration with other stakeholders
- (iv) Establish a national land reclamation coordination frame work that will include formation of a committee (Secretariat) under the Directorate of land reclamation to coordinate joint sector planning, monitoring and evaluation of land reclamation sector programmes

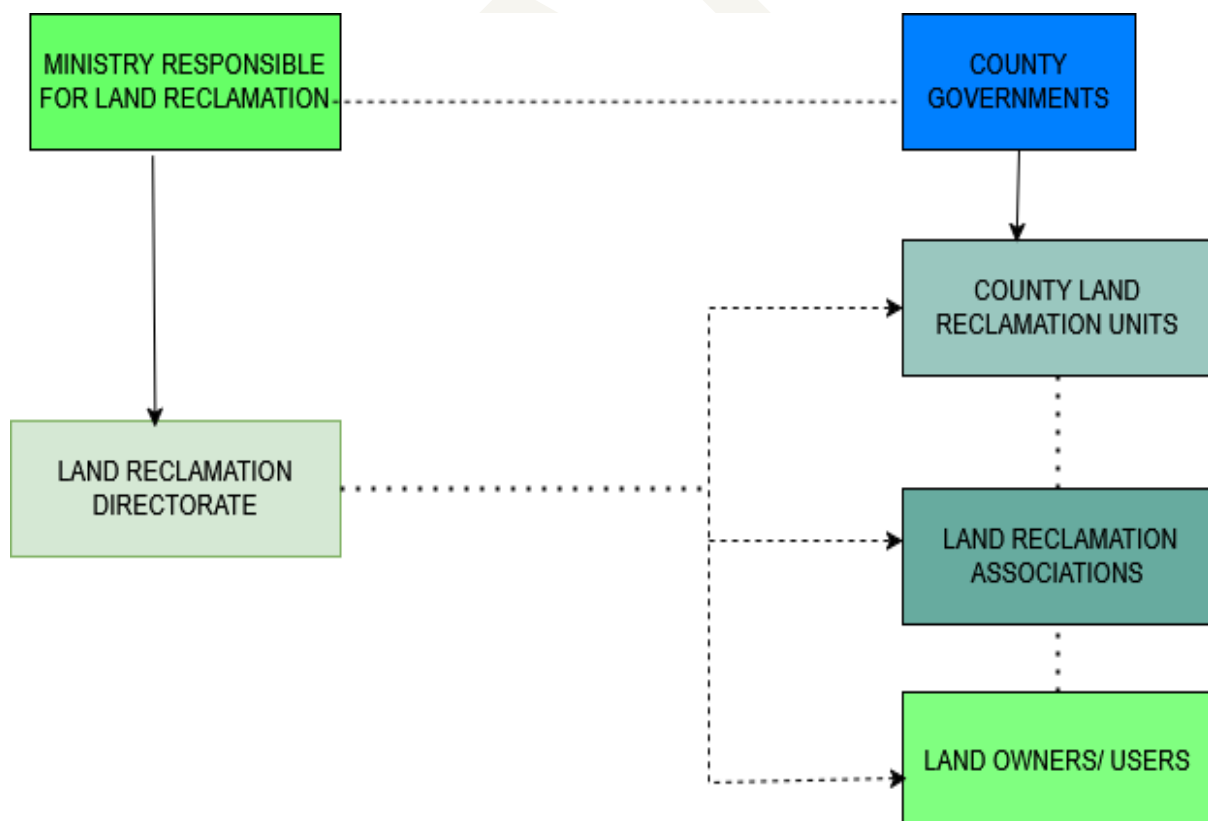


Figure 1: Institutional organogram for the Land Reclamation Sector

4.4 Financing and investments in land Reclamation

130. Financial resources for land reclamation sector investments have been limited to over-reliance on public funds or from the multilateral/bilateral sources as loans/grants. Adequate funding will be mobilized for investment and development of land reclamation programmes. Sources of funding will include public and private investment, land reclamation fund, LDN fund, development partners, climate financing and community contribution. Funding will cover institutional reforms, capacity building, extension services, land reclamation programmes and research and will be sourced through the normal budgetary process.
131. For funding purposes, the National Government will ensure that strategic and investment plans are prepared periodically to prioritize land reclamation interventions.

4.4.1 Investment in Land Reclamation

132. In recognition of the fact that land reclamation is a long-term initiative necessary for sustainable development and given the low investment by the public and private sectors in land reclamation programmes, *the National Government will:*
- (i) Increase public investment in the land reclamation sector to at least 1% of the annual national budget;
 - (ii) Create an enabling environment to encourage and promote private sector investment, through appropriate modalities such as Public-Private-Partnerships (PPPs) arrangements;
 - (iii) Engage development partners to support and finance land reclamation programmes
 - (iv) Enhance access to new financing models and approaches such as climate finance, adaptation funds, Global Environment Funds among others.
 - (v) Promote foreign direct investments (FDIs) in land reclamation.
 - (vi) Promote community role in land reclamation investment.

4.4.2 Public Financing

133. Public funding will be required for acquiring capital inputs and human resources to carry out the processes of land reclamation. Currently, public funding is inadequate. There is a need for the National and County Governments to enhance funding for land reclamation and mobilize resources from development partners, private sector and emerging innovative financing sources.

The National Government will:

- (i) Establish a Land Reclamation Fund to support mitigation and adaptation activities within the sector. The fund will mobilize financial resources from exchequer, development partners, private sector, climate financing among others.
- (ii) Create a conducive environment for Foreign Direct Investment (FDI) towards land reclamation activities
- (iii) Incentivize land reclamation activities through a mix of financial, regulatory, and policy-based measures such as; Subsidies and Grants; direct financial support to cover part of the reclamation cost ;Tax Breaks / Holidays; reductions or exemptions from property taxes, income taxes, or capital gains taxes; Low-Interest Loans / Credit Facilities; through banks to reduce the financial burden of large-scale reclamation; Public-Private Partnerships (PPP) to share risk and cost; Reclaimed land;-Fast-tracked Permits and Approvals; for approved reclamation projects to speed up the process; Funding roads, utilities, and services around reclaimed land to increase its attractiveness.

The National Government in consultation with County Government will:

- (i) develop a mechanism in which financial resources from the fund are shared between the two levels of government and other bonafide beneficiaries so as to achieve land degradation neutrality nationwide;
- (ii) Leverage on innovative sources of funds such as climate financing including carbon credits trading for land reclamation and development of community resilience

4.4.3 Private Sector Financing

134. An individual private sector investor or a group of such investors may fully finance a land reclamation initiative and in addition support reclamation of those lands that may become degraded in the cause of implementation of commercial or industrial activities.

The National Government and County Government will:

- (i) Encourage Corporate entities to undertake reclamation activities as a form of corporate social responsibility;
- (ii) Encourage the commercialization of land reclamation activities and sustainable use of reclaimed land;
- (iii) Incentivize investors whose interest is to restore degraded lands in exchange for a long-term lease (of the same) for commercial or industrial use under an appropriate legislation;
- (iv) Promote public private partnership in landscape restoration, in tandem with the Public Private Partnerships Act No 14 of 2021 which has opened opportunities for responsive financing products that could be harnessed for land reclamation.

- (v) Develop mechanisms for private sector investment in Land Reclamation

4.4.4 Financing from development partners

135. Development partners play a critical role in financing land reclamation interventions. However, this financing opportunity has not been fully exploited.

The National Government will enhance collaboration with multilateral and bilateral development partners and Civil Society Organizations (CSOs) for financing reclamation programmes and activities.

4.4.5 Climate Financing

136. The sector has not exploited opportunities available in climate finance mechanisms. This is an opportunity for tapping resources for supporting land reclamation programmes.

The National Government will:

- (i) Coordinate development of concepts and proposals to source funds from climate financing institutions in collaboration with development partners, Non-Governmental Organizations (NGOs) and civil society organizations;
- (ii) Provide incentives to private investors to carry out reclamation activities including decarbonisation of the ecosystem;
- (iii) Embrace other initiatives such as land accelerator initiative which motivates individuals to undertake land reclamation including tree planting through capacity building and provision investment pack.
- (iv) Leverage on climate sensitive budgeting with emphasis on climate funding sources. These includes, but not limited to: Public Finance from Exchequer / The National Treasury (TNT); Grant Opportunities for Climate Resilience Projects through development of effective funding strategies, such as: The Global Environment Facility (GEF), The Green Climate Fund (GCF) the Adaptation Fund and other development partners' funds.

4.4.6 Community Financing

137. Community financing is important for ensuring ownership and sustainability of land reclamation initiatives. It plays a critical role in land reclamation especially in areas impacted by degradation. Thus, should be integrated in all land reclamation programmes and activities.

The National and County governments will promote cost effective land reclamation financing mechanisms such as community financing of land

reclamation and restoration activities especially leveraging on indigenous local knowledge, nature-based solutions and existing community organisations.

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CHAPTER FIVE: MONITORING, EVALUATION, LEARNING AND REVIEW OF THE POLICY

This section will help monitor achievements of the planned targets, evaluate results for effectiveness and improve performance. This will adopt a result-based monitoring and evaluation.

5.1 Monitoring, Evaluation and Learning

138. In order to track the implementation of this Policy, it will be essential to track, record and measure progress, changes as well as the overall performance of the Land Reclamation sector. Monitoring, evaluation and Learning (MEL) will provide information on progress, results and shortcomings of the policy implementation. There should be monitoring for progress made and replication of lessons learnt.
139. A Monitoring, Evaluation and Learning (M&E) framework will be developed to track reliable and timely data to inform the decision makers, stakeholders and the implementation progress through data collection, collation and analysis. Information sharing, decision making and periodical reviews will be done to address any new challenges and emerging issues for decision making.
140. The Monitoring, Evaluation and Learning framework will consist of a digital platform with a database of baseline information on the status of land degradation in the country. Subsequent updates on the baseline data may be expedited either in real time using most appropriate digital data collection tools. Alternatively, data may be collected, processed and cleaned before being included in the database, depending on the methodology employed. MEL will assume a participatory approach involving a committee and other stakeholders to enhance ownership of the process.
141. Captured data will be analysed using appropriate modelling tools to determine land degradation, soil erosion trends, evapotranspiration, water balance and water stress, stream flow and impacts of climate change to provide insights to improve water use efficiency in land reclamation.
142. Research data findings, data sets, and related information will be disseminated to the wider community, policymakers, practitioners, and the public through various strategies such as: Publication in Peer-Reviewed Journals and Scientific Articles, Data Repositories and Archives, raw data sharing, datasets, and metadata, reports conveyed through the Ministry's website, bulletins, periodicals/journals or documentaries as may be deemed necessary.
143. The National and County governments in collaboration with stakeholders will undertake continuous monitoring and evaluation to ensure policy implementation and review so that policy outcomes that deliver on policy

objectives can be achieved. Monitoring, evaluation and learning for the policy will focus on the following:

- i. Development and institutionalisation of a MEL and reporting framework for the Land Reclamation policy
- ii. Enhancing the capacity for carrying out MEL
- iii. Establishment of infrastructure to support MEL of the policy implementation
- iv. Making periodical reviews to address any new challenges and emerging issues

5.2 Policy Review

144. The Ministry responsible for Land Reclamation shall be the custodian of this Policy. The subsequent reviews will be carried out after 10-years based on the outcome of implementation and emerging issues, as determined, during joint annual reviews and related national Policy or priorities.

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ANNEXURES

ANNEX 1: Summary of Policy Interventions and Implementation Strategies

Timeline Short term (≤3 years) Medium term (3-7 years) Long term (7-10 years) Continuous

Policy Intervention	Key Policy Outcome/s	Indicator For Action	Timeframe	Responsible Entity		Indicative Budget (ksh million)	Funding Sources
				Lead	Support		
Objective 1: Accelerating Restoration of Degraded Lands							
Strategy 1: Identification, Assessments and Mapping of Degraded lands	Degraded lands identified and mapped for reclamation,	LADA Reports,	Medium Term (3-5 Yrs)	State Department responsible for Land Reclamation	NLRB, DRSRS, RCMRD, ICRAF, FAO, Counties,	3,020	GoK Development partners
Strategy 2: Development of Land Reclamation plans	Land reclamation plans and programmes developed	Number of Land reclamation plans and programmes, Number of Strategies and coordination frameworks,	Medium Term (3-5 Yrs)	State Department responsible for Land Reclamation	NLRB, MoL, MoAL, MoWSI, Counties,	500	GoK Development partners
Strategy 3: Treatment: Design and Implementation of interventions	Degraded lands reclaimed	Number of acres reclaimed	Long Term (>5 Yrs)	State Department responsible for Land Reclamation	NLRB, MoL, MoAL, MoWSI, Counties	60,000	GoK Development partners
Objective 2: Sustainable Management of Reclaimed Land							
Strategy 1: Enact legislation and develop regulations to protect land reclamation structures and oblige land degraders to restore degraded land	Reclaimed lands sustainably managed	Land Reclamation Act Land Reclamation ,Regulations, Guidelines and Standards	Short Term (1-2 Yrs)	Ministry responsible for Land Reclamation	State Department responsible for Land Reclamation NLRB	40	GoK Development partners

Policy Intervention	Key Policy Outcome/s	Indicator For Action	Timeframe	Responsible Entity		Indicative Budget (ksh million)	Funding Sources
				Lead	Support		
Strategy 2: Collaboration with other regulators to ensure compliance with all legal requirements	Coordinated compliance with all legal requirements in land reclamation	Compliance framework, Compliance reports	Short Term (1-2 Yrs) Continuous	State Department responsible for Land Reclamation	MoEFCC, MoL, County Units (CLRU), MoWSI, CLRA	50	GoK Development partners
Strategy 3: Promotion of catchment-based land reclamation efforts	Increased awareness and adoption of catchment-based land reclamation, Establishment of catchment-based land reclamation associations	Catchment-based land reclamation associations and action plans	Short Term (1-2 Yrs)	State Department responsible for Land Reclamation	MoEFCC, County Units (CLRU), MoWSI, CLRA, NGOs, CBOs, Development partners,	150	Gok Development partners
Objective 3: Controlling and Halting Further Land Degradation							
Strategy 1: Regulating Activities of Actors that Degrade land	Reduced land degradation activities	Land Reclamation regulations <ul style="list-style-type: none"> • Nature-based solutions • Ecosystem services payments • Incentives framework • Land degradation neutrality measures 	Medium Term (3-5 Yrs)	State Department responsible for Land Reclamation	NLRB,, Counties,	290	GoK Development partners

Policy Intervention	Key Policy Outcome/s	Indicator For Action	Timeframe	Responsible Entity		Indicative Budget (ksh million)	Funding Sources
				Lead	Support		
Strategy 2: Halting Land Degrading Activities and practices	Appropriate legal, regulatory and policy frameworks, Mainstream land reclamation measures, Secure alternative livelihoods for communities	Integrated approach in undertaking land reclamation activities	Medium Term (3-5 Yrs); Continuous	State Department responsible for Land Reclamation	LRRTI, CLRU, NLRB	40	GoK Climate financing Development partners
Strategy 3: Containing Land Degrading Agents	Controlled and minimized actions of land degrading agents,	Enhance Tree and vegetation cover, Implement and enhance land use practices, Integrated soil fertility management and soil erosion control, Enhanced awareness on land consolidation,	Long Term (5-10 Yrs); Continuous	State Department responsible for Land Reclamation	LRRTI, CLRU, NLRB	20,140	GoK Climate financing Development partners
Strategy 4: Responsive Land Tenure System	Promoting land reclamation practices irrespective of the land tenure system, Collaborate with lead agencies to promote sustainable land use within the different land tenure systems,	Reduced land degradation practices,	Medium Term (3-5 Yrs); Continuous	State Department Responsible for Land Reclamation	MoL, MoAL, CLRU, NLRB, other relevant MDAs	90	GoK Development partners
Objective 4: Enhancing Country Capacity and Systems for Sustainable Land Use Management And Reclamation							

Policy Intervention	Key Policy Outcome/s	Indicator For Action	Timeframe	Responsible Entity		Indicative Budget (ksh million)	Funding Sources
				Lead	Support		
Strategy 1: Research, Technology and Innovation in land reclamation	A research training and innovation institutes on land reclamation established	<ul style="list-style-type: none"> Land reclamation challenges addressed through research and innovation. Adoption of appropriate technologies for land reclamation by land owners 	Long-Term (5-10Yrs)	State department responsible for land reclamation	National treasury, Relevant research institutions	50	GoK Development partners
Strategy 2: Technical training	Technical capacity on land reclamation enhanced	<ul style="list-style-type: none"> Number of County land reclamation units trained, Curricula and training manuals developed, Number of technical staff trained. 	Long Term (>5Yrs)	State Department responsible for Land Reclamation	County Governments NLRB, NLRI	20	GoK, Development partners
Strategy 3: Capacity Building for Land Owners/Users	Capacity of land owners on land reclamation enhanced	Capacity building reports, Number of land owners/users trained	Long Term (>5 Yrs)	State Department responsible for Land Reclamation	County land reclamation units, NLRI	400	GoK Development partners
Strategy 4: Information and Knowledge Management Systems	Integrated Information and knowledge management systems developed and operational	Number of information and knowledge management units,	Long Term (>5 Yrs) Continuous	State Department responsible for Land Reclamation	County land reclamation units, County Governments, NLRB	100	GoK, Development partners

Policy Intervention	Key Policy Outcome/s	Indicator For Action	Timeframe	Responsible Entity		Indicative Budget (ksh million)	Funding Sources
				Lead	Support		
Strategy 5: Equipment and tools	Enhanced access to equipment and tools for land reclamation	Land reclamation units equipped with necessary and adequate equipment and tools to enable accelerated land reclamation services	Short Term (1-2 Yrs)	State Department responsible for Land Reclamation	County Governments	100	GoK, Development partners
Strategy 6: Leadership, Public Awareness, Advocacy and Public Participation	Enhanced public awareness on Land reclamation and LDN	Participation level in land reclamation activities	Short Term (1-2 Yrs)	State Department Responsible for Land Reclamation	County Governments	40	GoK, Development partners
Strategy 7: Climate change in Land Reclamation	Climate change adaptation and mitigation actions mainstreamed in land reclamation sector,	Institutional collaboration, partnerships and MoUs on climate change, Sector climate change adaptation plans,	Medium Term (3-5 Yrs); Continuous	State Department Responsible for Land Reclamation	County land reclamation units, MoEFCC, National Treasury,	10	GoK, Development partners,
Strategy 8: Gender and social inclusion	Gender and social inclusion mainstreamed in land reclamation,	Affirmative action guidelines and plans, Data on gender equity and social inclusion in land reclamation,	Medium Term (3-5 Yrs); Continuous	State Department Responsible for Land Reclamation	County Governments, Ministry responsible for Youths, Gender, Relevant non-state actors	80	GoK, Development partners
TOTAL INDICATIVE BUDGET						85,120	

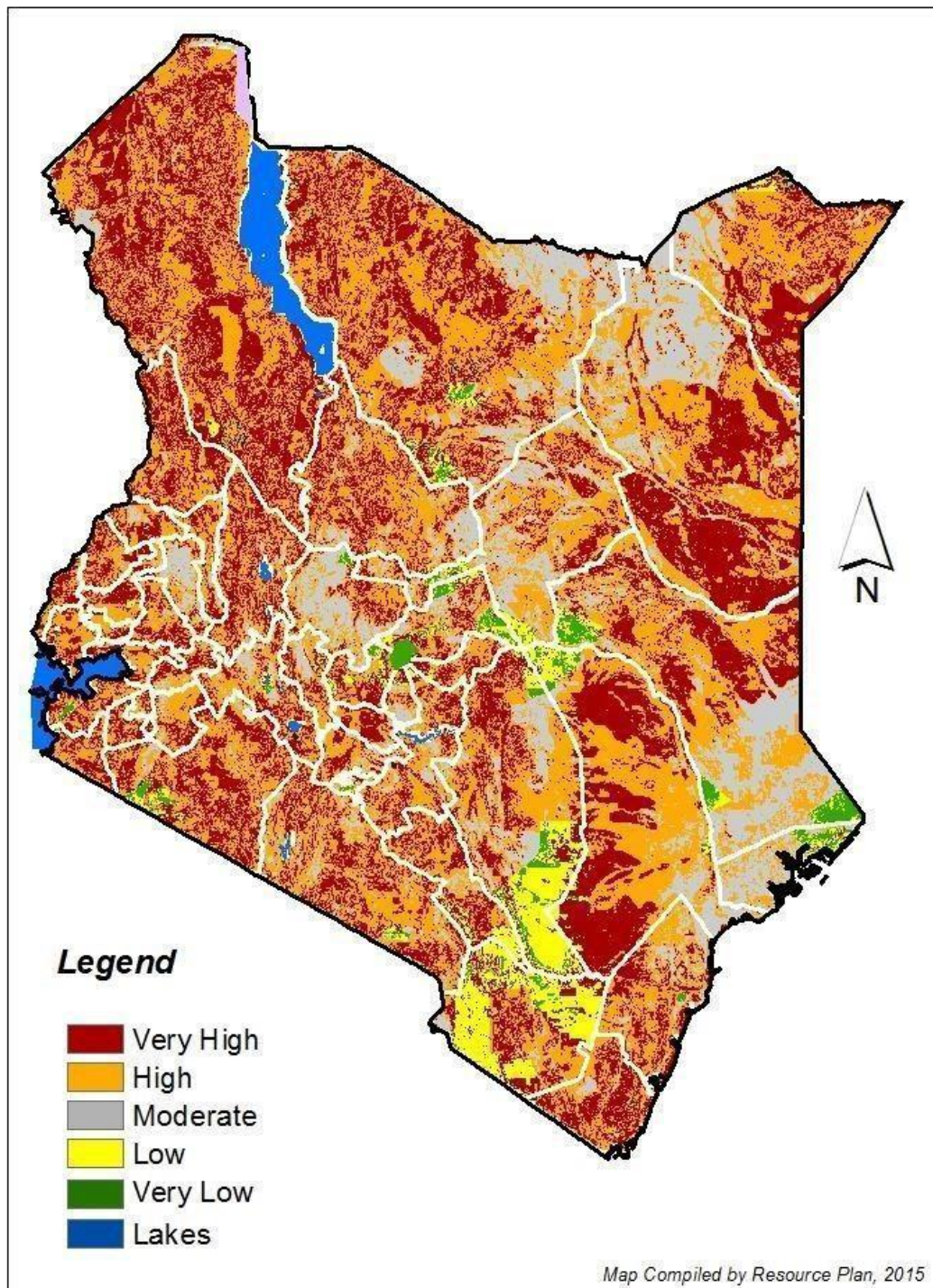
ANNEX II: Financial Framework for Policy Implementation

FINANCIAL INFORMATION										
Estimated Total Cost for Policy implementation (in Kes Millions)		85,120								
Policy Intervention Strategies	Estimated Annual Cost (in Kes Millions)									
	FY I	FY 2	FY 3	FY 4	FY 5	FY 6	FY 7	FY 8	FY 9	FY 10
Enact legislation and develop regulations to protect land reclamation structures and oblige land degraders to restore degraded land	20	20	0	0	0	0	0	0	0	0
Collaboration with other regulators to ensure compliance with all legal requirements	25	25	0	0	0	0	0	0	0	0
Promotion of catchment-based land reclamation efforts	75	75	0	0	0	0	0	0	0	0
Equipment and tools	50	50	0	0	0	0	0	0	0	0
Leadership, Public Awareness, Advocacy and Public Participation	20	20	0	0	0	0	0	0	0	0
Regulating Activities of Actors that Degrade land	0	0	100	100	90	0	0	0	0	0
Halting Land Degrading Activities and practices	0	0	10	15	15	0	0	0	0	0
Containing Land Degrading Agents	0	0	3021	3021	3021	3021	2014	2014	2014	2014

Responsive Land Tenure System	0	0	30	30	30	0	0	0	0	0	
climate change in Land Reclamation	0	0	3.5	3.5	3	0	0	0	0	0	
Gender and social inclusion	0	0	30	30	20	0	0	0	0	0	
Identification, Assessments and Mapping of Degraded lands	0	320	900	900	900	0	0	0	0	0	
Development of Land Reclamation plans	0	0	175	175	150	0	0	0	0	0	
Treatment: Design and Implementation of interventions	0	0	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	
Research, Technology and Innovation in land reclamation	0	0	0	0	10	10	10	10	10	0	
Technical Training	0	0	0	3	3	3	3	3	3	2	
Capacity Building for Land Owners/Users	0	0	0	57	57	57	57	57	58	57	
Information and Knowledge Management Systems	0	0	0	20	15	15	15	15	15	5	
Sub-Totals	190	510	11769.5	11854.5	11814	10606	9599	9599	9600	9578	
Grand Total								85,120			
Sources of Funding;											
1. Public Financing											
2. Development partners											
3. Climate financing											
4. Private Sector											

ANNEX III. Degradation Levels in Kenya (2015).

Degradation Levels in Kenya



Annex IV: Degraded lands for reclamation in Kenya

No	Form of degraded land (s)	Treatment required: Physical/chemical/biological
1	Deserts/ASALs, wastelands, bare lands, or water stressed soils	Physical /Chemical / biological (detaining of runoff water: management of excess water)
2	Rills, Gullies and eroded lands	Physical (detaining of runoff water: management of excess water)
3	Quarries	Physical
4	Mining sites	Physical
5	Lands affected by landslides or mass movement	Physical and biological (management of excess water)
6	Saline and sodic soils	Chemical
7	Marshlands, Water logged, and poorly drained lands	Physical/ chemical/ biological; (water: management of water)
8	Land invaded by invasive alien species	Physical/Biological.
9	Garbage dump	Physical /Chemical / biological
10	Infertile soils	Chemical / biological
11	Rocky soils	Physical