

**THE ROLE OF THE KENYAN CONSTITUTION AND INDIGENOUS COMMUNITIES IN  
NATURAL RESOURCE MANAGEMENT: THE CASE OF TURKANA CRUDE OIL**

**BY**

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## DECLARATION

This dissertation is my original work and has not been presented for a degree award in any other institution of learning

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

**AAH-I-** Action Africa Help International

**APEI-** Alemun Pastoralists Empowerment Initiative

**ASALs-** Arid and Semi-arid Lands

**ASUU -** Academic Staff Union of Universities

**CAR-** Central African Republic

**CBOs-** Community-Based Organizations

**CEPSA-** Central European Political Science Association

**CLOs-** Community Liaison Officers

**CORDAID -** Catholic Organization for Relief and Development Aid

**CPMMA-** Community Participatory Mineral Management Approach

**CRA-** Commission on Revenue Allocation

**CSOs-** Civil Society Organizations

**CSR-** Corporate Social Responsibility

**DDT-** Defense Driving Training Certificate

**DFID-** Department for International Development

**DRC-** Democratic Republic of the Congo

**EMCA-** Environmental Management and Coordination

**EI-TAF-** Extractive Industry Technical Advisory Facility

**FAO-** Food & Agriculture Organization

**GOK-** Government of Kenya

**ICES-** Information Centre for the Extractives Sector

**IHRB-** Institute for Human Rights and Business

**ILO-** International Labor Organization

**IMF-**International Monetary Fund

**IOM-** International Organization for Migration (OIM)

**KCSPOG-** Kenya Civil Society Platform on Oil and Gas

**KEIDP-** Kenya Extractive Industries Development Programme

**KNBS-** Kenya National Bureau of Statistics

**KPRs-** Kenya Police Reservists

**LAPSSET-** Lamu Port-South Sudan-Ethiopia-Transport

**LOKADO-** Lotus Kenya Action for Development Organization

**LURD-** Liberians United for Reconciliation and Democracy

**MDL-** Movement for Democracy in Liberia

**MPLA-** Movement for the Liberation of Angola

**NACOSTI-** National Council of Science, Technology and Innovation

**NDMA-** National Drought Management Authority

**NEMA-** National Environmental Management Authority

**NGOs-** National non-Governmental Organizations

**NRM-** Natural Resource Management

**PWYP-** Publish What You Pay

**SAPCONE** - St. Peters Community Network

**SPLM-** Sudan People's Liberation Movement

**TWADO-** Turkana Women Advocacy and Development Organization

**ROK-** Republic of Kenya

**UN-**United Nations

**UNDP-** United Nations Development Programme

**UNEP-** United Nations Environment Programmes

**UNESCO-** United Nations Educational, Scientific, and Cultural Organization

**UNHCR-** United Nations High Commission for Refugees

**UNITA-** National Union for the Total Independence of Angola

**UNICEF-** United Nations Children's Fund

**VPSHR-** Voluntary Principles on Security and Human Rights

**VSLA-** Village Saving And Lending Associations

**VSOs-** Village Socialization Officers

**WBG-** World Bank Group

**WHO-** World Health Organization

## DEFINITION OF OPERATIONAL TERMS

<b>Community</b>	People from the same origin and living in the same environment.
<b>Community Participation</b>	This is the involvement of the community members in pertaining to their own development matters.
<b>Community-Based Natural Resource Management</b>	Involvement of the community in taking good care of the resources endowed to them.
<b>Natural Resources</b>	They are God-given materials found in nature
<b>Resource-Based Conflicts</b>	Fights and misunderstandings that arise because of sharing natural resources.

## **ABSTRACT**

Natural resources form a very vital component of the society across the world as they are key sources of income; form a key industry that contributes significantly to the economic growth and development, and for an identity of a nation. However, issues arise in the management of these resources which, if not well managed, could spark conflicts which could graduate to armed violence. The purpose of this study was to determine and explore the effects of oil exploration in Turkana County on the local communities. The target population for the study included the Turkana natives, community leaders in Turkana, County government officials who deal with natural resources, officials from the National government in the ministry of environment, natural resources, and water, those who represent the civil society in Turkana County, officials from oil companies operating in Turkana County, and Women's and youth groups in Turkana County, and those engaged in peacebuilding and conflict resolution as the District Peace Committees. The sample size for the study was 216 households. Data was collected using structured questionnaire, in-depth interviews, focused group discussions, observation, and photography. Data was analysed using both qualitative and quantitative methods. From the findings, it was established that this far, the people of Turkana are not satisfied with the manner in which the oil resources have been managed and they feel that they have not enjoyed enough benefits in terms of employment, development among other concerns. The respondents lamented of increased cases of environmental degradation, land grabbing among other serious concerns which if not well addressed are likely to lead to conflicts and violence. Although various efforts have been put to address the oil-linked issues including the efforts of the national, bilateral, and multilateral agencies, much is yet to be done. It is expected that the recommendations give in this study will help to shape a comprehensive long-term policy that would enhance community inclusivity in the management of oil resources and other natural resources. This study puts forward effective methods all the countries endowed with natural resources can adopt to help prevent occurrence of resource based conflicts particularly in the developing countries. In addition, it is expected that the findings of this study will inform policies for better management of natural resources in order to prevent resource curse. It is also expected that this study will form a good reference point for other studies on natural resource conflicts

## CHAPTER ONE

### INTRODUCTION TO THE STUDY

#### 1.1 Introduction

*“In many African nations, the natural resources that should be used to feed and educate people are instead being used to destroy them. . . . Colonialism, which allowed Europe to extract Africa’s natural resources, left behind leaders who exploit their gold, diamonds, timber, oil . . . to benefit their own regional or ethnic groups or their own bank accounts.” (The New York Times, August 8, 1999)*

#### 1.2 Background of the Study

Natural resources refer to naturally occurring materials that are beneficial to humans (Parkins& Mitchell, 2005). Resources can be renewable or non-renewable. Non-renewable resources exist in finite quantities and their value increases as the supply diminish (United States Institute of Peace, 2007). These resources include earth minerals and metal ores, fossil fuels and groundwater in aquifers. The wealth of a country and its status in the international economic system is determined by the access to the natural resources available.

Most developing nations depend on raw natural resources as their chief sources of income whereby the majority of the people depend on these resources for their livelihood (Gelb, 2010). According to Scheffran et al., (2012), people living in the Western world might find it hard to believe that more than a half of the people across the world continue to directly depend on local natural resources as the main source of their livelihood. Many rural communities in Africa, Latin America, and Asia depend on fisheries, agriculture, fisheries, firewood, mining, and timber as their chief sources of income (United States Institute of Peace, 2014). This makes natural resources the most important commodity for human survival, which if not well managed, might also become a cause of conflicts. Along with air, water is the second most important natural resource without which man cannot survive for more than about a week. Water has contributed to various resource-related conflicts in the world (Aulenbach, 1967).

Natural resource-based conflicts refer to disputes that due to disagreements over how natural allocated, utilized and managed. The occurrence of these disputes often happens due to the fact that people use and manage resources in different ways (Food and Agriculture Organization, 2000). According to Maigua (2014), people can also disagree if their needs and interests are highly divergent and mismatched, or when the priorities of some are not factored when decisions are made and when designing policies, programmes, and projects. These conflicts of interest occur in all communities and may trigger and fuel resource-related conflicts if effective management measures are not put in place.

Natural resource conflicts also refer to the instances in which the allocation, utilization, and management of natural resources lead to disagreements, struggles, and violation of human rights (Auty, 1994). This description gives a wider understanding of the various ways in which conflicts impact on the human welfare especially in relation to the way natural resources may cause and facilitate conflicts. It is crucial to note that the occurrence of these conflicts is based on the way natural resources are utilized and managed (Basedau & Lay, 2009). However, the use and control of these natural resources alone cannot contribute to conflicts without other factors involved, such as poor allocation of the revenues from these resources, denying access to, and mismanagement of these resources. In addition, the exploitation of natural resources and related environmental stresses can contribute to the outbreak of conflict and perpetuate the violence, and in some cases undermine the prospects of peace (Ross, 2001).

Several successful nations that are rich in natural resources have proved that natural resources abundance alone does not necessarily cause and fuel conflicts (Bannon & Collier, 2003). The experiences of countries such as Botswana, Norway, and Chile, among others, also suggest that the occurrence or absence of conflict is dependent on some different factors other than the presence of plenty. Conditions cited include political stability, functioning administrative institutions, and absence of external interference unlike the situation in the Democratic Republic of the Congo (DRC) (Basedau & Lay, 2009; Hegre & Sambanis, 2006).

In 2010, United Nations Commission on Human Rights Report accused foreign companies of illegally exploiting Congolese minerals thus supporting armed groups in Eastern DRC (United Nations Human Rights Report, 2010). Contextual conditions are key to determining whether or not a resource-rich

country will go to war over the control of natural resources (Basedau & Lay, 2009; Polterovich & Tonis 2010; Sachs & Warner, 1995). The quality of political institutions and how they operate in relation to the resource extraction process, particularly at the beginning of exploitation (Karl, 2007); and the ownership structure in the resource sector are vital (Luong & Weinthal, 2006). There is also the legitimacy of the country's leadership, and whether government institutions have been established following the popular democratic vote.

The majority of the people in developed countries are not aware that in some countries around the world, accessing valuable natural resources is not taken for granted because they come at the highest price, including blood. According to the United Nations Children's Fund (2010), too many women walk several hours a day just to find water. The World Health Organization (2015) found that globally women and children spend approximately 125 million hours daily in search of water. In Africa and Asia for instance, on average, women and children trek 4 miles daily just in search of water and more than 160 million children suffer from chronic malnutrition, often related to lack of clean and safe water and poor sanitation (World Health Organization, 2015). By contrast, such statistics are not familiar in the developed world.

Oil, being a non-renewable energy source, its supply is running out especially as usage rates rise. According to Smil (1998, pp. 253-276), oil is running out at a faster rate than people have been made to believe. As oil supplies continue to dwindle and filling car tanks becomes unaffordable, public transport sector will get a huge boost since only a few wealthy individuals can afford to fuel and use their cars. Even flying becomes the preserve of a few.

### **1.3 Resource-Based Conflict: A General Overview**

In the last 30 to 35 years, conflicts related to natural resources have increased substantially in Africa (Alao, 2007). These include the Blood diamond in Sierra Leone and Liberia, mineral conflicts in the Democratic Republic of Congo (DRC), Oil conflicts in Angola, the Niger Delta Conflicts in Nigeria, oil conflicts in South Sudan, and natural resource based conflicts in Kenya. As a result of these conflicts, Africa has been a key focus of both the international scholars interested in African politics and those interested in peace and security on studying the dynamics of resource-based conflicts and peacebuilding. The late 20<sup>th</sup> century and the beginning of the 21<sup>st</sup>

century have witnessed several instances of conflicts linked to natural resources in Africa. Although these conflicts are disguised behind different political philosophies such as seeking to restore democracy, capitalism versus communism, self-governance, and fighting for socio-political inclusion, the main driving force behind all of them is the competition over the control and management of natural resources such as land, water, diamonds, oil, and rare minerals such as Coltan (Alao, 2007).

### **1.3.1. Blood Diamond in Sierra Leone and Liberia**

Blood diamonds refers to the diamonds mined in war zones and the wealth obtained from it is used to fund insurgencies (Bieri, 2016). Sierra and Sierra Leone have a long history of conflicts linked to diamonds. The conflict between the rebel groups Revolutionary United Front (RUF), the Liberians United for Reconciliation and Democracy (LURD) in 1999, and the Movement for Democracy in Liberia (MDL) in 2003 were funded from mining to sustain rebellions against their governments. There has been insufficient research literature on the role that indigenous communities play in managing their natural resources and preventing the occurrence and reoccurrence of resource-related conflicts. This study will try to understand the role played by indigenous communities in managing their local resources in order to prevent future resource-based conflicts and promote peace.

The escalation of violence can lead to several centers of power as in Sierra Leone where both the government and the insurgents deployed the same predatory skills in their competition for diamonds. The Sierra Leone war was sustained for long periods because the supply of arms and marketing of the natural resources were linked by both the state and the rebels. Over long periods, the two groups devised creative methods to out-do one another causing more misery and destruction. The civilian population had very few options; they were the victims and consequently had to flee, join the warring sides, or stay and suffer brutality including being used as human shields on both sides of the divide (Silberfein, 2004)

The solution to the problem of blood diamonds can only be found when the resource is depleted, or the United Nations takes the initiative to stop it, or when individual foreign governments intervene to stop the carnage. A combination of interventions such as internationally imposed trade

restrictions and peacekeeping operations may be required to end natural resource wars. While the war over blood diamonds may seemingly have been resolved by now, the social and economic implications of the war have made it hard for Sierra Leone to recreate the security and peace previously enjoyed (Silberfein, 2004).

The blood diamond issues were combated by the intervention of the international governance system. The United Nations General Assembly founded the Kimberly Process in December 2000 as a way of bringing to an end the diamond conflict which had much felt effects particularly in Sierra Leone and Liberia (Smillie, 2013). Through the founding of the Kimberly Process Certification Scheme (KPCS), contributing nations got a chance to make sure that the imported diamonds are free from conflicts and do not in any way contribute to or fund insurgencies in Africa. Through the participation of representatives from 80 nations, the Kimberly Process has been instrumental in the fight against violation of human rights.

### **1.3.2 Mineral Conflicts in the Democratic Republic of the Congo (DRC)**

DRC can be categorized as a fragile state recovering from recurrent civil wars fueled by conflicts over natural resources. While the future of DRC lies in the exploitation of its vast mineral resources and the oil, the way in which the country has continued to showcase mismanagement of natural resources and the adverse effects thereof belies this prospect. The literature on natural resources and conflict have reported that oil, diamonds, Coltan, and gold are the source of many a mineral conflict. In a classic paper, Collier and Hoeffler (2004) argued that natural resources promote conflicts. Le Billon (2001) and Ross (2006) demonstrated three mechanisms by which these natural resources cause conflict

Research has attributed the unending conflict in DRC to the easy accessibility of various minerals such as gold, diamonds, copper, timber and even medicinal plants to DRC rebels, which they sell to buy arms with which to wage war against each other and the government (Maystadt et al, 2014).The growing Congolese population has also been associated with the massive degradation of the environment through exploitative farming and uncontrolled mining and hardwood timber harvesting (Megevand, 2013).In a country where there is poor management of natural resources, the occurrence of interethnic disputes over the allocation of the revenues and weak political

institutions, and warring able to access lootable minerals cannot be ruled out; DRC being a classical case. Intercommunity disputes over the revenue allocation, weakening of political institutions, and looting of minerals, make it ever more difficult to invest more in an impartial security apparatus and administration (Le Billon, 2001).

The extraction and exploitation of natural resources cause disputes over ownership and also due to environmental degradation (Mitchell, 2013). In many African countries when minerals are being extracted, the government and all stakeholders are supposed to compensate the local communities due to the environmental damage caused during the development and exploitation of these resources. In many cases, such compensation has been a source of conflict either when the process of compensation is considered not to be transparent or the compensation itself is deemed to be inadequate (Humphreys, 2005). The result is the numerous localized interethnic conflicts that Africa has witnessed in the last few decades.

Another mechanism is that extractable natural resources, which are particularly lootable such as oil, Coltan, diamond, gold, and timber can create opportunities for violence where the looted resources can finance conflicts (Collier, Hoeffler, 2005; Le Billon, 2001). This has been the case where rebel groups have thrived in Africa, such as the cases already cited of Sierra Leone, Liberia, and even DRC. Yet another mechanism whereby natural resources can be the source of conflict is through the weakening of political institutions and impairment of the effectiveness of public bureaucracy through increased corrupt behavior. These three mechanisms: environmental damage, looting financing conflict and increased corruption as advanced by Collier and Hoeffler (2005) are helpful in helping us understand some of the major sources of conflict in resource-rich contexts. It is unlikely that all three have to be at play in such conflicts.

The weakening of institutions due to systematic corruption might not be the only reason that people would take up arms and go to war. There are many countries whose bureaucratic systems are rampantly corrupt but they have not gone to war. In the same country system, there may be misallocation or unfair distribution of the national revenues from the natural resources, conflicts being financed through looted resources and weak political institutions. Here these three mechanisms are interlinked to one problem, which is poor natural resource management. (Collier, & Hoeffler, 2005).

It is, however, noteworthy that countries such as Botswana, Norway, Denmark, and Chile whose economies highly dependent on natural resource exploitation are largely peaceful and stable, which shows that high dependence on natural resources does lead to conflict where there is strong and effective, if not equitable government (Hegre & Sambanis, 2006). It is worth noting that none of these countries has to deal with significant ethnic divisions with Botswana being unusual for Africa in its level of ethnic homogeneity.

The quality of political institutions and how long these institutions have been operational is very important in ensuring a country's stability during and after the extraction and exploitation of natural resources (Karl, 2007). The democratic maturity of the people also plays a key role, especially in a country where these resources are being exploited. When people have trust in their political institutions then there are few motives for conflict because trust promotes respect and good natural resource management (Luong, 2006).

### **1.3.3 The Angolan Oil Conflicts**

Angola has a long history of violence dating back to pre-independence times (Kyle, 2005). A civil war engulfed the Angolan nation from 1975 to 2002 when the final ceasefire was agreed upon. The main catalyst for the civil war between UNITA rebels and the ruling MPLA was oil deposits in the country; the conflict was mainly based on community participation in the management of oil (Duquet, 2006). The ruling MPLA were socialist and the rebels capitalist although the personalities of the leaders and ethnic differences were also highly significant. The MPLA enjoyed the support of socialist republics especially the Soviet Union and Cuba, while the rebel group was supported by the Western countries including France, UK and United States as well as South Africa (Cunningham, 2010). The Marxist-Leninist government was supposed to let the people participate in determining the destiny of their natural resources. Regrettably, the private sector was crippled when private sector industries were nationalized leading to several professionals leaving the country (Ferraira, 2006).

The economy deteriorated further as agricultural production fell, and there was a need to import even the most basic commodities to ensure survival. The government had to provide financial support for state-run corporations and give subsidies for the price of goods. To quell the violence

that was erupting as a result of unmet expectations, the government resorted to military intervention and civil war was inevitable (Reed, Graves, Dandy, Posthumus, Hubacek, Morris, Stringer, 2009).

The collapse of the Soviet Union did not bring peace. The result of the first democratic election held in 1992 was rejected by UNITA in 1992. Led by the late Jonathan Savimbi, the country sank back into civil war, only that this time; it was on a greater scale and involved the whole country including the urban areas. The situation was complicated by the fact that Savimbi and UNITA had access to diamond mines and could well extract this natural resource and use the proceeds to purchase heavy artillery, enabling the rebel group to sustain the war for long periods of time (Pereira, 1994). While the two groups were claiming to be fighting for the general good of Angolans, neither showed any regard for the ordinary people especially when it came to management and exploitation of the mineral deposits in the country. With reference to the conflicts in Angola and the Democratic Republic of Congo, Reed, Graves, Dandy, Posthumus, Hubacek, Morris, & Stringer (2009) established that oil exploration and extraction compromised the livelihoods of the local people. This particularly happens due to lack of effective institutional regulatory frameworks which weakens democratic accountability and equitable development.

#### **1.3.4 The Niger Delta Oil Conflict in Nigeria**

When politicians in Kenya think of the potential downsides of oil exploration at home, they are most likely to think of the terrible examples set by Nigeria and of the Delta region where the oil is found alongside some of the worst cases of political corruption and environmental pollution in the world. The Niger Delta in Nigeria is characterized by prolonged marginalization and conflict as a result of frail regulatory institutions that are unable to control and manage the oil exploration and extraction sector for the benefit of the people in general rather than for corrupt elite (United Nations Development Programme Report, 2006, p. 2). The conflict in the Niger Delta became violent again in the 1990s when tension arose between the oil exploration companies and the minority marginalized communities who justifiably felt that they were exploited. Further, the conflict between the ethnic groups particularly the Ogoni and the Ijaw was sparked and fueled by competition for oil resources (Courson, 2009). The Delta region has remained poor and underdeveloped and the communities have suffered long periods of marginalization and

environmental devastation. For many years, the Delta region has been characterized by armed resistance from gangs of youths who attacked the oil pipelines and kidnapped foreign workers who worked in the oil sector for ransom.

The crude weapons used by the gangs in the Delta region were purchased with the proceeds they obtained from the ransoms they got from kidnapping, and from the sale of the oil, they obtained from pipelines (Duquet, 2009). The gangs also obtained funding from politicians, especially during election periods. The gangs were also interfering with elections when they invaded polling stations and took away ballot boxes. According to specialists, senior Nigerian officials were funding and protecting the militias that operated in the region. In various instances, huge oil tankers, especially from the former Soviet Union, have been utilized to ferry the stolen oil to foreign markets. Various efforts to contain the militias failed and the corruption and the chaos have left the majority of the people impoverished despite the region having vast oil wealth (Ikelegbe, 2005).

The increased attacks have resulted in huge losses in the oil sector. For instance, the Nigeria oil sector suffered a loss of over \$4.8 billion from the attacks on the oil pipelines and facilities (Duquet, 2006). Most of the groups that carried out the attacks, particularly the Niger Delta Avengers fought to express their demand for what they considered their fair and justifiable shares of the benefits from the oil sector. The constant attacks on the oil exploration camps led to halting of oil activities and huge losses for the Nigerian government and the oil firms alike. Moreover, the vandalization of oil pipelines exposed the local communities to oil spillage. What is more, the volatility in the region has led to crumbling of social infrastructure and services, high joblessness and high poverty; not to mention the hardship that the local communities have been subjected to as a result of oil pollution, degradation of the environment and land which is the primary source of the people's livelihoods (Aphelion, 2012; Arinze, 2010; Oviasuyi & Uwadiaye, 2010, p. 110)

According to Aghalino (2011, p. 6), the occupation of land by the oil companies was the main trigger for the volatility in the region. The communities have been in constant conflict with the oil exploration companies and the government. The belief of the local communities was that instead of benefiting from the oil resources, they had been rendered even poorer than they were before (Ojekarotu, 2009, p. 6). The instability in the region has led to a total lack of political institutions and financial mechanisms to address issues of ecological damage and compensate the local

communities for environmental degradation and land (Oyefusi, 2007). The government is not necessarily weak; it is simply led by politicians who are totally self-serving.

The oil sector is the backbone of Nigeria's economy (Mayall, 1976). The economic backlash which the country has suffered from the incessant attacks on the sector was therefore inevitable. The country's heavy reliance on the oil industry shows that the industry accounted for approximately 70% of the Gross Domestic Product (GDP) and over 90% of the value of the exports. According to the International Monetary Fund (2016), the Niger Delta crisis has seen the country lose its title as the large economy in Africa, leading South Africa.

### **1.3.5 South Sudan Oil Conflict**

For Kenyan politicians, the case of conflict over South Sudanese oil is much closer at hand with hundreds of thousands of South Sudanese refugees still living in refugee camps in Kenya augmented by new arrivals from the oil-bearing zones of the newly independent South Sudan. There has, indeed, been a discussion of an oil pipeline from South Sudan down to the port at Mombasa. South Sudan thus provides an excellent example of the destructive role of oil resources in a country with poor governance and corrupt politicians. Southern Sudan has suffered decades of civil war. The local communities, the militias, and the government have a long history of lethal conflicts. According to United Nations, the conflict has led to the loss of over 50,000 lives since 2013 and the displacement of over 2.5 million civilians and made it near impossible for the affected communities to have access to food, healthcare, and education (Al-Salem, Herricks, & Hotez, 2016).

A major cause of conflict in Southern Sudan is disagreements over conflicts mainly results from control of natural resources which includes the wealth obtained from the oil sector. Poor management of Sudan's oil sector has led to widespread corruption and degradation of the environment resulting in serious grievances among the host communities. Although the country's efforts to improve the sector remained minimal, it has managed to institute strong frameworks that align with international best standards. However, there has been no effective implementation of these frameworks and the prospect of progress receded with the onset of civil war (Johnson, 2011).

The prolonged civil war in South Sudan has adversely affected the oil sector. For instance, in 2014, the oil output dropped by more than 20% following the seizure of key oil zones by the militia (Raghavan, 2014). As a result, some oil exploration and production were halted and workers, especially of the Chinese origin, were evacuated. In 2012, there was also a conflict between Sudan and Southern Sudan with the key reason being the royalties from oil. This paralyzed oil production and the operations were halted for a period of one year.

About 98% of South Sudan's government's revenue comes from oil. This implies that a prolonged conflict is likely to leave the country bankrupt and lead to even more volatility in the country (Rone, 2003). If the situation is not remedied, South Sudan is likely to continue to experience the resource curse that characterizes other oil-rich nations such as Chad, Nigeria, Equatorial, Guinea, and Angola where regardless of there being ample oil; the majority of the populations languish in poverty in areas with constant conflict. While Southern Sudan is richly endowed with oil, it remains one of the poorest and least developed nations in the world. The country has over a long time remained dependent on development aid from the West. A huge proportion of the oil revenues have ended up in the hands of corrupt politicians and officials. For instance, in 2012, it was acknowledged that approximately \$4 billion oil revenue was squandered by fraudulent government officials in the country (York, 2017).

### **1.3.6 Natural Resource-Based Conflict in Kenya**

Within Kenya, there are various drivers of conflicts. They include disagreements over land, water, control of wildlife, political influence and ethnicity, and lack of community participation in natural resources management

#### **1.3.6.1 Land**

Conflicts occur when disputes over land and resource ownership occur (Warner, 2000). In most instances, skirmishes occur between private and communal land owners. A good example happened in 2014 in Kiteto district in Tanzania where the Maasai pastoralists, targeting farmers in various villages set houses on fire and killed about 10 people due to land-related conflicts. Members of the farming communities accused district officials of colluding with the pastoralist

communities to intimidate farmers living on the reserve in an attempt to chase them away from their land (Makoye, 2014).

Other examples of conflicts include the clashes between the Pokomo and the Orma communities in Eastern Kenya. These two communities have been living on the banks of the Tana River for many decades. But for some time now, this peaceful coexistence has been threatened. The two communities have been fighting over the control of the Tana River basins for both farming and herding purposes.

The Pokomo people live on traditional farming on one side of Tana River, while the Orma people keep cattle and graze on the other side of the same river. The region is prone to constant dry seasons and regular droughts when the control of Tana River basin became as vital as it was contested. These conflicts sometimes escalated into bloodshed. In 2012 for instance, a series of revenge attacks by both communities claimed the lives of about 200 people in a period of less than six months. Animals were stolen and houses were torched (Andres, 2013; Daily Nation, 2012; Daniel, 2013).

Apart from the conflicts over farming and grazing land among the Pokomo and Orma people, there were also disputes over land boundaries between communities. However, another major threat that faces the indigenous Pokomo and Orma people is the external enemy; in what (Shaiye, 2013) referred to as the disputes stemming from capturing of the natural resource projects by the élites and those who happen to own and have higher control of high quality resources. In this case, these might be investors, government projects, and well-connected individuals such as local politicians. In the Tana River case, both the Pokomo and Orma people are faced with sugarcane investors who want to use the Tana River basin for a sugarcane plantation (Goswami, 2017).

According to the Land Laws (Amendment) Act (2016), no individual or institution is allowed to unlawfully occupy any private, community or public land. Regardless of this being punishable by the law, most of these individuals go unpunished (The Land Laws (Amendment) Act (2016), section 152A). Any illegal occupation of private, community, or public land is punishable through eviction (The Land Laws (Amendment) Act (2016), section 152B). Regardless of this, most of

these individuals remain in control of the land which causes resentment among the affected people which in turn causes them to react leading to violent conflict.

A good example of the conflicts that result from companies and affluent individuals possessing and purchasing public and community land occurred in 2007 when Mumias Sugar Company and Mat International Sugar attempted to purchase land spanning 50,000 to 223,000 acres for the construction of a sugarcane miller in the region. This land was of course being taken out of the hands of local indigenous communities, who were the Pokomo and Orma people (Andres, 2013; Daily Nation, 2012; Wadhams, 2007). Another instance was the dispute triggered by the speculative activities of commercial firms that occurred in the North Rift region of Kenya whereby in November 2014, around 38 Kenyan officers were killed by heavily armed cattle rustlers (Macharia, 2012 ).

Foreign companies such as the Canadian Bedford Biofuels Company and the UK-based firm G4S have grabbed a huge acreage of land to engage in agribusiness for biofuel, and in the process displaced local communities from their wet and livable portion of land to dry land where sewerage and drainage of chemicals from these industries was meant to flow through. As a result, the larger Tana River has now been diverted to irrigate large tracts of land owned by foreign companies leaving local communities to live as squatters on their once ancestral land (Andes, 2013; McVeigh, 2011). This did not go down well with both communities.

Another type of conflict related to natural resource management occurs between landowners and resource users; encounter between indigenous Community Pool Resources (CPR) groups, and settlers that are more recent. For instance, in June 2014, various houses in Majembeni and Poromoko villages near Mpeketoni were set on fire by assailants whereby around fifteen people were killed in overnight attacks. Witnesses said that the attackers went from door-to-door, pulling people out of their houses and demanding for their identity (Daily Nation, 2014). Such attacks were allegedly targeting members of some communities who were deemed “settlers” in that region.

### **1.3.6.2 Control of wildlife**

Control of wildlife is another key contributor to conflicts. Issues occur when national parks and game reserves are not well controlled and this affects the livelihoods of those living adjacent to

the wildlife habitats (Sindiga, 1995). A good example is the protection of wildlife in the Nairobi, the Maasai Mara, and the Amboseli National Parks and the livelihood of the Maasai community living adjacent to these national reserves. To take a case in point, in 2015 the Maasai community in Maasai Mara game reserve witnessed the age-old conflict between indigenous communities and its predators, the lions. The Maasai community lost two cows to the predators in early December and the tribesmen retaliated by leaving poisoned food in the reserve that killed eight adult lions in the park.

Conflicts also occur when community land is taken and used for wildlife conservation. According to Okech (2010), large tracts of lands belonging to the pastoralist communities have been expropriated and utilized for conservation of wildlife. This action was justified on the grounds that although the animals were seen as existing with harmony with their environs, the pastoralists had damaged the rangelands through overstocking and overgrazing. This led to intensification of wildlife-human conflicts in recent years whereby much wildlife has been killed by the local communities (Okech, 2010).

### **1.3.6.3 Political Influence and Ethnicity**

Disputes can also be triggered and fueled by bad political influences. A good example of political influence on natural resource conflicts is the 2007/8 Kenya Post Electoral Violence (PEV). In 2008 conflict erupted in Kenya following the presidential election in December 2007. People from different ethnic backgrounds fought over the elections results, which resulted in violence. Attacks targeting certain Kenyan ethnic groups ensued and rapidly escalated into a series of revenge attacks, claiming the lives of over 1000 Kenyans and leaving more than half a million people in camps for the internally displaced around the country (Human Rights Watch, 2008).

Although some scholars and experts have attributed the conflict to the election outcomes, the remote cause of the conflict might not be far-removed from the Kenyan land distribution practice. Basically certain communities felt that land was not given to indigenous communities who needed it; rather it was given to political sycophants on an ethnic basis. It is true that ever since the introduction of the multiparty system in Kenya, Kenyans have been witnessing post-election

violence, and the 2008 conflict was the worst, primarily because it targeted people perceived to be settlers (Kimenyi & Ndung'u, 2005; Yamano & Tanaka, 2010).

#### **1.3.6.4 Community Participation in Natural Resources Management**

That term participation can represent giving particular decisive roles and opportunities to the users, in which they share the decision-making responsibility with the various stakeholders. Participation can also refer to instance where there is no shift of responsibilities between the stakeholders and the users but the decision making process only incorporates the input of the users (Dzinavatonga, 2008). Basically, community participation refers to a form of inclusivity of the people with common needs and goals in decision making process on matters that impact on their lives. When the local communities are given participatory chances, they get an active role in designing and shaping programs that concern matters that affect them. There is no authority or government that has all the means to solve all the problems facing the public and it is therefore crucial and necessary to include the people in decision making processes in order to come up with viable solutions (Curristine, 2007).

The campaigners of community for community inclusivity believe that it brings a myriad of lasting benefits to the people. According to Arnstein (2015), community involvement enables the people who are accepted into the economic and political processes to purposely play roles in matters that affect them. This helps the people to develop a sense of ownership and control. On the contrary, when the citizens are denied participatory opportunities, they feel oppressed and resentful, which in turn can spark conflicts (IDEA, 2017).

From the foregoing cases, it is apparent that natural resources can have more detrimental effects than benefits if they are improperly managed and utilized towards ulterior motives including corruption. As a result of mismanagement of the resources, only a few powerful individuals and institutions benefit creating a large disparity in the distribution of wealth. This leads to unrest as the deprived majority fight for ownership and a share in the prospects obtained from the resources. Those in control of the resources on the other hand use the wealth obtained from the resources to finance war, illegal trade, and territorial control (Samset, 2002; Woody, 2012).

## **1.4 Statement of the Problem**

Natural resources form an integral part of society across the world as they are a source of income, support key industries, and act as an identity for a nation. The majority of developing countries depend on natural resources as their key sources of income, and a large number of people depend on these resources for their living (Le Billon, 2001). Globally, most people still remain directly tied to the natural resources, land and water, fisheries, minerals and timber as their key sources of income. This changes as societies become more urbanized. Natural resources are very vital as they not only contribute to the economic welfare of a nation and the people but also play a key cultural role for the majority of local people and may even be a source of pride for the nation in general. Various resources such as water, forests, and land usually have cultural and historical significance because they serve as homes of early civilizations, ancient artifacts, and cultural practices. These resources form part of the identity of people and communities therefore have a powerful sense of connection to them.

Conflicts related to the exploitation of natural resources are bound to arise where boundaries and ownership are in question (USIP, 2007). Where resources are plentiful there may be enough for all with some to spare but population growth and commercial exploitation place pressures on available resources. In such cases, conflicts are characterized by increased cases of violence, human rights violation, and denial of access and use of natural resources to a point where human welfare is significantly diminished. It is worth noting these conflicts stem from the utilization of natural resources or from the aspiration to manage them in various ways. Muigua (2014), who is an arbitrator and a lecturer at the University of Nairobi's Centre for Advanced Studies in environmental Law and Policy, notes that environmental factors are hardly, if ever, the only causes of natural resource related conflicts. However, natural resource exploitation and the associated environmental effects can be implicated in all stages of the conflict cycle, from triggering conflicts and promoting of violence to inhibiting and undermining the possibilities for peace. Conflicts also occur when various interests and needs are incompatible and when the priorities of all affected people are not factored in the when formulating policies, programs, and projects. Such conflicts are almost an inevitable feature in most societies.

In Kenya, especially among pastoralist communities such as the Turkana, there are interethnic conflicts mostly fueled by poverty, illiteracy and bad political institutions that promote socio-political marginalization. The Turkana have experienced years of marginalization (World Bank, 2013) which has resulted in a lack of basic infrastructures such as good road networks, competitive education, an effective healthcare system, clean water for domestic consumption, and extreme poverty. All these have contributed to constant interethnic conflict in the form of cattle rustling, which in turn has caused numerous deaths. Conflicts emanating from cattle rustling in Turkana County have been recounted by various researchers and academicians as one of the key sources of violent confrontations among pastoralists in North-Western parts of the country (Omollo, 2010; Moru, 2010; Scheilling, et al., 2011).

The discovery of commercially viable oil in Turkana has recently featured in the Kenyan media as good news for the local communities and the country in general (Schilling *et al.*, 2015). This key discovery was seen as a relief for the predicaments of the Turkana people and other communities in Turkana County who have experienced decades of marginalization and poverty. Over the years, increasingly militarized cross-border and inter-community conflicts have characterized this region. Considering the marginalization and poverty experienced locally, the discovery of oil was received with a sigh of relief and as a new hope for a driver of socioeconomic development not only among the marginalized Turkana residents of Turkana County but also for the entire country. However, if proper mechanisms to manage this natural resource are not put in place, the blessings from oil could turn out to be a curse (Schilling *et al.*, 2015).

The Turkana oil discovery presents Kenya with opportunities to design and formulate new policies that could encourage the involvement of locals to formulate new institutional policies and frameworks. This is likely to be a suitable time to start creating viable and effective mechanisms that can efficiently manage oil revenues in a manner to evade the oil curse experienced in many other oil-producing nations. It is on this premise that the researcher identified the need to carry out a study on the implication of community participation in preventing resource-based conflict in Kenya with special focus on oil discovery in Turkana County.

Kenya is on the verge of a factional struggle if the events of the recent past are anything to go by. At the national level, the government of Kenya controls the allocation of oil benefits. In 2016, the

National Assembly and the Senate discussed and passed the Petroleum Exploration, Production and Development Bill (Senelwa, 2015). In the spirit of Article 59 of the Constitution of Kenya (2010) on revenue sharing, the bill proposed that the county governments from where mineral deposits are exploited should get 30 percent of the proceeds while the local community and the county government share the revenue at a ratio of 1:2 respectively. But shortly after the bill was passed, the President sent back the bill to parliament. In his memorandum, he proposed that the local communities get only 5% while the county governments were to have a lower deal than 20% to be determined by the national government. The rationale for this was that the county governments were unable to absorb their annual budgets (Daily Nation, 2016). But while this might be true as the Daily Nation reported, namely that Turkana County government as of that time still had Kshs 1.4 million unabsorbed by the end of the previous financial year (Daily Nation, 2017), the issue of revenue sharing is very emotive and being an election year could not only be used to polarize the region politically but also create a Turkana people versus Kenyan government attitude.

### **1.5 Objectives of the Study**

The specific aims of the study were:

- i. Assessment of the nature of natural resource-based conflicts in Turkana, the extent of these conflicts and the main actors and their roles.
- ii. Determination of the factors that trigger resource-based conflicts in Turkana
- iii. Evaluation of the involvement of Turkana communities in the decision making in oil exploration management and practices.
- iv. Recommendation for strategies of addressing the triggers for resource-based conflicts in Turkana

### **1.6 Research Questions**

The study sought to address the following research questions;

- i. What are the natural resource-based conflicts in Turkana?
- ii. What are the triggers of resource-based conflicts in Turkana?

- iii. How are the Turkana communities involved in decision making in oil exploitation management and practices?
- iv. What strategies can effectively address triggers to resource based conflicts in Turkana?

### **1.7 Study Hypotheses**

The study sought to test the following hypotheses:

H<sub>01</sub> There are many types of conflicts that have arisen due to oil discovery in Turkana.

H<sub>02</sub> Lack of community participation is the main trigger of resource-based conflicts in Turkana.

H<sub>03</sub> Turkana communities are minimally involved in oil exploitation management.

H<sub>04</sub> A community engagement strategy is the best approach to resource-based conflicts in Turkana (a bottom-up crude oil management approach is the best strategy to resource-based conflict in Turkana)

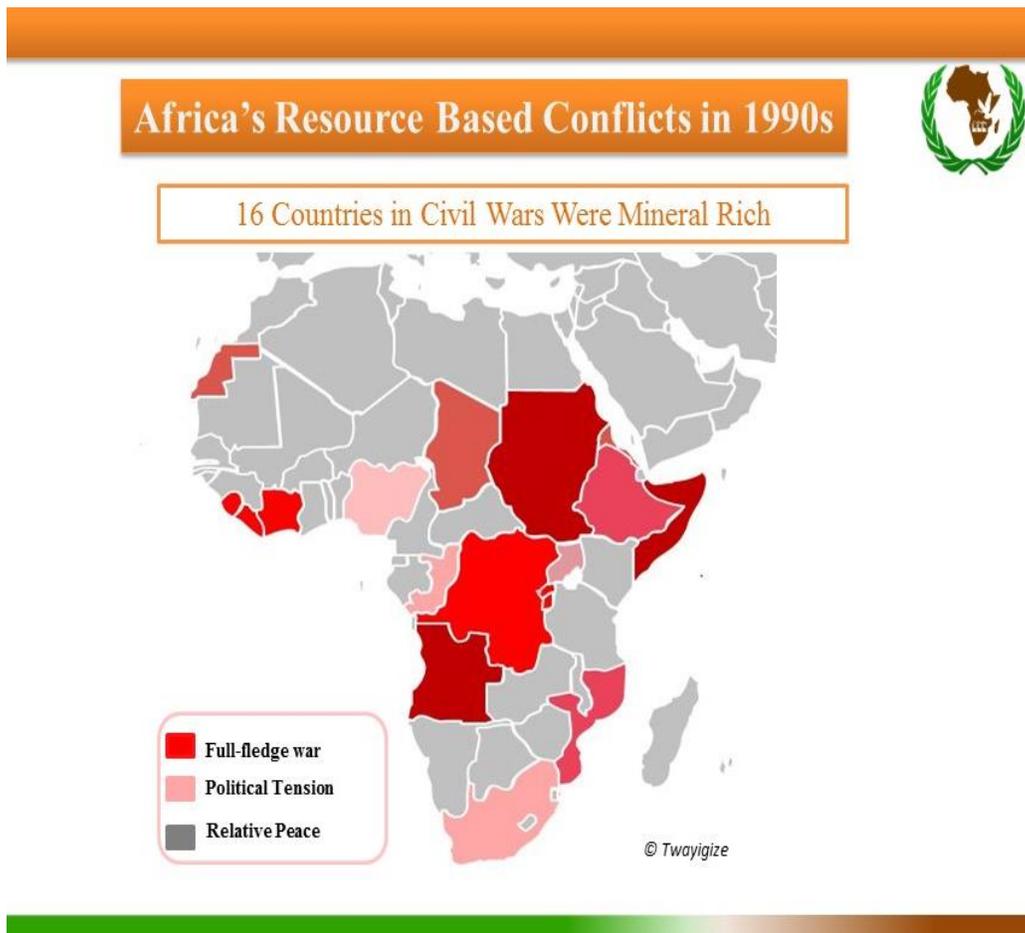
### **1.8 Justification.**

The growing demand for natural resource management and community participation and resource-based conflict prevention is a very relevant area of interest especially in Kenya considering the newly discovered oil deposits in Turkana County. Based on the fact that natural resources contribute a lot in improving the livelihoods of the people, it is not surprising that environmental damage, mismanagement and poor utilization of these resources sometimes trigger and fuel conflicts. The findings of this study could therefore serve as a guide as to how to improve existing strategies available for proper natural resources management and prevent the occurrence of any oil or other natural resource-related conflicts in Turkana County, Kenya.

Moreover, the study could form the basis for future academic studies while expanding room for more studies to be conducted on the new oil discoveries not only in Kenya, but also in the region considering that other countries such as South Sudan, Uganda, Tanzania, Somalia, and Mozambique are also discovering their own oil and gas deposits (Okumu, 2010; Anderson &

Browne, 2011). The study could also shape a comprehensive long-term policy on community participation in natural resources management, especially extractive resources.

The findings from the study could further aid conflict prevention, especially in developing countries, which are struggling with how to balance centralized and decentralized natural resources management systems in their extractive industries. Finally, the findings from this study could assist in the adoption of appropriate ways to combine both natural resources management and indigenous participation strategies to prevent future resource-related conflicts.



**Figure 1.1: In 1990s Over 16 African Countries Were Engaged in Armed Conflicts. Majority of These Countries Are Rich in Mineral Resources (Twayigize, 2016, from Thesis Presentation)**

## **CHAPTER TWO**

### **THEORETICAL LITERATURE**

#### **2.1 Introduction**

This section explores the theories that anchored this research study. Conflict analysis concepts are first reviewed. Then three theories on which this study is based are discussed, i.e. social conflict theory, the theory of citizen participation, the institutional theory, the sustainable livelihood model and the resource curse theory.

#### **2.2 Theoretical Framework**

##### **2.2.1 Social conflict theory**

Social conflict theory was founded by Karl Marx (1973). Karl Marx focused on the triggers and effects of conflict between the capitalists and those who owned the means of production on one side and the poor and the working class on the other. According to Marx, there were social, economic and political consequences that resulted from the existence of the minority group that used their affluence to oppress the marginalized and inferior group. With this form of social system, unequal social order could only be maintained through ideological intimidation of the poor who were forced to accept values, expectations, and conditions dictated by the affluent minority group (George & Wilding, 2013).

According to Marx, the continuous deterioration of the socio-economic conditions of the poor and the working class would result in rebellion in order to demand reforms (Karl Marx, 1973; Emmanuel & Babatunde, 2009). Marx further held that when the reforms made were still in favor of the powerful minority, then conflict would still reoccur. On the other hand, in cases where the changes made created a system that favored the poor and the working class, then peace would prevail. Generally, social conflict theory holds that conflict results from social inequality (Hurst et al, 2016). This inequality results from organization of a society through structures that promote unequal access to resources. This inequality can be manifested in various ways such as wealth and

income inequality, uneven access to cultural and education resources, and unequal treatment by the legal and judicial systems (Gaventa, 1982).

Social inequality can be evaluated in two ways, namely inequality of opportunities and inequality of conditions. The former is characterized by uneven distribution of wealth, income, and material goods (Lenski, 2013). A good instance of this inequality is housing whereby the poor live in poor hovels while the rich live in expensive mansions. Another instance is in societies where some individuals are poor and plagued by conflicts and violence while others are rich and live in peace. With regard to inequality of conditions, it is argued that life's chances are unequally distributed across individuals (Esteban & Ray, 2011).

The social conflict theory was applicable in the case of resource based conflicts in Turkana. The people have suffered from long periods of economic and political marginalization. The discovery of oil came as a new hope for the people but unfortunately for them, they did not get the benefits they expected from the oil. This has compelled the people to turn to demonstrations as the main method of fighting oppression. To mitigate the rebellions, various propositions and reforms have been implemented but they are still in favor of the elites and the political class (Knight, 1992; Eagly, Baron, & Hamilton, 2004).

Social conflict theory has a number of strengths and shortcomings. The key strength of the theory is that it helps in the understanding of the social mechanics behind competing groups and particularly in a scenario characterized by power differences between the competing groups. In addition, conflict theory also offers an understanding of situations where there is conflict of interest. Conflict theory also has a number of shortcomings. One of the weaknesses of the theory is its connection with socialism. The basic vision of the theory is to see a society characterized by cooperation by all members. But this assumes that without argument, that human nature is generally good but corrupted by various forms of civilization. Therefore, people will start to cooperate once domination is eliminated (Burrell & Morgan, 2017).

The other key weakness of conflict theory is its negative perceptions of the society. The conflict view on society upholds the conflicted and negative state of society as normal behavior. The theory challenges the status quo and it is firmly premised on the notion that the elite people are in

charge of imposing and enforcing social order on the less privileged majority. According to the theory, democracy, civil rights movements, and altruism acts are means of governing and controlling the people rather than means of promoting peace and social order (Buechler, 1995).

### **2.2.2 Theory of Citizen Participation**

Citizen participation refers to the process of involving the individual citizens or groups of people in the process of making decisions on public matters (Rosener, 1978). This has for a long time been a component of democratic decision making. Basically, public participation ensures that the citizens have a direct voice in influencing decisions on matters that affect them (Fagence, 2014). Through public participation, the citizens are accorded a voice in the decision making process which gives them an opportunity to influence development process (Mansuri & Rao, 2012). Many agencies or individuals choose to exclude citizens in the decision making process terming the process as costly, time consuming and unnecessary. In most cases, citizen participation programs are initiated only as a response to the public reaction to a proposed project or action (Roberts, 2015)

There are multiple benefits that can be derived from active public participation in decision making (Cogan & Sharpe, 1986). For one thing, citizen participation ensures that the citizens support the planning activities or matters that affect them. That means that inclusion of their opinions minimizes resentment which in turn plays a crucial role in preventing conflicts. Secondly, citizen participation also fosters cooperation and trust between the project implementers and the government. Thirdly, public participation keeps the people informed on r matters on development and helps them know their roles in national development. The other benefit of public participation is that it helps to avoid protracted conflicts and costly delays. When the people are engaged in decision making and development programs, they support the development projects implemented which helps to reduce rebellions and delays (Lee & Kwak, 2012). This also increases the spirit of cooperation and trust between the development agencies and the public.

It is worth noting that public support in planning and implementation of projects facilitates completion of these projects. It is therefore crucial. However, this is not always practiced. Various individuals or agencies disregard or curtail public involvement on the grounds that the process is

costly and time-consuming. In most cases, the citizens are not involved in the initial planning of projects and they only get involved following their reaction to an already established project or action.

There are two broad categories of decision making structures namely the technocratic and the democratic approaches (DeSario & Langton, 1987). The former involves the use of technical expertise and approaches to find solutions to problems affecting the people (DeSario & Langton, 1987). According to this approach, trained individuals are suitable in making complex decisions. The latter approach refers to involvement of the citizens in government planning and policy making processes. According to this approach, those who are affected by certain decisions are entitled to participation in making those decisions. Public inclusivity in decision making can occur directly or indirectly through representatives.

In most situations, policy analysis involves a few individuals who have power and the views of the citizens who are the majority are not represented. This approach is not friendly to the citizens and can trigger conflict (Ramsbotham, Miall, & Woodhouse, 2011). The approach necessitates specialized expertise which may be lacking among the citizens. In addition, even when the citizens have the capacity to take part in the process, they are denied the opportunities. In other instances, the citizens are barred from participating in decision making due to lack of information on the subject issues.

Since development programs are meant for the people, it is crucial to incorporate the views and preferences of the people in order to come up with responsive decisions. Often, it is argued that the bureaucratic specialists come up with poor decisions due to failure to involve people and deciding for them instead (Lister, 2004). In this view, questions of how to deal with dissent or with minority groups are usually minimized, and the importance of making choices and of determining how costs as well as benefits should be allocated is overlooked. In some instances, citizen inclusivity is perceived as a suitable way of curbing tensions and resolving conflicts. Based on this premise, an assumption can be made that sharing views and opinions on issues promotes understanding and tolerance, weakens a tendency toward dogmatic assertions and minimizes personal biases and distrust. In so far as conflicts rest upon misinformation, participation and

involvement in decision making create suitable avenues for sharing of information and may foster modifications of values and opinions and increase confidence and trust (Irvin & Stansbury, 2004).

While intimacy may breed contempt, inclusivity is believed to reduce hostility and may give room for constructive cooperation. In recent years, there has been increased emphasis on citizen inclusion as a key counter to war and poverty. On this premise, opportunities for the communities to partake in decision making in regards to programs which impact on them are offered to cure social ills.

According to the Constitution of Kenya (2010), active public participation is a key prerequisite for the realization of meaningful public reforms. Citizen involvement is among the national values and it is part of the codes of public service (Articles 10 (2, a) and Article 232 (1), Constitution of Kenya, 2010). In Kenya, citizen participation involves provision of opportunities for citizens to participate by the government and its agencies and the citizens decide on whether to participate or not. The citizens take part in identification of community needs, and the execution of projects at the grassroots level.

With regard to the natural resources management, it is a requirement of the law that the local community economically benefits from oil and similar receipts and that they are adequately represented in any forums that discuss the management and exploitation of the resource (Sambu, 2013). Article 202 of Kenya's constitution further states that the benefits amassed from natural resources should be distributed in an impartial and sustainable manner between the county government and the state government and the portion payable to the local community should be put under the management of a Board of Trustees established by the County Government in agreement with the people living in the locality. It is worth noting that inherent flaws in these provisions may well result in conflict (Parkins & Mitchell 2005). This highlights the crucial role played by active citizen participation in decision making process. Is the situation in Turkana in line with these provisions? Are the Turkana people given opportunities to participate in socioeconomic and political decision making? This key aim of this study was to determine the extent to which the Turkana community was involved in decision making particularly with regard to oil exploration management.

A classical instance of application of this theory was in the analysis of public participation theory and practices a case of Waterloo Region by Miroshnikova (2014). Based on then study outcomes, a conclusion was made that the higher the inclusivity of the people in public decision making, the higher the chances of the community uniting and promoting development. It was concluded that public participation is a key contributor to successful planning and execution of relevant projects since they incorporate ideas and insights from the people. Further, it was concluded public participation creates opportunities to well understand the factors that would trigger and fuel conflict in the society (McCool & Guthrie 2001).

### **2.2.3 The Institutional Theory**

Institutional theory is premised on the deeper and more resilient aspects of social structures. It discusses how structures, rules and norms are designed and established to guide social conduct (Christiano, 2018). Institutions refers to the social with high resilience which comprises of regulative and normative elements which provide meaning and stability to social life (Sabatier & Weible, 2014). Why institutions are important in the achievement of economic development and social progress is certainly not a question that has emerged only in the context of mineral-rich nations (Ostrom, 2011). For a long time, social scientists have pointed to institutions and institutional change to explain social and economic transformations. Institutions are vital as they have the inherent capacity to bar, regulate, control and otherwise shape behavior. Institutions can enforce regulations through dictation of cultural, legal, and moral limits (Scott, 2001). They also support actors and activities through provision of resources and guidelines for conduct. To understand the process through which Kenyan institutions involved with the management and regulation of the newly discovered oil sector in the country can be built requires insights into both the general theory and Kenyan realities. The three pillars recommended by Scott represent the fundamental processes that can be utilized to construct change, ultimately influencing planning and organizational outcomes to try to and minimize and curb conflicts in the sector.

Institutions contribute a lot in regulating and maintaining law and order in society (Ostrom, 2011). They institute rules and regulations that must be adhered to in order to promote and uphold social order. They introduce conventions and endorse compliance by either rewarding or punishing

behavior appropriately. The procedure is reflected in a number of measures which include shunning and use of law enforcement bodies such as the police and the courts of law (Scott, 2001).

Scott (2001) recommended three pillars that can be utilized to construct change and influence planning and organization results in order to curb resource related struggle and conflicts. One of them is the normative pillar. This seeks to attain desired objectives by emphasizing on the manner in which things should be done. The other pillar is the cognitive pillar. This focuses on the manner in which institutions make institutional actors and individuals adhere to behavior in accordance with the communal notions and social requirements which structure meaning to achieve generally anticipated outcomes. With the help of these three pillars, institutions play a key role identifying organizational structures in an institutional setting. Peters (2005) urged that institutions have a noteworthy effect on the way individuals and communities act. Institutional theory gives an approach to the political activities that are assumed to occur within the institution. By gaining an understanding of the social structures, it becomes possible to determine the best approach of exploring and managing resources. The institutional view will be used in this study to help in gaining a comprehensive understanding of the way institutions can drive various actors in the oil industry and local coherence or otherwise in governing actions.

It is vital to examine how institutional building can be carried out in the oil sector to promote and maintain stability. Robinson et al. (2006) highlighted the significance of quality institutions and how they influence developmental outcomes, and assess conflicts in order to prevent and reduce miss-use of resources. In their absence, resources are misused and the livelihoods of the local communities are compromised. Reed (2009), with reference to the cases of Democratic Republic of Congo and Angola, confirmed that oil exploration has adverse effects to the livelihood of the local people, which could result to adverse impacts especially if there are no effective institutional regulatory frameworks. This weakens and interferes with democratic accountability and impartial development. Another example where weak institutional structures caused marginalization and neglect of the local communities is the Niger Delta as cited by the Overseas Development Institute (2009). In this region, as a result of lack of effective institutional structures and lack of developed frameworks, the local communities did not reap the benefits of oil in their locality.

In order to attain more equitable development, it has emerged that the empowerment of the marginalized groups and establishment of stronger institutions are key preconditions. This demonstrates the significance of institutions in the extractive sector. Currently, Kenya is seeking to upgrade the Petroleum Exploration and Production Act Chapter 308 of 1986 and the Petroleum Act and the Energy Act of 2006, the two key laws that manage and regulate the petroleum sector. The Petroleum Act manages the negotiation of petroleum and gas contracts between the oil companies and the state government while the Energy Act, on the other hand, outlines the rules that and regulate the energy sector including the highly debatable sharing of oil and gas revenues (Vasquez, 2013). The government is in the process of revising the two laws with the technical assistance by the World Bank.

The Ministry of Energy issues oil and gas exploration licenses as a component of bilateral negotiations with the multinational firms, in a process that is highly condemned by the lobby groups due to lack of transparency and accountability. As a result, the state has expressed its intent to transform this “*modus operandi*” through incorporation of revised and participatory bidding processes for issuing licenses (Vasquez, 2013). Lack of a regulative framework in the oil sector calls for effective institutions to monitor and align and shape activities within Kenya’s oil extractive sector. The institutional theory was therefore relevant to this study.

The institutional theory has been used by various researchers in various contexts. For instance, the theory was used by Yessengali, Oskembayev, Mesut Yilmaz and Kanat Abdulla (2013) in the analysis of the effects energy and agricultural resources abundance on the economic growth. From the analysis of data obtained from 14 regions in Kazakhstan, the study established that natural resources do not affect economic growth significantly but it is the excess production that leads to rent seeking in then negatively impacts on economic performance. The study concluded that the economic growth is not directly affected by the resource abundance and that the impacts of natural resources mainly result from the quality of the available institutions.

Another application of institutional model was made by Engen, Langhelle and Bratvold (2012) in the analysis of why Norway did not experience the Dutch Disease. The analysis also focused on the challenges the Norwegian oil sector faces. From the findings, a conclusion was made that the success in the Norwegian oil sector was due to democratic framework that governed the operations

in the sector. It was established that the petroleum-industrial complex did not weaken the institutions and the institutions were effective in organizing negotiations, wealth distribution, and conflict resolution.

#### **2.2.4 The Sustainable Livelihoods Approach**

The sustainable livelihood model harmonizes the institutional theory by focusing on the key role played by institutions and through establishment of the various ways in which various forms of capital can be attained and utilized to promote practical and sustainable livelihoods (Glavovic et al., 2007, p. 2). The model cultivates basic sustainability plans and stresses more on a people-oriented approach before the preservation of ecosystem integrity and affords key insight on the poor people while focusing on the major factors that impact on the livelihoods of the poor people (Marzuki, 2015).

Whereas institutional theory focuses more on the cultural, cognitive, and regulative systems of the community, the sustainable livelihood approach takes care of societal development in two ways involving both immanent and intentional development. The immanent development approach borrows from what the community has already been doing or from what people are doing in order to develop themselves (Marzuki, 2015). Additionally, it is a holistic approach fosters simplification of the complex poverty dynamics. The model puts people at the heart of development and provides operational frameworks which help to empower the marginalized people to utilize resources (Cahn, 2002). The sustainable livelihood model relates well to the goal of this research because it practically demonstrates the way various intervention activities linked to the petroleum sector may impact on various activities such as farming and herding within the oil exploration regions.

Livelihood assets vary in form and occurrence in different regions and are briefly described from the perspective of a division between livelihood prospects and threats. Livelihood vulnerability context consist of the trends, shocks and seasonality with their potential effects on the people. This can be demonstrated in form of natural tragedies, struggles and skirmishes, and high costs of commodities and inputs among other indicators. However institutions, processes, and policies can also affect the way people use their assets. These comprise political and institutional factors in government in government, the private sector, and civil society that affect the people (Barrett, Lee,

& McPeak, 2005). The vulnerability level of a community relies on the reliability of their livelihoods, their income generating activities, and their access to various resources that are vital for improving their livelihoods. For example, the Turkana know that droughts are a regularly re-occurring feature of life in their region and have to plan accordingly.

The existing resources that people can have access to and utilize are the key features which determine the choices and strengths of people's livelihoods (Department for International Development, 2007). In Kenya, following the new discovery of oil in Turkana, various challenges concerning community livelihood are likely to occur. They include land displacement, a high influx of people from other regions, high prices of goods and services, restricted accessibility to fishing in the lake and farming grounds. All the factors trigger and facilitate the scramble for the available scarce resources.

Ross (2012) affirmed that about 80 percent of the people in Turkana County are not given opportunities to participate in decision making, are disregarded and dissatisfied with the ongoing operations in the area. This is mainly due to the impact of these activities on their livelihoods. According to (Scherr, 2000), if people obtain their livelihoods from the resources at their disposal, any misallocation and mismanagement of these resources can have an immediate impact on those who do not have alternatives. This highlights the significance of tailoring the community's actions towards sustainable management of resources as a key means of promoting livelihoods. Therefore, the discussion on the way in which sustainability can best be linked with poverty eradication has to be progressive. If people follow the right paths and become active partners in resource management for sustainable development, it becomes easier for them to foster their accessibility to resources.

The sustainable livelihoods approach provides different normative principles that act as guides to actions purposed to address community intricacies which include people, inclusivity approach, sustainability and empowerment (Carney, 2003). To start with, a sustainable livelihood approach centers on the people. This implies that the main emphasis should be on the livelihoods of the impoverished rather than on the resources or services they may use. Secondly, empowerment centers on the people's welfare and needs. Thirdly, responsive and participatory principles foster effective and active public participation in decision making and the resolution of development

issues in order to address the challenges facing them. Lastly, a sustainable livelihoods approach harmonizes social, institutional, economic, and environmental sustainability as the main sustainability dimensions. It is imperative to highlight that these principals are of great significance and there is need to unify them.

According to the sustainable livelihood approach, it is crucial and necessary to work among the impoverished people as this is the main method of reducing and curbing poverty. This aspect is also highlighted in the political ecology. This model centers on the strengths of the people. It should however be noted that although this theory has promising outcomes, for it to be achieved, there must be adequate and effective institutions to promote and facilitate a conducive climate and long-lasting sustainability.

In the case of Turkana County, the people have experienced prolonged marginalization, poverty, illiteracy among other challenges. This calls for the key emphasis to be focused on the improvement of the livelihoods of the people through provision of services, and empowerment centered on the people's welfare and needs (Raleigh, 2010). It also calls for responsive and active participation in decision making and the resolution of development issues in order to address the problems facing them. In addition, a sustainable livelihoods approach should be put in place which harmonizes social, institutional, economic, and environmental sustainability as the main sustainability dimensions (Aukot, 2003; Makoloo, Ghai & Ghai, 2005).

### **2.2.5 Resource Curse Theory**

The concept of the resource curse by Auty (1993) refers to a situation whereby resource rich countries perform worse economically as compared to the countries that are not rich in natural resources (Haber & Menaldo, 2011). Resource curse is one of the key issues in recent development discourse and policy. The underlying idea behind the resource curse is that resource abundance particularly in developing countries lead to negative developmental results, poor economic growth, increased corruption, poor governance, and conflicts and violence (Brunnschweiler & Bulte, 2008). In most developing countries across the world, natural resource abundance is perceived more as a curse than a blessing when the resources do not enhance the livelihoods of the people and the economy of the country in general.

The resource curse theory has three variants namely the Dutch disease, rent-seeking and institutions models. Dutch Disease Model argues that the economy consists of three sectors namely tradable natural resources sector, a tradable manufacturing sector, and a non-traded sector (Ross, 1999; Nkusu, 2004). In countries with resource abundance, tradable production is allocated within the natural resources sector, and capital and labor are utilized in the non-traded sector. As a result, as the natural resources booms, the non-traded sector tends to expand while the manufacturing sector tends to shrink. With increased revenue, excess demand for non-traded goods arises accompanied by high non-traded prices (Pegg, 2010).

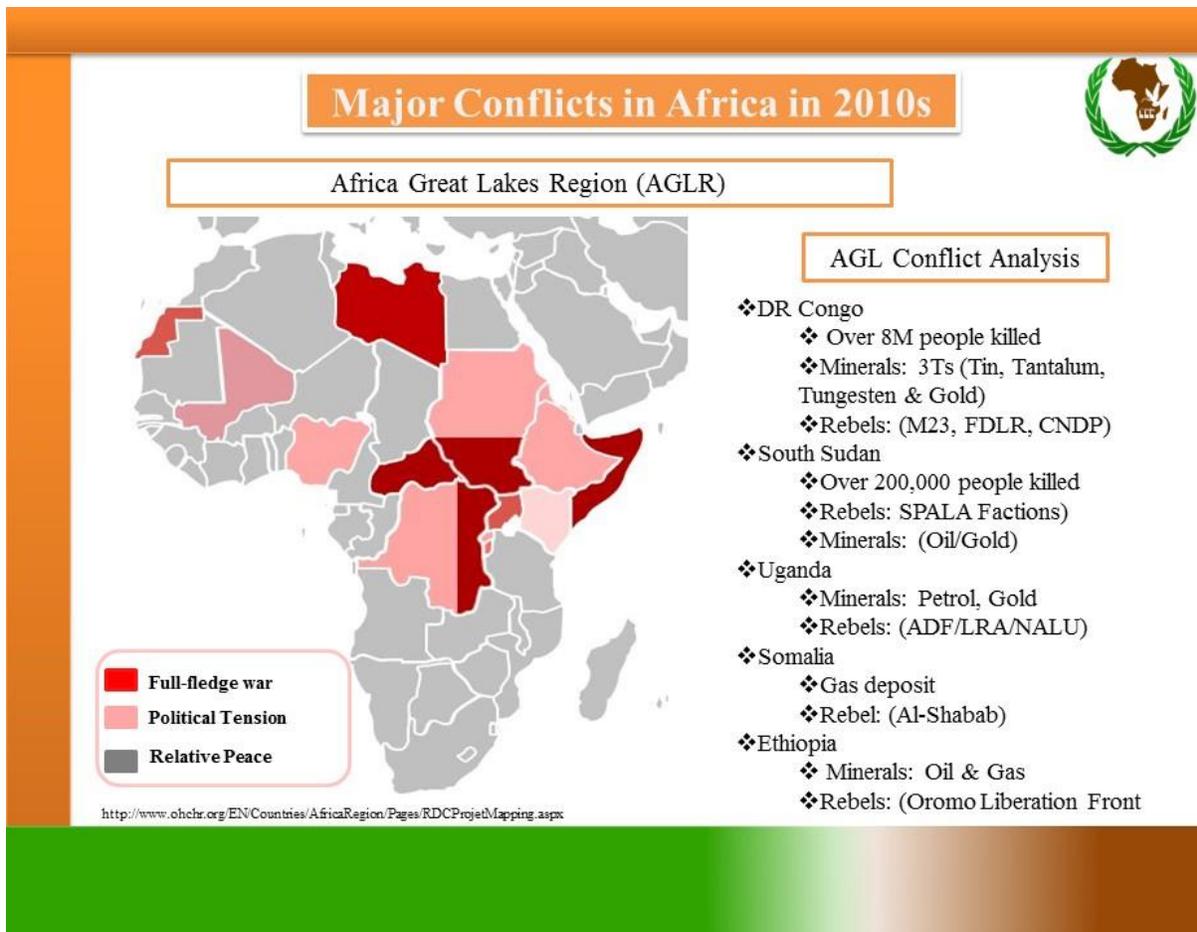
Non-traded goods are utilized as inputs in the manufacturing sector and therefore, profit reduces in the manufacturing sector due to high prices for inputs and fixed global prices. As a result, the economic growth is undermined due to a decline in the manufacturing sector. In addition, Sachs and Warner (2001) established a nexus between higher natural resource abundance and increased prices in the non-tradable sectors and concluded that price levels are higher in natural resource abundant nations as compared to countries that are not richly endowed in natural resources.

The rent seeking model highlights the role of power groups and institutional frameworks. According to Lane and Tornell (1996), lower economic growth in resource-rich nations results from distortionary redistributive activities but not from shrinking manufacturing sector as argued by the proponents of the Dutch Disease model. According to the rent-seeking model, it is the natural resource sector that is squeezed due to harmful rent-seeking activities. Lane and Tornell (1996, p. 41) explained the resource concept by the distributive struggle in resource abundant nations, as powerful groups try to embezzle the revenues produced in the natural resource sectors.

The institution model by Mehlum et al. (2006) centers on the role of institutions and rent-seeking in nations that are richly endowed with natural resources. This model analytically connects institutions with rent-seeking. The key argument of this model is that institutions are the key determining factors regarding the way natural resources abundance impacts on the economic growth of a country (Mehlum et al., 2006, p. 3). The proponents of the model argued that the resource curse occurs only in nations with inferior institutional frameworks. According to Mehlum et al. (2006, p. 7), natural resource abundance deters economic progress only in nations with

institutions that are grabber friendly while the resource curse does not affect the countries with producer friendly institutions.

A classical application of the resource curse concept was made by Holden (2013) who analyzed how Norway avoided the resource curse. The study discussed the impacts of petroleum sector on the economic growth and performance and reviewed the features of the management of petroleum resources. In the analysis, Holden (2013) started by analyzing the development of Norwegian oil sector and the related state policies. The conclusion of the study was that Norway did not experience the Resource Curse as a result of quality institutions that governed the petroleum sector.



**Figure 2.1: By 2010 the African Map of Conflicts Had Shifted to the African Great Lakes Region Due to Coltan, Oil, and Gold in the Region (Twayigize, 2016, from Thesis Presentation)**

## **CHAPTER THREE**

### **EMPIRICAL LITERATURE**

#### **3.1 Introduction**

This section covers the empirical literature based on the objectives of the study and addresses the gaps therein. The first part tackles literature based on natural resource-based conflicts followed by the key triggers for natural resource-based conflicts. The chapter also covers community involvement and a review of the empirical literature based on addressing triggers for natural resource-based conflict.

#### **3.2 Economic Significance of Extractive Minerals in Kenya**

Historically, Kenya has concentrated on enhancing the manufacturing sector, tourism, agriculture, and service industries. Less focus has been placed on the extractive sector and the contribution of this sector to the country's total export earnings and Gross Domestic Product has been marginal. The Kenyan mining sector is mainly dominated by the production of non-metallic minerals. These minerals include soda ash which places Kenya as the third nation among the chief producers in the world and fluorspar where the country is seventh among the key producers globally (Okoth, 2016). Recently, rare extractive minerals were discovered at the Kenyan coastal region and it is expected that this discovery will add the country into the list of the top 5 nations with rare earth deposits (Okoth, 2016). An example is the discovery of niobium which places the country among top six producers of this mineral in the world. In addition, the discovery of other non-metallic minerals such as coal, oil, and gas also raise the profile of the country's mining sector thereby promoting investment in the country by both the locals and the foreigners.

Kenya is progressively emerging as a preferred hub for oil and gas exploration and production. It was ranked sixth among the leading Foreign Direct Investment (FDI) destinations in Africa as it attracted a lot of projects (55 projects) in 2011 with most of them being in oil, coal and natural gas (Owalo, 2017). This was a 77% increase from the projects in 2010, a trend which continued in 2014 whereby the country attracted a total of USD 3.6 billion worth of FDI. Following these advancements, the Kenyan government has acknowledged the economic significance of the

extractive sector and has now placed it as the seventh priority area under the Vision 2030 economic pillars. This is because the sector has great potential for driving the growth and development of the country's economy.

### **3.3 Natural Resource-Based Conflicts**

Conflict here refers to disagreements between/among individuals or groups over values or claims to power, status, and limited resources whereby each conflicting party seeks to neutralize, injure, or eradicate their rivals. Coser (1957) considered that conflicts occur in case where the goals, needs, and values and beliefs of the groups involved differ which results to aggression and at times violence.

With regard to resources, primary commodity exports especially mineral wealth in various countries across the world have been found to be linked to conflicts and civil wars (Collier & Hoeffler; Mwanasali, 2000). This is connected first to the increased scramble for access to and control of resources, which augments the chances and avenues for conflict and war. As the ruling class and the elites struggle for access to and management of resources in order to accumulate wealth and political consolidation via patrimonialism, there has been high cases of privatization and appropriation via exclusive deals with extraneous firms, bribery, and evolving issues from the excluded and ensuing conflicts and warfare.

Otite (2001) states that conflict occurs when individuals or groups in a particular setting pursue differing goals and intentions. In case of changes in the social environment such as the discovery of new resources, a fertile ground for conflict is produced. Conflict occurs as individuals or groups struggle to control the newly discovered natural resources in order to meet their goals. Otite (2001) further observed that conflict is a conscious act whereby contact and communication are involved between individuals and groups.

Park and Burgess (1921) affirmed that conflict instances are meant to resolve differing dualisms, and to gain some kind of unity, notwithstanding their tendency to wipe out one of the conflicting parties. However, as some scholars have suggested, conflict should not only be perceived as damaging and dysfunctional. According to Folarin (1998), conflict is not essentially an undesirable occurrence; rather, it can be both functional and dysfunctional. According to his argument,

scholars generally agree that some form and degree of conflict is a necessity for development to be conceivable and according to him, the main concern should be the manner in which conflict is handled and managed.

While conflict differs from struggle, contest, and competition, it compares to them in that it is a common interaction process, particularly in multifaceted societies having scarce resources. As Donohue and Kolt (1992) affirmed, conflict may occur when interdependent people express their differences as they pursue their goals seeking to meet their needs. The co-existence of the differences becomes uncontrollable without some adjustment, yet, none of the conflicting parties may want to change ground.

Various resource rich countries are characterized by high instances of powerful scramble for access and management of natural resources (Reno, 2003). Good case examples are the occurrences in various nations such as Sierra Leone, Liberia, Sudan, Angola, and Zaire/DRC where conflicts occur in form of resource wars, and rebellions. In most cases, these conflicts involve external allies where some rulers and warlords hire private security firms from various nations to provide security backup in exchange for privileged access to resources (Mair, 2003).

Resource-based conflicts mainly erupt if the resources are poorly managed and their extraction interferes with the people's livelihoods. Chevalier and Buckles (1999) argued that since natural resources are embedded in an environment, their use is susceptible to conflict. This usually occurs when the extraction and management of these resources does not factor in the social values of the local communities. Dressler et al. (2010) provided an example of resource-based conflict in the Philippines, where CBNRM on the Palawan Island, whose aim was to conserve forest resources, failed. This is because it did not factor in the social values of the Palawan people as it undermined their traditional livelihoods (Dressler et al., 2010). In order for CBNRM to succeed, it is imperative to consider all possible factors that local people's values bring to local natural resources management to avoid future conflict, which may eventually threaten the future of CBNRM (Béné et al., 2009).

Another cause of conflict is usurpation or an attempt by one component in a society to usurp the aims and goals of the others. In this case, the rights of the weaker components are generally

violated by the stronger component in pursuance of its goals (Wallace & Wolf, 2006). In this case, the less powerful component usually tries to re-establish its position through any means possible either by force or otherwise. An example of this is the occurrence of military coups in Nigeria whereby the military used its superior power to usurp the goals of the civilian government. As the Nigerians agitated for a return to civilian government a series of varying degrees of conflicts ensued (Sandole, 1993). In addition, these parties gathered enough resources before they positioned themselves to usurp their opponents in a competition in a bid to control Nigerian resources, mainly the oil.

While allowance may be made for some indeterminacies in all human goals, many unjustifiable inconsistencies in aims of some individuals or groups in a society may trigger and fuel conflicts. A good instance is the Niger Delta whereby one of the key dimensions of the conflicts was a failure of the state and multinational corporations to uphold commitment to the development pledges they had made to the local communities. As a result, various individuals and community groups started fighting for autonomy (Osaghae, 1998).

Other instances occurred in Liberia, Senegal, and DRC. In Liberia, the natural resource based struggle was mainly over the control of the major producing zones (Ellis, 1998, p. 157). In Sierra Leone a major diamond producer, as Keen (2003, p. 67) noted, the intensified war mainly resulted from the struggle for diamonds. In DRC and in some cases in Liberia, personal militia and armed groups were underpinned by the scramble for control of external trade networks (Ellis, 2004). In these conflicts, warlords, rebels, and insurgents struggled for control with the help of external commercial links, illegitimate commercial activities and violence (Nafziger & Auvinen, 2002, p. 158).

In countries richly endowed with resources, conflicts and war have emerged as profitable avenues for warlords and their allies (Nafziger & Auvinen, 2002, p. 159). As was the case with Liberia, violence can become a form of business rather than an instrument for promoting any rational ideological or even ethnic interest (Ellis, 1998 p. 157). In Sierra Leone, the state soldiers, government members, and the insurgents all took advantage of the war to enrich themselves (Keen 2003, p. 219). As Vroom and Vlassenroot (2001, p. 79) noted, when situations of disorder prevail, new opportunities for economic profiteering are created. The unstable and chaotic environment

created during conflicts and violence provides opportunities for the militia to reach the benefits of modernization, while the militia leaders get opportunities to access resources. In fact, youth are obliged and pushed to engage in war by the opportunities to gain riches and properties (Ellis. 1998, p. 162). For instance, during the Sierra Leone civil war, cases of extortion, theft, and illegal seeking of taxes by the Revolutionary United Front and government troops and armed militia gangs were common (Reno, 2003, p. 60).

Wars and conflicts, especially in Africa, are also involve mercantilist who capitalizes on the profits of scarce resources (Breytenbach, 2009). They include foreign mining and mineral exploiting firms which often partner with the state or non-state actors in order to gain favored access to partake in business deals and exploration operations. In Africa, warlords according to Breytenbach (2007) are mostly interested in capturing resources and maintaining a territory for resource exploitation. They impose quasi-taxes on resource trade and resource exploitation (Mair, 2003, pp. 12–13). They usually prosper through unlawful transnational trading and exportation of stolen minerals and other natural resources through foreign agents and companies as was the case in Angola, Liberia, Democratic Republic of Congo, and Sierra Leone (Reno, 1993, 1996).

In Liberia, during the war, Charles Taylor took advantage of the situation to capture large areas richly endowed with natural resources and controlled trade via informal and external commercial agreements involving his family and inner circle (Ellis 1998, p. 161). During the war, the key objectives set by NPFL troops and leaders included economic exploitation, which ranged from individual plundering to large-scale illegitimate trade engagements (Ellis 2004, p. 462). According to Ellis (1998, p. 162), a large number of warlords in Liberia had great interests in a large number of forms of trade in which they used armed forces to have access to. Similar cases occurred in the Democratic Republic of Congo where rebels and mercantile were mainly interested in unlawful economic exploitation in Kivu Province which was highly prone to the crisis (Breytenbach 2007, p. 7). The situation was also similar in Congo Brazzaville where the scramble for control over oil fields partly sparked and fuelled conflict in 1997 (Havermans, 1999).

During conflicts, high levels of economic crimes are reported. According to Mair (2003, p. 22), the activities the warring groups engage in during conflicts are a mixture of rebellion, warlordism, and organized crimes. This was the case in countries such as Sierra Leone, Angola, Liberia and

other different areas in the sub-Saharan region. During conflicts and war, there were increased cases of transnational smuggling and trafficking of minerals and goods, illegal commerce dealings, and unlawful arm trading, among other crimes. These activities were characterized by oppression and killings of those opposed to them. A good example is the unlawful diamond trade in Sierra Leone, Liberia and DRC where the diamonds were branded as blood diamonds (Breytenbach, 2007). International organized criminal dealings are facilitated by the involvement of clandestine corporations. These actors play the roles of middlemen between warlords and help in plundering resources, trafficking arms, money laundering and smuggling among other illegal activities (Mair, 2003).

Mair (2003) argues that a large number of non-state actors involved in conflicts, violence, and war are associated with the global networks of the black economy and the informal international underground economy. As Mair (2003) and Reno (2003) noted, various less internationally-respected corporations, criminal rackets, and other criminal actors' countries such as Belorussia, Ukraine, Russia, Lebanon, and Israel, are largely involved in the natural resource-related conflicts, violence, and war in African nations. Countries with high number of conflicts are also characterized by the existence of a high level of informal economic activities. This, according to Williams & Brooks (1999) is much more than the shift towards the illegal and informal being much more lucrative. Conflict zones are characterised by the presence of informal networks, black markets, underground economic activities and high levels of the criminalization of economic life.

There are different dimensions that can be used to explain the economics of conflict and war thesis. To start with, some argue that economics of resource exploitation are the actual causes of war and insurgencies. According to Mair (2003, p. 22), warlords and other patrons of criminal dealings, seek to legitimize their unlawful activities, thus they merely mask their pure economic motives with political grievances. Greed and avenues for resource misappropriation are considered the chief motivators for conflict, and war by various state and non-state actors such as the warlords, the militia, and state commanders. The other dimension of the economics of war thesis is the fact that war and insurgencies are facilitated and sustained by war economic prospects and trade networks (Naidoo, 2000). Similarly, according to Reno (2003), the exploitation of natural resources largely sustains the groups involved in war as in the cases Liberia and Sierra Leone.

Generally, economic profiteering from war and conflicts provide funds to purchase weapons and to payment allies and troops.

The third dimension of the economy of war thesis is that it considers the economy of war as underpinning violence in conflicts in regions in Africa that are richly endowed with natural resources. As a matter of fact, the political economy of resources and resource-rich regions throws light on the poignant paradox of power and benefits between the resource owners and controllers and benefit and those who bear the environmental and social effects of exploitation. Since the appropriation of exploited resources tends to disregard the indigenous communities, struggle and resistance then pervades the political economy of oil and other mineral resources in places such as Angola, Nigeria, Sierra Leone, Sudan and Liberia (Ikelegbe, 2005).

In early April 1975, the Chadian President François Tombalbaye appealed on national radio for popular vigilance, because the army was plotting to overthrow him which he claimed was because of the discovery of the oil in the Doba fields in the south (Humphreys, 2005). A few days later, a mutiny led by Lieutenant Dimtolaum started in Boraho, 35 miles from the capital and headed for N'Djamena to overthrow the president. The fight at the presidential palace left president Tombalbaye fatally wounded. He was replaced by Noël Milarew Odingar as an interim president, and later the military supreme council appointed General Félix Malloum as the Chadian president. Like Tombalbaye, both Odingar and Malloum were from the Sara region in the south of Chad, which did not sit well with the elites and the people from other regions in of the country, particularly in the north.

President Tombalbaye had been having issues with his former colonial masters due to accepting a U.S. Corporation's proposals to prospect for oil in the ex-colony. The Corporation had been successful where French prospectors had failed. France took offense, and from that time on, oil has played a significant role in the Chadian political intrigues. According to Humphreys (2005) and the Human Right Watch report (2015), the government of Hissène Habré was also reported to have received U.S. backing in in order to allow the U.S. oil companies to exploit the Chadian oil. There is also information from rights groups and NGOs that the current Chadian President Idriss Deby also received military support from the French oil company, Elf to overthrow the

regime of his predecessor, Hissen Habré, so as to allow France to have a larger stake in the southern oil fields (Guesnet, 2013).

This western support to Habré, especially from the U.S. was seen as an exchange for his support of U.S. oil corporations. It demonstrates that oil dependence alone does not always lead to open conflict although it might provide the means to cling to power through proxies and external interference, as seen in the case of the French oil company Elf and the U.S. corporations.

As in most African conflicts that started in the 1990s due to the external prospects of the mineral market boom, Chad's oil experience comes close to what Ross (2002) termed the "booty futures" story. During this time, the number of resource-related civil wars in Africa doubled from Liberia, Sierra Leone, Angola, Somalia, Sudan, Uganda, Rwanda, Burundi, DR Congo, Cote d' Ivoire, and the Central African Republic. According to Humphreys (2005), one of many reasons may have been the growth in Africa of a "futures market" for natural resources captured in a battle that Ross referred to as the "booty futures" market (Humphreys, 2013; Ross, 2002). This high demand for Africa's natural resources led to external interferences where western corporate companies invested in illegal access to these resources by arming disgruntled militias to fight their national governments which in most cases, came to power illegally. Some of these militias hid themselves behind socioeconomic issues such as ethnicity, tribalism, and regionalism. They raised the issue of being marginalized by the central government because they wanted their share of the pie.

A good example of those groups that received external support to fight their governments is the Rwandophone communities (Including Banyamulenge, Barutchuru, Bamasisi, among others) living in Eastern DRC who formed into various rebel groups. Beginning in 1993, different rebel groups such as armed groups of Nande, Hunde, and Yanga youth started attacking the Banyamulenge and other Rwandophone people (Lemarchand, 2009, p. 13). In 1997, these interethnic and intertribal conflicts became full-fledged conflicts fighting over the control of natural resources such as mining zones in DRC when external elements with an eye on Congolese minerals intervened (Le Billon, 2001).

Humphreys (2013) further argued that the sale of "booty futures" is a tool used by the strong to oppress the poor, and that it has offered insurgent groups the resources they need to attack the

national governments and has also provided the national governments with funds and means of financing their military operations and recruiting more combatants. Humphreys (2013) and Ross (2002) argue that booty futures can be both triggers and sustainers of resource-based conflicts. This backs Mähler et al.'s (2011) theory of the three mechanisms that cause resource-based conflict. Although the researcher agrees that the “booty futures” as presented by Ross (2002) can provide means to both parties to start and continue the conflict, alone they are not enough to be the source of conflict. The three mechanisms must combine to be the source of conflict (Gilmore & Gleditsch, 2005; Humphreys, 2005; Tshitereke, 2003).

Since many conflicts result from disputes over control, benefits, or profits, some communities or groups might feel unhappy about how their governments are allocating the revenues from these resources (Ross, 2002; Tshitereke, 2003). This is the same scenario that led to successive coups in Chad. The people from central and northern regions of Chad felt that the governments of N'Garta Tombalbaye, Noël Milarew Odingar, and Félix Malloum who all hailed from Sara region in the south of Chad were marginalizing other Chadian communities, especially those from the northern region of Chad (Djimtoingar & Avocksouma, 2005; Massey & May 2005). This resulted in civil wars and coups.

The motive for conflict emerges from “booty futures” used to fund the initiation of civil wars that might otherwise never have begun (Collier & Hoeffler, 2004; Gilmore et al., 2005; Ross, 2003). For the “booty futures” theory to work, the conflict context must prove that there are loopholes for looting. The lootability of the resources is equally important to contribute to the sustainability of the conflict (Maystadt & De Luca, 2013). The length or the sustainability of wars also emerges from the ability for both sides, namely the rebels and the government, to access these resources. According to Ross (2004), the rebels loot minerals or get financial support from external elements due to “booty futures” or future market prospects and the governments to get the same funding either from selling minerals such as Coltan, diamond, or oil, or get external financial support from international corporates with the promise to access these much needed minerals and have monopoly to the exploitation of the natural resources (Ross, 2004). According to the Ross (2002) “booty futures” theory, resources matter because revenues can be raised in advance to gain control of these resources.

However, the “booty futures” theory alone cannot lead to resource-related conflict. There must be other pre-existing loopholes in the system that would combine to facilitate the “booty futures” theory to lead to resource-related conflicts. Some of these loopholes include the weakness of political institutions, corruption, and undisciplined army (Naniuzeyi, 2007) The weakening of political institutions in countries rich in natural resources, such as the Democratic Republic of Congo, Southern Sudan and the Central African Republic (CAR), creates loopholes for rebels to find ways to access these resources and finance their war-related activities (Keen, 2003; Switzer, 2002). When there are no such loopholes for the rebels to fund themselves then the conflicts might not arise since it is only the government that would have access to funding for war, therefore, creating unbalanced power between belligerents.

In addition, apart from the motive of conflict, particularly lootable resources, and indirect weak political institutions, which encourage corruption, the quality of natural resource management is equally very important to ensuring that resource-related conflicts do not emerge (Sterner & Coria, 2013). Should there be poor natural resource management and lack of transparency, then the public would question how their resources are managed and distributed. Lack of resource management transparency can elicit motive for conflict (Weinthal & Luong, 2006). Citizens not only want to know how they are involved in managing their local natural resources but also they want to understand how they are directly benefiting from these resources. Failure of the public to access enough information to the above questions can lead to the motive for conflict. The key issue is that that lest the mechanism through which resources related conflict and war are linked is well understood, the conflict resolution methods proposed by conflict scholars can be of much use to the policy makers (Mejía, 2013).

### **3.4 Causes and Triggers of Resource-Based Conflicts**

Economies of war supported by increased greed have been suggested to trigger, facilitate and sustain high cases of conflicts in the world, particularly in Africa. This was confirmed by Ikelegbe (2005) who conducted a study on the economy of conflict in Niger Delta in Nigeria. The key focus of the study was to analyze the economy of resource-related conflicts, violence and war in this zone which has rich deposits of oil (Basedau, 2009). The findings indicated that a turbulent economy characterized by conflicts, violent scramble for resource profits, inter-communal and

intra-communal conflicts linked to natural resources and the robbery and illegal dealings involving oil had bloomed since the 1990s. The study further documented that while the economy was not the source of conflict, it has become a component of the resistance and it is a way of sustaining it. The economy supports a high increase of weapons and corrupt and rotten institutions which foster violence, crime, violence, and inter-communal and intra-communal conflicts (Smith, 2004).

It has been posited that important conditions influence how access to resources could become contested. These are the scarcity of a natural resource; the extent to which two or more groups share the supply; the relative power of those groups; the degree of dependence on this particular resource, and the ease of access to alternative sources (Bennet, 2002). Natural resources, especially oil, can cause conflict. In general, natural resources promote conflicts through three mechanisms (Collier & Hoeffler, 2004; Fearon & Laitin, 2003; LeBillon, 2001; Ross, 2003).

To start with, resources can create a motive for conflict through disputes over sharing and distribution of the resource benefits or the costs associated with resources exploitation such ecological damages, and socio economic challenges (Humphreys, Sachs & Stiglitz, 2007). Secondly, wealth obtained from natural resources is used to finance warfare thus fueling conflict and violence (Switzer, J. (2001; Bafilemba, Mueller & Lezhnev, 2014). Third, resources can trigger and facilitate conflicts through indirect mechanisms. For instance, resources increase the incentives for corruption thereby weakening the effectiveness of political institutions and public institutions (Fearon & Laitin, 2003). Also, reliance on natural resources and high rents from the resources sector may have adverse impacts on socio-economic progress negatively affect socioeconomic development (Auty, 2001), thus indirectly facilitating internal instability (Berman, Couttenier, Rohner & Thoenig, 2017).

The social stratification of the society into different powers too can lead to conflicts if they are not well managed (Rubin, Pruitt, & Kim, 1994). However, this does not give more details on how the differences in power result into conflict without demonstrating in details the interaction between the “haves” and the “have nots” (Arches, 1991). Mostly, natural resource-based conflicts are as a result of the mistrust between the ‘haves’ and the ‘have nots.’ This happens when those who own the means of production decide to own natural resources without sharing with those

members of the society who have little or no means and earn their livelihood from working on those natural resource (Le Billon, 2001).

The “haves” tend to control how natural resources are managed in order to influence their political outcomes. For instance, squatters might politically support their landlords in anticipation of reduction in rent or a rise in wages once they win a political position in elections (Ross, 2004). In this case, natural resources become a bargaining power between those who have and those who do not have (Mähler, 2010).

A manifest element underlying the economy of war theory is that greed among the actors to amass economic benefits is the main source and motivator for insurgence and warfare (Collier, 2000; Collier & Hoeffler, 2001, p. 2; Reno, 1997). More specifically, there is a triumph of greed over grievance in the causation of conflicts (Reno, 2003, p. 45). Insurgence, war, and violence are then utilised as key instruments to amass wealth during economic crisis and decline and they create avenues for looting and illegitimate trade in mineral resources and other primary commodities (Allen, 1999, p. 372).

Regarding the impact of resource management in post conflict periods, ongoing studies give a hint that wealth sharing agreements in peace processes are not consistently positively related to sustainable peace. Nevertheless, some case studies suggest that revenue sharing schemes can have a positive effect on peace processes after resource driven conflicts, if carefully implemented. In a previous analysis of peace building in resource conflicts, LeBillon (2001) concluded that revenue sharing agreements correlate with conflict termination, albeit not with durable peace.

There is also another crucial factor that influences whether natural resources contribute to violent conflicts and corruption or to socioeconomic development. This factor is the quality of resource management that political institutions put in place. According to LeBillon (2008), resource management can help to avoid resource-related conflicts. According to Buckles and Rusnak (1999), conflict over natural resources such as land, water, solid minerals, and forests have been there.

Over the years, people have competed over natural resources they needed to improve their living conditions. This is normal although the intensity of such conflicts differ from one situation to

another and from one society to another. Buckles (1999) asserted that natural resource based conflicts may have class dimensions, putting the resource owners against those who own nothing but whose work makes the resource productive (Buckles, 1999) especially in the countries that are emerging from conflicts. This argument is premised on the fact that it can help in funding peace-related activities such as spending on healthcare, economic revitalization, and socioeconomic infrastructure reconstruction and market subsidies (Fearon & Laitin, 2003).

### **3.5 Kenyan Cases of Problematic Natural Resource Management Projects**

It is instructive to recall some cases of natural resource projects in Kenya that have run into severe problems, especially Amboseli National Park, the Magadi Soda Ash Mining, Kenya Fluorspar Factor, the Kwale Titanium Project, and Webuye Paper Mill Industries. The problems are directly attributable to adoption of poor management, usually top-down, models (Okello, 2005; Kihiko, et al., 2014; Abuya, 2018).

#### **3.5.1 Amboseli National Park**

The establishment of the Amboseli National Park was one of the projects that did not align well with the local communities. This park was established as an attempt by the Kenyan government to foster community inclusivity in the management of natural resource. Initially, this project seemed promising but it later failed in execution (Okello, 2005). In 1977, the government initiated a program to address the surging of Maasai villages in the joint landowners around the park through establishment of communal ranches. Since the Maasai are pastoralists, the growing population and the increasing number of livestock started to compete for local resources and the number of natural wildlife reduced (Douglas-Hamilton, et al., 2005).

The Maasai were to benefit from the project and were to receive a portion of the proceedings obtained from tourism. For instance, a number of education centers, health facilities, and community centers were to be constructed (Rutten, 2002). The Maasai on their part were to curb poaching and coexist peacefully with the wildlife on their ranches. However, due to bureaucratic systems that were put in place, there were delays in payments, collapse of water sources that were to be maintained by the government that served the community and failure to actualize other promises that the people had been given (Okech, 2010).

As a result of failure of the economic incentives the Maasai people expected from the project, they quickly reverted to their traditional grazing patterns and instances of poaching re-emerged (Matiku, 2013). The key reason for the failure included overdependence on financial benefits compared to other non-material factors and the less attention given to management of resources and success of the project. Others included lack of autonomy, incompatible livelihoods and opportunity cost and top down project initiation (Duffy, 2006). Godwin and Blackstock (2010) reported on resource-based conflict featuring the Amboseli Park, Maasai community, and KWS. In these cases, annual earnings were used to fund various community projects such as educating the needy.

Beyond that, CBNRM did not look at the wider community's benefits, especially those who did not have children in schools. These concerns created a rift among the Maasai community, CBNRM and Kenya Wildlife Service (KWS) members. The affected people called for diversification of the investment of the earnings from wildlife beyond community projects. The women's groups in various instances sought funding from the group ranch committee to boost their small-scale projects. However, due to the patriarchal nature of the Maasai society, women's requests were rejected (Matiku, 2013)

### **3.5.2 Magadi Soda Ash Mining**

Magadi Soda Company (now called Tata Chemicals Magagi) was established in 1911 and is involved in Soda Ash exploitation in Magadi, Kajiado County. It is the largest soda ash producer in Africa with a capacity of mining about 300,000 tonnes of soda ash every year (Muthuri, Chapple & Moon, 2009). However, contrary to the expectation that the project would have a lot of benefits to the local community, the project has been characterized by decades of conflicts involving the mining companies and the local communities.

One of the key drivers of conflicts between the Maasai and the company is displacement. The local community laments that huge chunks of their communal land have been taken by the company to establish and extend the project. This did not align well with the local community as it also interfered with their traditional livelihoods. Lack of community inclusivity in decision making was the other issue of concern among the local community. Information on the ground suggested that

the company did not involve the community leaders and instead fine-tuned the deals behind the community's back. The people said that things were well initially whereby they were involved in the discussions regarding lease extensions but the process was hijacked at some stages by some individuals with self-interests (Gillingham, et al, 2003).

The local community members also complained of lack of employment. Despite the massive project being executed in their vicinity, they were not given jobs and most of the workers were from other regions. Though they the majority of them lack the expertise and skills to handle technical jobs in the project, they were willing to offer unskilled labor which according to them they were denied (Okech, 2010).

The Maasai communities could sit and wait the worst to translate to the worst and they therefore started staging protests against the company. One such instance occurred on November 2003 whereby the local community members demonstrated and crammed into a train coach. In response, the company used the Kenya's General Service Unit (GSU) and police to contain and disperse the people. In the chaos that ensued, a number of people particularly the women suffered severe injuries (Boone, 2012). The community later staged counter protests in which they injured several company employees particularly the company security officers who were hostile to the community. In response, the company's management engaged with consultations with a few individuals on behalf of the community but according to the people, the people the company engaged with are not true community representatives (Raini, 2009; Roberts, 2009).

The operations of the Magadi project were high influenced by political involvement and patronage. It was reported that the majority of Maasai leaders sided with the company in return for financial incentives and other benefits. The majority of the leaders had financial stakes in the project and feared losing if they interfered with the operations of the companies. It was also alleged that there were cases of bribery where all the civic leaders in Kajiado were bribed to allow for the lease extension and to disregard various concerns raised against the company (Muthuri, 2009).

### **3.5.3 Kwale Titanium Project**

The Kwale Titanium Project is one of the natural resource projects that have not benefited the common Kenyan communities that surround them. The project started in 2013 and like the other

major mining projects has caused more problems to the local communities than benefits. One of the key issues linked to titanium mining in Kwale is environmental pollution (Abuodha, 2002). It is well known that mining activities leads to an increase in metal contaminants in the soil which in turn have adverse effects to the biodiversity (Abuya, 2016). In Kwale, the same situation holds whereby titanium extraction would cause contaminate the soil and aquifers with heavy metals. It is estimated that the titanium deposits contains about 309 ppm of uranium and 143 ppm of thorium which are potentially harmful to the health and less discussions have been taking place on the suitable steps to take in order to protect the environment and the people living near the mining blocks particularly those living in Nguluku against the dangerous effects of the titanium mining (Abuodha, 2002).

Another challenge linked to titanium mining is forceful displacement to pave way for the mining operations. This mainly affected the Nguluku people who lived in the mining zones who were forcefully relocated to Bwiti without any consultations (Abuya, 2015). In addition, the conditions of most of the areas they settle in are unbearable with poor sanitation, lack of sufficient and clean water and widespread diseases. Another jeopardy that has la-di-da the community very much due to the introduction of Base is the issue of water and sanitation (Ange, 2014). The most affected area is Bwiti in which the source of water for the people who settled there remains to be a small borehole that gives seasonal salty water that is not fit for consumption. This displacement sparked conflicts between the people and the mining companies (Mkuzi, Mwanguni & Danda, 2013). This led to formation of a coalition of local communities and human rights organizations called Coast Mining Rights Forum opposed the mega-project, as it called for the displacement of over 5,000 indigenous community members and would contaminate local soil and aquifers with heavy metals.

In addition to the health challenges, displacement of communities, and pollution, the people of Kwale have also not reaped a lot from the titanium mining projects in terms of employment. According to Ange (2014), regardless of titanium mining taking place in the county, the majority of the people in the county particularly those neighboring the mining blocks have not benefited a lot. It was identified that, in Kwale, approximately 35% of the households earn less than Sh3, 000 a month, which is significantly lower than the minimum wage in the country. However, it was discovered that one of the factors that hinder full involvement in the mining sector is low education and lack of relevant skills applicable in the titanium mining sector (Abuya, 2018).

Lack of community input in the titanium project and lack of enough compensation were other key issues. The Kwale people particularly the farmers rejected the compensation offers which included the construction of two primary schools and several churches and mosques (Abuya, 2016). They pointed out that they would not accept less than ksh 50,000 per year for every acre in compensation for their displacement, and no less than 10,000 shillings per year for land rental. In 2003, The Kenyan High Court ordered NEMA not to grant licenses to Tiomin for its environmental influences assessment, until NEMA complies with Section 59 of the Environmental Management and Coordination Act which obliges the public re-examination of the Environmental Management Plan (EMP). However, the Kenyan Government gave the go ahead for its titanium mining project in Kwale (Province, 2017).

#### **3.5.4 Webuye Paper Mill Industries**

The Pan African Paper Mills is a project based in Webuye that is involved in production in the country. This company, regardless of the high contribution to the people in terms of provision of environment, has caused sparked complaints among the people due to environmental degradation (Abira, 2008). In 2008, the local residents, through Resource Conflict Institute and Center for Environmental and Development Education Programs (CEDEP) lodged a complaint about the environmental challenges caused by the company. According to the local community members, the company had turned a vast area of countryside into an environmental wasteland (Kamau, 2011). The people also complained that the company had become an economic and social burden to the people. One of the issues that stood out in the concerns raised by the people is pollution of Nzoia River on which the local people relied to for their water needs. Water pollution mainly occurred as a result of the company directing chemicals produced during pulping into the river. This was not only harmful to the people but also caused animal death (Ngaira, 2009).

Air pollution was another concern raised by the local residents. The people who live around the paper mills always complain of foul smell emanating from the wastes and chemicals released from the mills. Acid fumes and fly ash from the mills resulted to corrosion of the corrugated iron roofs of the houses in places near the mills (Krhoda, 1988). The paper mills have also led to increased deforestation. At the time the industry was being established, Webuye was a heavily forested area

which was part of the Kagamega Indigenous Forest. However, with the establishment of the mills, the high demand for wood has turned the area barren (Onywere, Getenga, et al.,2007).

### **3.6 Community-Based Natural Resource Management (CBNRM)**

Community-based natural resource management (CBNRM) is a way in which communities unite with a common motive to safeguard their natural resources to ensure that the resources benefit both the current communities and the future generations (Agrawal & Gisbon, 2000; Measham & Lumbasi, 2013). Community base natural resource management is not a new phenomenon. Local communities have managed the land in which they live and the natural resources for ages (Borrini-Feyerabend, et al., 2004; Fabricus, 2004). In the last recent years, there has been growing effectiveness of the significance of communal natural resource Management practices (Armitage, 2005). CBRNM has been seen as a model meant to address this since it strengthens local individuals by enabling them to participate more in management of their natural resources since it involves the transfer of power to the native people. Moreover, Kiprotich, and Njoroge (2014) affirmed this and saw decision making as a key component in sustainability for it makes the local people participate in their own development.

Duffy (2006) and Child and Barnes (2010), in a similar way, hailed CBRNM as a method that brings equity in management of natural resources. It is believed that involving the community in the management of natural resource leads to a more justifiable sharing of the benefits obtained from the natural resources and responsibility in decision making. According to Blaikie (2006), equity means that individuals receive a fair share, rather than an equal share. It is however important to note that what is considered fair differs from place to place. Differences always exist in the level of resources or benefits received by various stakeholders. To obtain a proportional equivalence between benefits and costs, it is crucial that individuals within a community based resource system perceive distribution as fair. This can be achieved through the concept of equity (Blaikie, 2006; Child & Barnes, 2010).

Agrawal (2001) further postulated that shifting the natural resource management roles from the state to the community level and effective collaboration between the government, the community and various stakeholders plays a key role in assisting the marginalized and neglected groups in

obtaining a greater role and proprietary control of natural resources in their locality. Despite the lack of modern traditions and experience of managing natural resources from bottom-up, Child and Barnes (2010) argued that a project can still thrive even when initiated by external forces such as the civil societies. However, it is crucial to engage the local community.

Alexander and McGregor (2000) considered development from state control to far-reaching community governance as something from which to draw valuable lessons. They argued that it is possible to craft institutional frameworks that are functioning well in a societal context without previous modern experience of bottom-up system to collective natural resources management. In the light of the success in Ishaqbini Hirola Community Conservancy and Gippsland in Kenya and Australia respectively, more and more policy advocates take the revisionist point of view and propose a broader and more complex range of alternatives. These include a stronger emphasis on the potentials of the people as social actors to manage their concerns on more decentralized and cooperative management (Measham & Lumbasi, 2013).

In contrast to the aim of the present analysis, however, these studies are not integrated into broader investigations of the entire resource management of the country in question. Beyond that, they focus on economic development as a dependent variable and not on conflict. Furthermore, there are various case studies of resource management and approaches to peace building in single countries, for example Botswana, Sierra Leone, and Indonesia (Iimi, 2007; Sarraf & Jiwanji, 2001; Rosser, 2007). These single-case studies constitute valuable contributions to the analysis of the impact of country specific resource management strategies. However, because of the varying concepts and research designs, the value of these studies for comparison and further generalizations is ultimately limited.

Literature is increasingly showing the reasons why CBNRM often fails. According to Blaikie (2006), Johannes & Kalipeni (2014), several factors and cases in point have been discussed such as absence of economic incentives. In case CBNRM fails to deliver adequate economic incentives to community members whose livelihood depends on the parks and wildlife for survival, the community becomes more vulnerable to the other lucrative sources of income such as unlawful poaching of endangered species (Measham, 2013).

When communities engaged in CBNRM have limited sources of livelihoods, and where taxation revenues are withheld from the local institutions, they end up looking for other means of survival (Blaikie, 2006). The same concerns were expressed by Stiles (2011) in Central African Republic Wildlife who observed that elephant poaching and over-exploitation of natural resources occur due to limited livelihood options, weak law enforcement, corrupt government, and military officials. (Stiles, 2011).

Another instance where lack of sufficient incentives for the community members involved in natural resources management occurred in the Luangwa Valley of Zambia. This area is a key conservation reserve with two national parks and six game management areas. However, due to a lack of incentives for conservation and lucrative returns obtained from poaching, elephant and rhino poaching has been and continues to be a major problem in the area (Abel & Blaikie, 1986; Milner-Gulland & Leader-Williams, 1992). During the 1990s, there was an attempt to enable the local people to get income from trophy hunting. This project was initially very successful and over 45,000 local community members who resided in the proximity of Lupande Game Management benefited. However, by the year 2000, the CBNRM project had collapsed (Francis & James, 2003). It is now obvious that when incentives stopped, the CBNRM itself collapsed (Lubilo & Child, 2010). Lack of incentives was also coupled with local internal political conflict that weakened CBRNM.

Top-down project implementation significantly contributed to the demise of CBNRM programs. In this case, all or most natural resources management decisions were being made by those at the top in the government circle or external development partners such as Non-Governmental Organizations. This made local communities feel isolated and more alienated from the projects. They felt a lack of project ownership and motivation and left them to collapse (Child & Barnes, 2010).

Duffy (2006) gave an example of BNRM instance in Madagascar in which the local communities had limited roles in the initiation and management of the projects. In this case, the decisions were made by the state and NGOs and the community representatives were given limited opportunities to participate. Eventually, due to community resistance, the projects failed to succeed (Duffy, 2006; Measham, 2013).

Africa is notorious for having projects which stall because of little or lack of public involvement to ensure sustainability. They are often referred to as the “white elephants”. White elephants are development projects which have stalled because they waited for decisions from the top government rankings or well completed but people did not feel that they were initiatives for their own good. Therefore, they were not taken care of or utilized by the public (Hathaway & Pottinger, 2009; Rich, 2007). These programs ignored or forgot to factor in the importance of community contribution to the sustainability of development projects. A more decentralized natural resources management approach is imperative to involve local community members from the initiation of the project in order to ensure their sustainability (Blaikie, 2006; Duffy, 2006; Plummer & Fitzgibbon, 2004; Ribot, 2002).

Alexander and McGregor (2000) also stated that the presence of higher powers has contributed to the collapse of CBNRM, which dates back to the establishment of CAMPFIRE project in Zimbabwe which necessitated approval from an “Appropriate Authority.” This was in compliance with the Parks and Wildlife Act (1975) of Zimbabwe, in the form of a District Council (Alexander & McGregor, 2000).

This means that natural resources management is not entirely in the hands of local community level. Certainly, minimal involvement of the central government is encouraged for both legal and policy support. When the government becomes more enshrined in the establishment and the management of CBNRM, then people might start feeling excluded. It may eventually lead to community members’ sense of disengagement from CBNRM management and hence its collapse (Alexander & McGregor, 2000; Plummer & Fitzgibbon, 2004).

Goodwin (2002) and Blackstock (2005) argued that failure of some CBNRM projects occur due to high opportunity costs and if the project does not add value to pre-existing resource use. It is often true that when CBNRM is not bringing an extra income or improving the lives of the local community, it is likely that people might find it unnecessary to invest both time and energy in it in exchange for their lifestyle to suit external interests (Blackstock 2005; Goodwin, 2002)

Co-management is a concept that embraces pluralistic management based on the principle of subsidiarity and offers an opportunity for competitive claims to be reconciled (Plummer &

Fitzgibbon, 2004). Subsidiarity is an organizing principle which states that matters ought to be handled by the smallest or lowest, or that the least centralized competent authority should be delegated or devolved to those levels. The co-management principle is a framework that enhances natural resources management as a means of identification and evaluation and is a blend of both practice and theory. It came about in the 1990s when managers and government agencies experienced funding difficulties due to a broad array of issues in natural resources management (Plummer, 2004).

Co-management was prioritized in many countries and led to many developing countries like some African governments devolving various parts of natural resources management. Though some researchers question the motives of the co-management approach, the idea of banking on the element of participation salvaged it (Ribot, 2002). Undoubtedly, policies work better when both theories and practices are combined in implementing development and social change projects.

Plummer and Fitzgibbon (2004) further stated that the shift in government regulatory control as a result of privatization, deregulation and devolution of responsibilities placed importance on strengthening local involvement. This has witnessed the shift from greater centralized control towards co-management. Thus co-management involves the sharing of power and responsibility between the central government and local resource users (Grover & Krantzberg, 2013; Plummer & Fitzgibbon, 2004). This approach has enhanced the distribution of rights and responsibilities pertaining to a particular resource without forgetting increased trust between the community and the central government.

Ballet, Konamekan, and Komena (2009) argued that the context in which co-management projects take place greatly influences their effectiveness. For instance, the dominant model of rapport between the local government and the state is based on rent-seeking. This principal model does not give room to co-management projects to develop under ideal conditions. Here, according to Ballet, Konamekan, and Komena (2009), since the local community members depend on the government for their own survival, they do not question the government and they act as instructed which in turn compromises the usefulness of the projects and conservation of natural resources. Ballet et al. further noted that under such circumstances, the partnership between funding organizations and developing countries need to be reviewed because it remains strongly

centralized. Obviously, unless something is done to empower CBNRM both financially and capacity building, developing countries government will continue using natural resources management as their political leverage to sway the voting trends.

It is worth noting that while the number of conceptual studies on how to counter resource-related conflict increases (Halle, 2009; LeBillon, 2008; Stevens, 2008); empirical studies of the outcomes of measures to curb resource-related risk mechanisms remain sparse. A first step in this endeavor has been made by Franke, Hampel-Milagros and Schre (2007). The authors statistically analyzed the impact of resource governance on the resource conflict dynamic in 92 resource-dependent countries and found that good and inclusive natural resource governance is related to a decrease in natural resource related conflicts, a reduction in conflict duration and an increase in peace duration.

To address the local concerns about management of natural resource problems, Child and Bames (2010) emphasized that there is need to move away from macro-scale approaches and work towards a more situation-specific policy where consideration is given to attributes of a resource that local users value and strive to conserve. Measham and Lumbasi (2013) noted that the great success of conservation of the Hirola Antelope by Ijara community in Kenya was their strong attachment to the conservancy. Indeed, it was noted that due to its strong attachment to the Hirola antelope, the Ijara community of North Eastern Kenya swore to protect the species. In fact, some people from Ijara seemed to feel that taking their Hirola away would make the gods angry and there would be no rains, their livestock would die and the community would be destroyed (Measham & Lumbasi, 2013).

On the same note, Corson (2012) further urged that in bio-economic models, people are usually anti-social beings that react to incentives from the natural environment and the markets. The limits of people's behaviors come from the wise government. Notwithstanding, the struggle by the Ishaqbin community in Kenya to get management rights of their natural resources shows that individuals are dependent on their resources, and they care and try to do something about the resource and may play important roles in the crafting and implementation of rules and regulations for managing these resources (Kiprotich & Njoroge, 2014; Measham & Lumbasi 2013)

The social and cultural aspect of sustainability ensures the well-being of individuals by encouraging creativity, participation and safety while empowering people with shared responsibility and equal opportunity to demonstrate stewardship of natural resources, (K'Akumu, 2008; Kipkiror, 2012; Kiprotich & Njoroge, 2014). This is demonstrated by the case of Ishaqbini Hirola Community Conservancy (Measham, 2007).

Several comparative papers have analyzed the functioning of stabilization and wealth funds especially in oil rich countries with mixed results in their ability to macroeconomic stabilization (Asfaha, 2007; et al., 2001; Fasano, 2000). Regarding resource-related risks associated with the motive mechanisms, some authors have suggested the creation of specific revenue-sharing regimes (Bennet, 2002) to regulate the allocation of resource revenues. This should happen between the central government, regional authorities, and corporative groups (for example ethnic representatives, trade unions) in both producing and non-producing regions in a legally-binding way. That way, it should pacify national disputes and conflicts (particularly secessionist conflicts) over the distribution of resource income. Moreover, resource revenues might be used to increase social spending at the countrywide level. An improvement in public welfare and infrastructure can lead to a dilution of the motives, in other words, grievances that spur insurgents on (Collier et al., 2009, p. 25).

Another possibility for breaking up the motive mechanisms is the implementation of sub-national development initiatives that could compensate for the negative impacts of resource exploitation (e.g. ecological damage and rural deprivation). Such initiatives might include regional programs for environmental protection, infrastructure development, or employment promotion.

Facing the opportunity mechanism on the one hand, the number of security forces can be increased and further safety measures to effectively protect production sites and pipelines and thus to impede illegal oil bunkering, the kidnapping of oil workers, and assaults by rebels may be adopted (Ross, 2001). On the other hand, foreign countries can also provide additional assistance by, for example, supporting the military protection of oil facilities or through maintaining of military bases (Lay, 2009).

Indeed, perhaps the major paradox of CBNRM is that it requires strong local rights over resources which must be conferred on local people by the state (Murphee, 2000). As Kiprotich & Njoroge (2014) and Child (2003) have highlighted, communities can become a more effective institution for sustainable resource management only if they are granted genuine proprietorship. This would entail the right to use resources, determine the modes of usage, benefit fully from their use, determine the distribution of such benefit and determine the rules of access. Any policy, which excludes these components, will frustrate the goal of making communities effective institutions for resource management. This is also evident in Ishaqbini Hirola Community Conservancy in Kenya and Gippsland in Australia (Measham, 2007). To properly and effectively involve the community, Measham (2007) emphasized the need for capacity building and training to empower the locals on proper management of resource.

CBNRM was a development initiative established to steer development in rural Africa where communities used their unique social structures to assist them in the sustainable management of their natural resources during the pre-colonial period (Blaikie, 2005). It focused on collective management of ecosystems to enhance human well-being in the local communities. Communities are empowered to manage their resources in harmony with their local custom, knowledge and skills without depleting them.

Given modern developments, this approach now requires adequate investments in capacity building and firm legal establishment of local institutions and structures of governance (Collins, 2007). This is because previously, many African traditional communities did not need legal property ownership. However, because of both modernization and land scarcity, people must have legal title to land or establish any project such as CBNRM (Measham, 2013).

Fabricius and Collins (2007) postulated that CBNRM governance is essential and inherent in cushioning CBNRM against unexpected change and conflicts. This is vital in early stages even before any development takes place. Instituting some aspects of governance earlier could help to outline responsibility and enhance accountability, transparency and flexibility in making decisions. In the case studies discussed by Fabricius Koch, Turner, & Magome (2013), well-organized aspect of governance in the initial stages helped the Makuleke community establish transparent and

accountable institutions that enabled them to avoid conflicts and disappointments (Fabricius et al., 2013).

Turning to the indirect economic risk mechanisms, several authors have stressed the importance of stabilization funds. These funds help to reduce the vulnerability of resource-exporting nations with regard to the high volatility of commodity prices in the short term (Davis et al., 2001). In theory, stabilization funds neutralize windfall gains from the extractive sector in times of high commodity prices and help to save revenues for periods of dwindling commodity prices.

A related option is the creation of pension or savings fund to stop outside financial assets for the era of post-resource depletion. In addition, savings in foreign assets may help against “Dutch disease” effects such as exchange rate appreciation (Mitchell, 2008, p. 30). Mitchell and Stevens (2008) stressed that stabilization and savings funds must be endorsed and supported by broader fiscal discipline (e.g. control of inflation). Moreover, in the long term the only option for avoiding the attendant economic risks of resource extraction is economic diversification (Auty, 1994; Hoeffler, 2000).

Concerning indirect political institutional risks, scholars have focused on national and transnational transparency initiatives to limit corruption and (unproductive) self-enrichment by the political and economic elites (Halle, 2009; Karl, 2007; Søreide, 2009). Political institutions should thus be rendered more effective and democratic to curb their contribution to economic and social distortions, and on a more general level, to reduce political instability. In summary, the counter measures able to curb resource-related risk mechanisms can be summarized, as shown in the table below

<b>Causal mechanism</b>	<b>Sub-mechanism</b>	<b>Level</b>	<b>Countermeasure</b>
<b>Motive</b>		National	Revenue sharing regimes
		Sub national	Regional programs for environmental protection, infrastructure development
<b>Opportunity</b>		National and sub national	Security sector amplification and/or reform military assistance provided by international
<b>Indirect mechanisms</b>	Economic distortions	National and sub national	Stabilization and wealth funds economic diversification combating inflation (fiscal
	Political institutional	National and sub national	Transparency and anti-corruption initiatives environmental accounting

**Table 3.1: Resource -Related Risk Mechanisms and Countermeasures**

**Source: Authors' own compilation based on the literature review (2015)**

Natural resources management, as already discussed, is often held responsible for intrastate conflict, and as a consequence, both national and international measures to avoid the detrimental impact of resources endowments have increasingly been discussed and implemented in resource - rich countries (Agrawal, 2001). The oil discovery in Kenya has left many wondering whether the people of Kenya and even in particular Turkana people, will benefit from this richness. The simple answer would be that if there are proper measures put in place, then they would. Apart from few countries such as Botswana (Limi, 2006, 2007; Robinson, 2009) , nearly all African countries have so far failed to use their natural wealth to improve the living standards of their people.

Over the last 50 years, the African continent has experienced many intractable conflicts mostly motivated by the competition over natural resources (Montague, 2002; Ulimwengu, 2012). Since the early 1960s when most African countries achieved independence, the model preferred by most African government to effectively manage their natural resources has been to tax multinational companies exploiting these resources and then use the revenue to pay their larger than necessary civil services.

The little that remains is used to provide some semblance of social welfare services, pay some non-existing projects and start some monumental development projects they will never bring to completion famously known as “white elephant projects”(Robinson & Torvik, 2005). Governments use these incomplete projects to waste public resources. Kenya has not been immune from this wasteful model either.

Some of the international and national strategies identified include stabilization funds, sub-regional development programs, revenues sharing regimes and transparency initiative. All these key strategies are embedded in the institutions, both public and private. Several authors have put forward the argument that there is a relationship between resource abundance and institutions (Acemoglu et al., 2001; Adger et al. 2011; Padilla, 2002) According Bryant and Jarosz (2004), institutions affect policy structure and policy structure sets the arena in which an economy and resources are managed.

Efficient controls for resources, such as oil and gas supervision, take in function played by institutions in instituting different processes which seek to attain sustainability. Realizing sustainability as a form of equity assurance involves the use of institutions. This was affirmed by Padilla (2000) who argued that institutions are key guardians for forthcoming generational rights and that they should enforce facilitate sanctions that would ensure that the generational rights are respected. This implies that the key function of institutions is to shape community actions, execute guidelines, and facilitate service delivery to promote good governance.

The institutional and regulative frameworks in Kenya are alleged to weak (The Washington Times, 2013). This is something to worry since according to Melham et al. (2006), countries having with weak governance characterized by increased corruption and lack of transparency and accountability are more likely to experience resource. This is the main reason why Botswana, a country with no history of high corruption, had to focus more on building establishing better institutions to support the nation’s economy (CIA, 2012).

Glavovic et al. (2007) asserted that existing organizations and their activities can to a large extent encroach on the opportunities that the poor people can utilize to access and benefit from assets, which consequently affect livelihood strategies they assume. A case in point is the Lamu region

where different actors are alleged to have grabbed land (about 500,000 acres of land) near the area targeted for the establishment of Lamu Port (Shiundu, 2014). It is thus crucial to assess the manner in which institutional building is done in this emerging sector to make ensure stability of all activities and work structures.

Robinson et al. (2006) argued that quality institutions are key determinants of developmental outcomes and are key tools that can be utilized in assessing conflict risk. In order to curtail misappropriation of resources, institutions can adopt quality standards which may occur through regulation, expected roles or shared conceptions. For example, referring to the case examples of Democratic Republic of Congo and Angola Do Vale (2013) noted that oil exploration and exploration comprises livelihood of communities, leading to distortion impacts especially in the nonexistence of institutional control and structures which in turn are likely to undermine democratic accountability and equitable development (Do Vale, 2013).

Presently, Kenya is in the process of formulating its energy bill and it is hopeful that the final law enacted will have effective regulations on benefit, and particularly distribution to the county and host communities (Odote, 2013). In addition, the country is trying to address institutional vulnerabilities through devolution, a process that is aimed at empowering local governments to better attend to local needs (The Economist, 2013).

The Kenyan constitution article 185 mandates county assemblies to receive and approve plans and policies for management of counties' natural resources. However, it seems there is no clear understanding of the role of the newly established county governments in promoting sustainable governance of the oil and extractive sector (Odote, 2013). It is crucial to have institutions watch and align activities within Kenya's oil extractive area. When institutions are formed and process established, they may perhaps utilize sustainable livelihood approach to work with the communities. The sustainable livelihood approach harmonizes the role played by institutions and how people can feel part and parcel of the development agenda; it therefore cultivates equally allied sustainability (Mtuku, 2014).

### **3.7 Stages of Natural Resources Conflict in Africa**

The society is stratified into various classes namely the upper class, middle class, and the low class (McLeod, 2013). This form of classification is characterized by differential access to opportunities, power, and resources whereby the middle class and the upper have access and control of power and the resources and the fate of the low class depends on the these two groups. In resource rich countries, it is expected that the wealth obtained from the resources should benefit all especially the low class who constitute the majority. This implies that, since it is the upper and the middle classes who have direct control of these resources, the fate and the welfare of the common people lies in the hands of these two classes. Therefore, they should ensure that the available resources are effectively utilized and managed for the benefit of all.

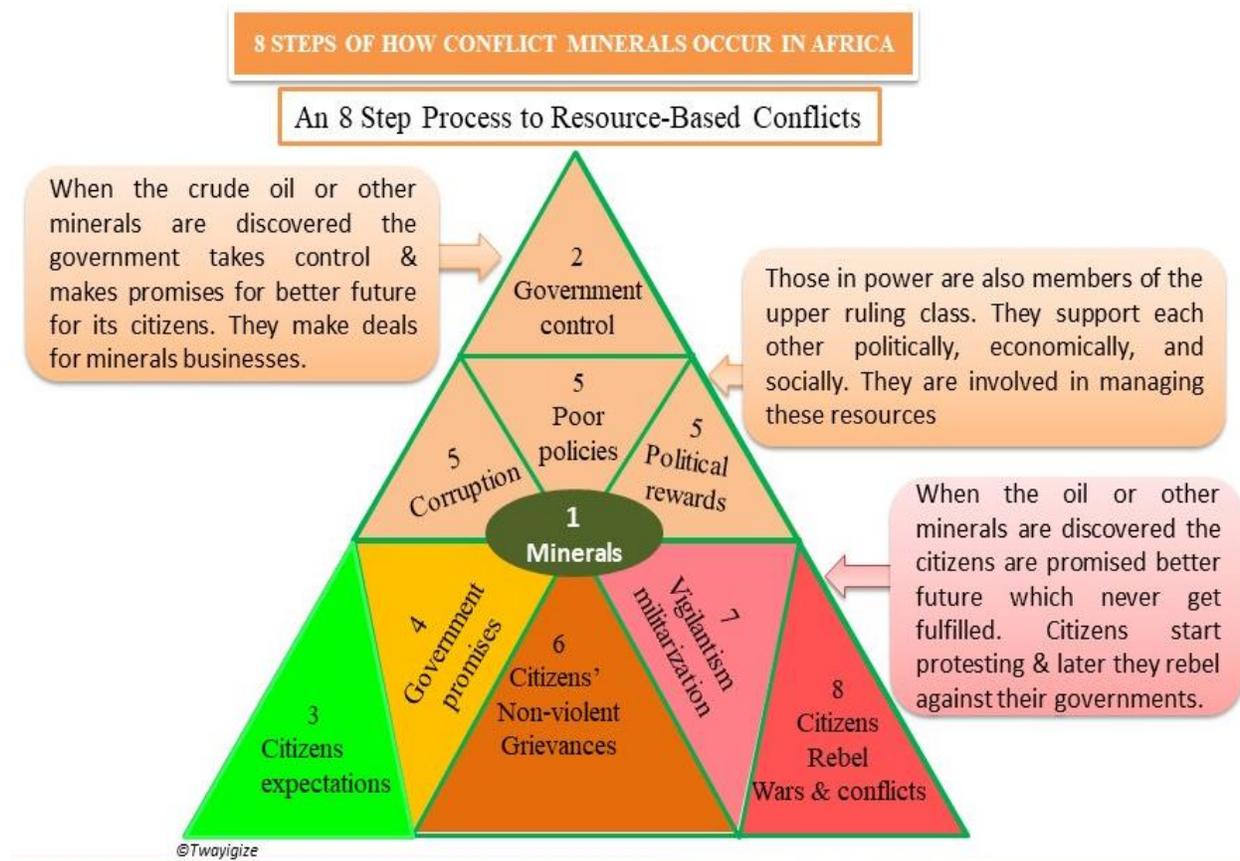
With regard to natural resources, it is the government that owns and controls the mineral resources and it is thus the main recipient of the revenues obtained from the extraction of the resources. In countries with good governance, the resources have of great benefit to all and have led to high economic growth and development. A good instance is Botswana which has recorded good economic growth rates as a result of proper utilization and management of natural resources (Acemoglu et al., 2002). This has to a large extent helped to curb resentments and conflicts. In this nation, much credit can be given to the leadership which from the time the country attained independence, it has designed and promoted good governance which has maintained stability and fostered social and economic development.

On the other hand, in some countries particularly the developing economies, the concentration of revenue with the government as the conduit of benefits to the rest of the economy can cause a myriad of challenges key among them being corruption, rent-seeking. When the ruling class and the elites disregard the commons, conflicts erupt as the people fight for their rights (Collier and Hoeffler, 2004). This has occurred in countries such as DRC, South Sudan, and Nigeria whereby, rather than the mineral resources being a blessing to the people, unfortunately and regrettably, the resources turned out to be a curse and have subjected the people untold adversity.

In Kenya, following the recent discovery of oil in Turkana County, the local communities had high hopes that the oil would lift them from long periods of marginalization and poverty. However, for

this to be actualized, the ruling class and the elites must unite and ensure this valuable resource has been managed and utilized effectively to benefit the local people and the country in general. Failure to this, conflicts is bound to erupt as has already happened in some instances and there is likelihood of these instances escalating to armed violence.

This study has conceptualized NRBC in Turkana based on experience gathered elsewhere in the world and in Africa. The conceptualization comprises eight steps, as illustrated in the diagram below.



**Figure 3.1: Conceptualization of Natural Resource Management Based Conflicts in Africa**

Source: © William Twayigize (2016).

### **3.71 Traditional Society**

In a normal traditional African society, the society is functional and relatively peaceful. The conflicts are usually from within and are dealt with using the viable and functional conflicts and disputes are resolved using traditional mechanisms set up by the society itself.

### **3.7.2 Stage-1 Discovery of Natural Resources**

When the discovery of natural resources takes place in a relatively peaceful society, people are excited about it. The national government and the citizens all celebrate for the discovery.

### **3.7.3 Stage-2 the National Government**

The National Government takes over the management of the newly discovered natural resources on behalf of its citizens politically, economically, socially and legally or otherwise. The national government controls the system and the citizens have given their government the right to manage their natural resources. However, in a society where there is a relatively democratic space like Kenya, the government stops becoming an owner of everything but a custodian and a steward on behalf of its people. The promises that the government makes become accountable (Riley,1982).

### **3.7.4 Stage-3 Citizens' Expectations**

After the news of the discovery of the commercially viable natural resources, the society is usually optimistic and the expectations of better future and socioeconomic development may be too high, and sometimes exaggerated by politicians who want political positions and votes. When people's expectations are not met it starts creating frictions between the national government and its citizens, especially those from where the resources were discovered.

### **3.7.5 Stage-4 Government Makes Promise for Better Future**

The government officials are usually politicians who ride in this newly discovered optimism; they add more unrealistic promises to the citizens, and by so doing, take their expectations a level higher. The government of the day uses these new resources to make promises of building more schools, hospitals, roads , free education, and job creation, ;especially for those people living near

the new natural resources. Citizens take these promises seriously and accountable (Robinson & Torvik, 2005; Appel, 2012).

### **3.7.6 Stage-5 the Middle, Upper Class Relationship and Natural Resources Management**

Being part of the government of the day, the middle class has an important role in newly discovered minerals. On a positive note, it is actively involved in whatever is happening whether economically, socially, economically, and politically such as the drafting of NRM policies, overseeing its implementation, making or breaking government promises to its people (Wasserman & De Beer, 2005). However, the middle class can also influence the exploitation of natural resources negatively where they are involved in business deals of who is who in government and corruption practices in the management of these new resources. This stage is crucial to the future of oil and the nation's stability. It is at this stage that the government of the day that sets up mechanisms for NRM will determine the future of the nation and its people as far as mineral exploitation is concerned (Mark, Trapido & Marks, 2014).

The government of the day might be concerned about its people and adapt Community Participatory Mineral Management Approach (CPMMA) whereby it starts involving the public in how the minerals should be managed to benefit the people (Wester, Merrey & De Lange, 2003). However, the people in middle class who are mostly the government civil servants, business people, and those in the security sector might not support the national government on the implementation of the Natural Resources Participatory Management Policies (NRPMP) that facilitate the government of the day to manage and share revenues from these resources equitably. This is the stage where the exploitation agreements with the foreign companies should reflect community participation, local content (Archabald & Naughton-Treves, 2001).

On the other hand, the government of the day might prefer to use the newly discovered natural resources to benefit itself and reward its political allies (Jerome, Adjibolosoo & Busari, 2005). In this case, the government positions its allies in strategic places in order to benefit from and control the exploitation of these minerals and corruption becomes the order of the day (Gary & Karl, 2003). Whereas the government is busy rewarding its political allies, it forgets about its citizens in natural resource management. It is at this stage that massive mismanagement of public funds,

looting and corruption happens. At this stage the public interests are forgotten and the society becomes aggrieved, as a consequence (Obi, 2007; Taylor, 2007).

### **3.7.7 Stage-6 Public Non-Violent Grievances**

At this stage, it is becoming obvious among the public that the government is no longer interested in fulfilling the promises they made to the people. Instead the society is discovering that the upper and middle class are enriching themselves at the expenses of the common people. At this stage the community becomes aggrieved and demonstrates it publicly (Ahluwalia, Bethlehem & Ginio, 2007). The civil society and the people either will complain by going to court or by staging mass protest against massive corruption, marginalization and discrimination and unequal distribution of accrued benefits from the natural resource proceeds (Sutherland & Meyer, 2000). The public go to the streets to protest injustice and corruption against the government. The government will, in most cases, not resort to dialogue with the aggrieved; instead they will send the security forces to violently respond to the agitated citizens. This could result in arrests and persecution, which, in turn, could create a fertile ground for public resentment that, creates space for rebellion to flourish (Lodge, 1983, Asongu & Nwachukwu, 2016).

### **3.7.8 Stage-7 Government Militarization and Vigilantism**

When the situation reaches stage seven, the relationship between the government and its people has deteriorated already. The aggrieved crowds might easily form vigilante groups from jobless youth that are said to be protecting the interests of the local people from alien people. This might be the people from the same country but from other communities who have come to work in the mineral extractive industries and other people assumed or perceived to be part of the exploitation groups. At this level, if the national government does not trade carefully these vigilantes can easily be exploited by local politicians and turned into armed groups as it has been the case in Nigeria with the Bakassi Boys and in Eastern DRC (Smith, 2004). Here, we have experienced many groups confess to be fighting for the protection of their communities and government exploitation (The East African, January 2017). At this level governments make mistakes of sending more troops into the communities to stop the protests. In the process the communities suffer the loss of their people which fuels more violence against the government. If this is not handled with high precautions it

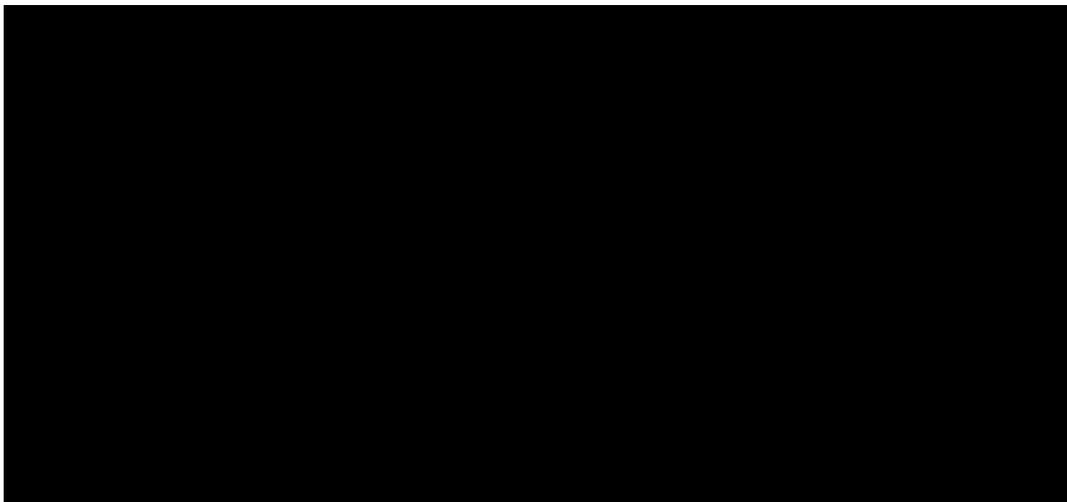
might descend into open conflicts between communities from resource rich and the national government as it has been the cases in Niger Delta, Eastern DRC, and South Sudan (RFI, October, 2016). Unfortunately most African government would opt to send more troops to deal with protesters and vigilantes instead of looking at the root cause of the problem at the round table. This leads to stage eight where communities form their own militias (Pratten, 2008).

### **3.7.9 Stage-8 Communities Rebel against their Government**

When the conflict has reached stage eight where communities openly rebel against their own government informal dialogues do not solve conflicts. It requires a more structured dialogue between the national government, the local communities, and all stakeholders concerned (Lemarchand, 2001). At this stage, the country or a community is at war. People have decided that enough is enough and want to force their government into equitable resource sharing process (Reyntjens, 1999). As we have seen this happening in other African countries, most of the conflicts that take place here are more tribal or ethnic-oriented where the leaders express to have been discriminated against by the national government (Carayannis, 2003). They accuse the national government to have marginalized their regions and taken their local natural resources away without sharing with them. Most of the groups sprung out due to natural resource management in Africa were in DRC, especially the eastern part of DRC. Some of those groups include the National Congress for the Defence of the People (CNDP), Mai-Mai militias, Raia Mutomboki militia, Nyatura, and among others (Africa Confidential said on 25 May 2012). All these groups were formed because the Kinshasa government did not listen to their grievances over the distribution of their natural resources (Autesserre, 2008).

The eight steps that a resource-based conflict process has one thing in common. All 8 steps do not take place in a vacuum but within a society. In an African traditional society with no sought-after natural resources such as oil, diamond, gold, coltan, timber, copper, ore, and among others do not experience open resource-based conflicts (Carayannis, 2009). There have been some cases where communities fight over water distribution in drought-prone regions but we have not had many intractable conflicts over resources. In my eight steps for resource-based conflict process, a traditional society is peaceful until natural resources such as oil, diamond, gold, coltan, timber, copper, and ore are discovered in their own society. The discovery of natural resources changes

the society forever either positively or negatively. In most African society the discovery of these natural resources has changed communities negatively forever (Patey, 2007). Once the resources are discovered the national government takes the precedence in managing these resources and promises the local communities of development in terms of bringing in facilities such as schools, hospitals, drinking water and so on. However, after sometimes these promises are not fulfilled, which dampened citizens' expectations and breed public resentment against their government (Weiss, 2000). Once the resources start being exploited there is lack of effective management, which led to corruption and mismanagement (Herbst & Mills, 2013). The public start taking into the streets to express their dissatisfaction and disappointment. Depending on the government, some government might choose dialogue others might choose to use an iron fist to deal with the protesters (Giroux, Lanz & Sguaitamatti, 2009). In most cases, governments in Africa have chosen the later to deal with resource-based public grievances and the end result has been detrimental forcing many communities to take up arms against their government (Chris McGreal, the Guardian, and September 2007). This is what happened in DRC, Niger Delta, Central African Republic, and South Sudan. If the leaders of these countries were aware of the eight step process of resource-based conflict, they could have changed their approach to managing their local natural resources and promote public participation approach to natural resources management to promote equitable sharing and avoid resource conflicts (Wakabi, 2008).



**Figure 3.2: Congolese Rebels Fighting Over the Control of Mining Land in Kivu Region (Google Images, 2015)**

## CHAPTER FOUR

### RESEARCH DESIGN AND METHODOLOGY

#### 4.1 Introduction

This chapter discusses the methods and procedures that were employed to conduct the research study. It discusses the research area, the research design, the target population, sampling methods and procedures, data collection tools and procedures, data analysis, and ethical considerations

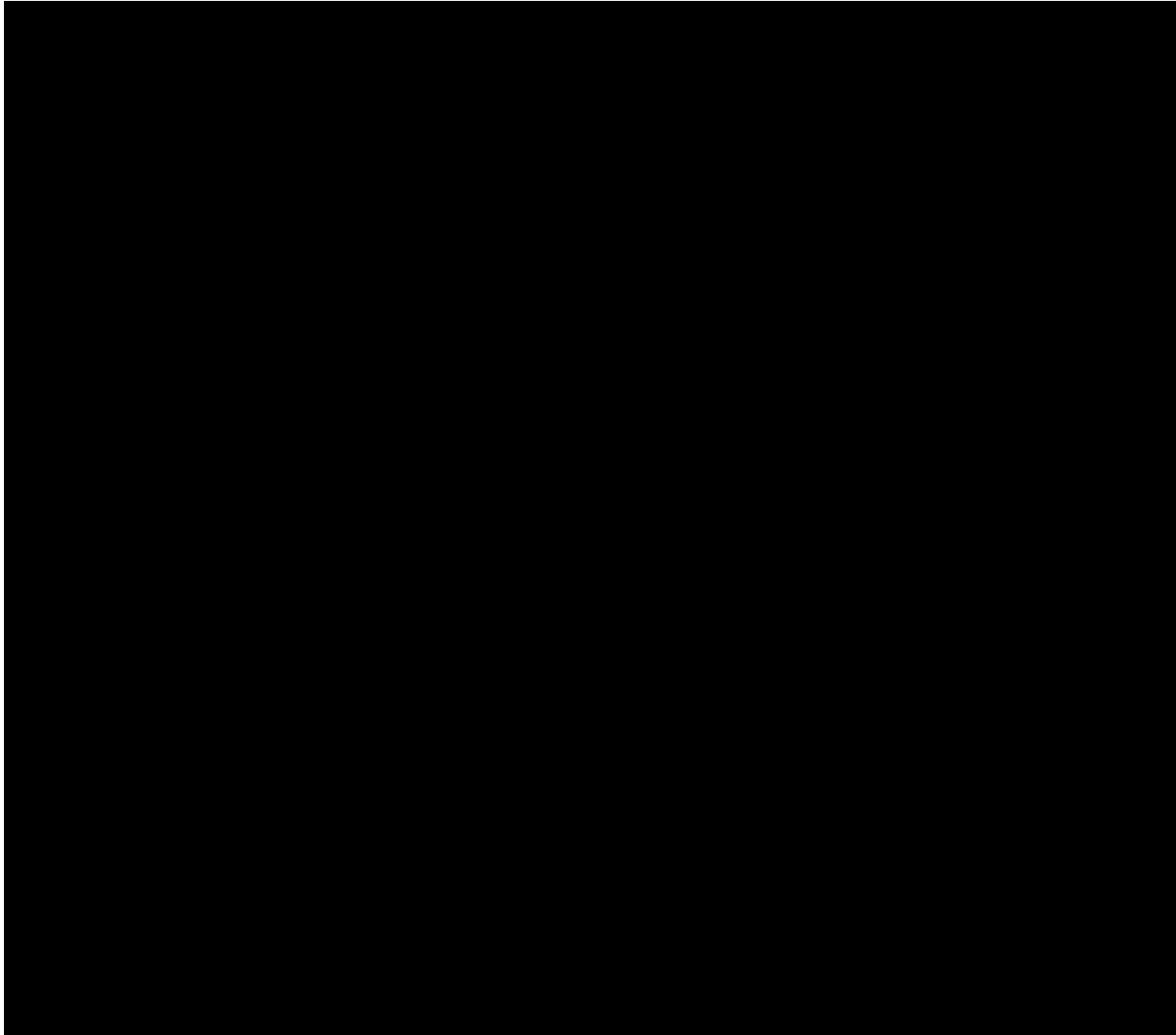
#### 4.2 Background and Geographical Information on the Study Area

##### 4.2.1 The Study Area

The research was carried out in Turkana County, Kenya. This County is found in the North Western region of the country (in Kenya's former Rift Valley Province) and it is approximately 700 kilometers from Nairobi City. Before 2007, this region was known as Turkana District and then it became Turkana County upon the promulgation of Kenya's new constitution in 2010 (Kramon & Posner, 2011; The Kenya Law Report, 2010) It is one of the forty-seven counties in Kenya and is the second largest County in the country.

Turkana County covers an area of 68,680 square Km. It borders Marsabit County to the East, Baringo County and West Pokot County to the south, and Samburu County to the South-East (Commission on Revenue Allocation, 2011). Turkana is also a neighbor to three countries namely Uganda to the West, South Sudan located on the North, and Ethiopia on the North-East (Leff, 2009; Kimokoti & Akeng'a, 2014). The county is also situated adjacent to the much-disputed Ilemi Triangle (Johannes et al., 2014). The Ilemi triangle is claimed to be owned by all three countries in the region: Kenya, Southern Sudan, and Ethiopia but Kenya has always controlled it (see map 4.1 below).

Turkana County has six sub-counties, namely Turkana East, Turkana Central, Loima, Turkana North, Turkana West, and Turkana South (Commission on Revenue Allocation, 2011; Johannes & Zulu, 2014; KNBS, 2010; Kramon, 2011; KNBS, 2010). This study focused on Turkana South sub-County because it is where most of the oil fields have been discovered.



**Figure 4.1: Map Showing Turkana County and Ilemi Triangle**

#### **4.2.2 Population**

According to the Kenya Commission on Revenue Allocation (2011), the Turkana are the dominant tribe in the county comprising 90% of the total population. There are other tribes that have settled there over the years. There are also people who come from other African countries and have made Turkana their home. Kakuma Refugee Camp is situated in Turkana County off the Lodwar-Lokichoggio Road at around 120 kilometers from Lodwar Township and around 95 kilometers from the Lokichoggio border. This camp hosts approximately 200,000 refugees from various nations including Rwanda, Uganda, Democratic Republic of Congo, Somalia, Ethiopia, Burundi, and Eritrea (Aukot, 2003; UNHCR Fact Sheet, 2008).

#### **4.2.2.1 Population Size**

Turkana County has a population of about 855,400 people. As per the National Census (2009), Turkana County has 2.2% of the national population and is ranked number 18 out of the 47 counties. The County shares 14.2% of the national urban population and is ranked number 33 out of the 47 counties in urbanization (CRA, 2011; KNBS, 2009).

#### **4.2.2.2 Population density**

Owing to the presence of the vast Kakuma Refugee Camp, the County of Turkana is one of the counties that have higher population density. The County's population density is 562.8. This is higher than the national population density of 401.1 per square kilometer, with 6.9 people in every square kilometer (Kenya National Bureau of Statistics, 2012).

#### **4.2.2.3 Household size**

Turkana County had a total of 123,192 households (CRA, 2011; KNBS, 2009). The average household size in the County was 6.9, which was 1.6 higher than the national household size of 4.4 (Kenya National Census, 2009).

#### **4.2.2.4 Age distribution**

The County's age distribution as at 2011 was 46.0% between 0-14 years, 51.6% (15–64 years) and 2.4% are over 65 years (Kenya Inter-Agency Rapid Assessment, 2014). In total, 12.9% of the population was below 5 years and 29% were aged 0 - 9 years. It is estimated that the county's deprived child population is 75.8%.

### **4.2.3 Major Towns**

#### **4.2.3.1 Lodwar Town**

This is the capital center of Turkana County and is the biggest town in north-western Kenya. It has the largest urban population of 6% of the Turkana County's population. The town is both the administrative and commercial center whose main economic activities are Turkana County

administration, basket weaving and the fish trade. Historically, Lodwar is also important because of its role in the Kenyan struggle for independence from the British. It was in this town that the first president of Kenya, Mzee Jomo Kenyatta was detained for a period of two years together with other political prisoners during the struggle for independence (Milton, 2008).

#### **4.2.3.2 Kakuma Town**

Kakuma is the second largest town in Turkana County after Lodwar with a population of 4% of the total population of Turkana County. This town hosts the Kakuma Refugee Camp which accommodates more than 200,000 refugees. This camp was established in 1992. Some children who were born in this camp are now adults (Aukot, 2003).

#### **4.2.3.3 Lokichogio Town**

This town is located approximately 30km from the border of Kenya and South Sudan. Lokichogio was once a vibrant town because of the presence of humanitarian organizations and refugees. Sixteen years ago, there were a lot of activities going on between locals and refugees from Sudan. The researcher was told that back in 1998 business people were flying in with goods. However, the town has fewer activities now, in that business activities have substantially reduced. There are only a few of humanitarian offices remaining in the town, such the UN, Oxfam, and World Vision Offices. The main activities here are basket weaving and few shops (Standard Media, 2014).

#### **4.2.3.4 Lokichar**

The 2012 population for the town is 2,000, which is rising because of the presence of oil. The majority of the oil fields (wells) were discovered near the town of Lokichar. As a result, the once sleepy and dusty township is quickly becoming an investment destination. The town is now attracting potential local and expatriate investors. The oil sites that have been discovered in Lokichar Basin where the township of Lokichar is located include Ngamia 1, 2, 3 and 4; Twiga 1&2, Etuko, Etom and Amosing (Africa Oil Corp, 2014).



**Figure 4.2: Turkana Oil Location in Lokichar**

**Source: Map from Google**

### **4.3 Research Design**

Here the research design refers to the manner in which data is gathered and analyzed in order to answer research questions (Cooper & Schindler, 2006). According to Chandran (2004), a research design is a method through which research objectives are accomplished through empirical evidence that is economically gathered. Kombo and Tromp (2006) described the research design as the conceptual framework within which research is undertaken. Griffin and Moorhead (2010) added that the research design consists of procedures used to provide measures under which variables being studied are defined, measured and compared with each other.

This study employed a descriptive research design. This was premised on the fact that the study sought to examine and explore various aspects of resource-related conflicts in Turkana County including: their pre-existence, the contributing factors to resource-based conflicts, the impact of

community involvement in management of natural resources to mitigate resource-based conflicts, the role of indigenous communities in managing local resources to promote peaceful coexistence and mitigate resource-related conflicts, and challenges that are hindering effective indigenous participation in natural resource management. Furthermore, the researcher applied a descriptive research design to determine the relationship between lack of community inclusivity in natural resource management and the occurrence of resource-related conflicts.

As noted earlier by Chandran (2004) and Kothari (2008), descriptive research design is very appropriate when studying an aspect of social nature such as resource-based conflicts and peacebuilding in a region. This is because it has the ability to describe or portray an event such as resource-related conflicts manifested as cattle raids in Turkana County. The design was also used because data was collected from the field just once without going back for verification. As noted by Oladipo, Ikamari, Kiplang'at and Barasa (2015), a descriptive research is aimed at obtaining accurate and pertinent information status of the issue under study.

Creswell (2003) argued that a descriptive research design is used in exploratory and preliminary studies to enable the researcher to collect data, analyze, and interpret for the purpose of classification. Therefore, a descriptive research design was the most suitable design for this research study to enable the researcher establish the natural resources management and conflict prevention through community participation in Turkana Community, which would be obtained through getting people's opinions, perspectives and explanations on the influence of community inclusivity in the allocation and the management of natural resources as an effective way of preventing resource-based conflicts.

There are three approaches applied in carrying out a descriptive research: qualitative, quantitative, and mixed approaches (Kothari, 2008). This research study applied the mixed approaches, implying that both qualitative and quantitative approaches were applied concurrently. Qualitative research was applied to give a better understanding into people's views/opinions, attitudes, behaviors, values, and perspectives on the existence of natural resource-based conflicts, the contributing factors, community participation in natural resource management and challenges hindering effective community engagement and inclusivity in natural resource management to avoid conflicts.

On the other hand, the researcher used quantitative approach in determining and measuring the existence of natural resource-based conflicts, the contributing factors to natural resource-based conflicts, community inclusivity in natural resource management and challenges hindering effective community inclusivity in making decisions regarding natural resource management to avoid conflicts. Combining the two approaches was very effective since it made the most use of the advantages of each approach and limited their weaknesses. It also helped the researcher to measure the validity the data and the precision of the research outcomes, and by so doing, provided broader answers to the research questions of the study. This implies that it went beyond the limitations associated with the use of a single as highlighted by Strauss and Corbin (1998).

Furthermore, the use of a descriptive research design, this research study used the case study of a natural resource, which is the “Oil discovery in Turkana County, Kenya.” The case study permitted a thorough analysis of the essential themes related to natural resources-based conflicts. This design according to Flyvbjerg (2011) authenticated the emerging constructs and proposition in the data set; guiding the study on different units within the identified case by highlighting the way an incident was constructed. This was entirely in line with the justification for choosing this research strategy, namely that the case study has important contributions to the researcher’s own learning process by shaping the skills required to undertake a good research study.

McCarthy and Crandall (2011) and Flyvbjerg (2011) stated that case studies have a lot of different details, totality and variation, which contributes to the researcher’s understanding of how and where intervention might have worked collectively with the related general effects. This implies that, a researcher achieves a more sound and applicable knowledge on natural resource management and conflicts that arise as a result of existence of valuable natural resources in a given region or area as in the case of oil discoveries in Turkana.

#### **4.4 Target Population**

Ngechu (2004) defined a target population as a set of elements, group of people, events, or households that the researchers are interested to gather data from for the purpose of accomplishing particular research goals. Cooper and Schindler (2011) gave another definition of a target population as the entire set of elements from which the researcher wishes to draw inferences. This

is in line with Kothari (2004) who defined a target population as the complete set of all items in the researcher's area of investigation. Also, according to Creswell (2005), the target population is a group of available individuals from the total population with some common identifiable characteristics that the researcher can study. Mugenda and Mugenda (2003) also defined the target population as the set of items or individuals on whom the researcher purposes to generalize research findings.

In the current study, the target population comprised of the Turkana people, community leaders in Turkana, County government officials who dealt with natural resources, officials from the National government in the Ministry of Environment, Natural Resources and Water, those who represented civil society in Turkana County, officials from oil companies operating in Turkana County, women's and youth groups in Turkana County, and those engaged in conflict resolution and peace building in the county, such as the District Peace Committees.

Among those youth and women's groups targeted, the following were included: the Turkana Women Advocacy and Development Organization (TWADO), St. Peters Community Network (SAPCONE), AKISEN Women's Group in Lokichar, NAPEIKAR Farmers' Youth Association, RCEA Lokichar Self-Help Group, and ARIMATOI Welfare Group.

#### **4.5 Sample Size**

The sample size is defined as a small section that represents the entire population (Saunders, Lewis, & Thornhill, 2009). Also, Ramenyi and Swartz (2003) argued that a number of factors such as type of sample, variability in relation to time, costs, accuracy and estimate required should be taken into consideration when choosing a sample size. According to Sekaran and Bougie (2010), a sample larger than 30 and less than 500 is considered sufficient to yield reliable findings. To address a research question or hypothesis, the researcher decides which people would best provide information that is needed in the study (Creswell & Clark, 2007).

In practice, the size of the sample to be used depends on the expenses of data collection and the need to attain satisfactory statistical power. When determining the sample size, the researcher needs to specify the precision level, the level of confidence, and extent of variability in the traits under evaluation (Israel, 1992). In addition, Oladipo et al. (2015) argued that during sample size

determination, the researcher needs to consider the population size, the uniformity of the population, the type of research, and the accessibility of the population of interest, and methods to be utilized in data collection. The sample size of this study was calculated using Kothari's (2009) formula based on the number of households, which as follows:

$$n = \frac{Z^2 \cdot p \cdot q \cdot N}{e^2(N - 1) + Z^2 \cdot p \cdot q}$$

Where

Z = standard variable at certain confidence level

p = population proportion with the desired characteristics (90%)

q = 1 – p

e = acceptable level of precision (error term)

n = sample population

N= Total households in Turkana County

In this study;

N = 123,192 households in Turkana County (National Population Census, 2009)

z = 1.96 (95% significance level)

p = 0.9 (based on 90% Turkana people are natives who share similar experience in resource-based conflicts in Turkana)

q = 0.1 (1 – 0.9)

e = 0.04

N = 123,192 (KNBS, 2009-Number of households in Turkana)

Therefore,

$$N = \frac{1.96^2 * 0.9 * 0.1 * 123,192}{0.04^2 (123,192 - 1) + 1.96^2 * 0.9 * 0.1}$$

n = 216 households

This shows that the researcher's target sample size for this study was 216 households, meaning that the researcher interviewed one person from each household to have 216 respondents. These respondents did not include respondents those who represented oil companies, Turkana County government officials, civil society officials, national government officials, and youth and women's groups' representatives. The 216 households were sampled through convenience sampling method in Lodwar, Lokichar, and Kakuma townships.

Apart from the 216 households selected from Turkana natives, the research also sampled a civil society representative, an official from the Turkana County government who was in charge of local natural resources management, a respondent from the Kenyan Ministry of Environment, Natural Resources and Regional Development, and official of Tullow Oil

#### **4.6 Sampling Procedures**

Sampling refers to the process through which a specific portion of a population is selected in a manner to ensure that the subset is a good representation of the entire population (Oladipo et al., 2015). A sampling technique is a framework that is utilized by the researcher to during sample selection (Mugenda, 2008). A sampling procedure outlines the specific rules that show the way the system determines the size of the sample. Sampling procedures are usually utilized at characteristic level of a task list or material specification. For the purpose of this study, the researcher used purposive sampling and convenience sampling to select the study participants. In this study, first, the researcher purposely picked Turkana County because it is the region in Kenya where oil, which is a valuable natural resource was recently discovered in 2012 (Johannes *et al.* 2015). Lodwar Town was purposively selected because it is the Capital Town of Turkana County with most administrative functions of the County. It has most of the administrative offices of oil investors such as Tullow and Africa Oil companies. Most educated people from the Turkana community live

and work in Lodwar, and also the civil society organizations working in Turkana County are based in Lodwar town. Many Turkana community leaders also live in Lodwar town. The concentration of all these categories of respondents in Lodwar provided a strong justification for the researcher to choose Lodwar Township as one of the locations to collect data from. Also in a nomadic society like Turkana, it was easier to use Lodwar as one of the meeting points for the people from Turkana because of the availability of offices, open market and shopping malls, water, and social services institutions such as schools, churches, mosques, and playgrounds. This facilitated field work and cut the cost that could have made it very difficult to follow pastoralist families who are always on the move in search of water, grazing land, and food.

Lokichar Town was purposively selected by the researcher because it is a township where most of the Oil fields (wells) are found. There are a number of oil wells that were found to be productive at Lokichar Basin in Turkana South sub-County where the town of Lokichar is found. They include Ngamia 1, 2, 3, 4, Twiga 1 & 2, Etuko, Etom and Amosing. This implies that most people working at these oil fields live at Lokichar Town, and hence, for this study, were considered to have a better understanding of the natural resource-related conflicts in Turkana, factors that contribute to resource-based conflicts in this region, challenges facing oil discovery and exploitation, and what would be the best ways to manage local natural resources, in this case, Turkana oil, to promote socioeconomic benefit and prevent future resource-based conflict in Turkana region.

Kakuma town was selected because of its dynamic demography. Kakuma is found in Turkana west of the Turkana County. It hosts a large number of refugees from neighboring African countries that have made this town their home since 1992. The camp was established to host an influx of refugees who were coming from various neighboring nations. The camp is a hive of activities for many people from different backgrounds such as Uganda and Sudan, inside Kenya, and Turkana. According to 2009 UNHCR statistics, the Kakuma Refugee camp then hosted 114,026 refugees (UNHCR, 2009). Due to its urban-like setting and its geographical location plus its porous borders, the researcher found Kakuma to be an important element of this study because of its unique blend of population and different views that it brought.

The households to partake in the study were sampled through convenience sampling method. This was the most suitable sampling method due to the dispersed nature of the households in Turkana.

Since, the Turkana community is predominantly pastoralists, they keep on migrating in search of water and water and pastures and the researcher therefore sampled the households that were accessible. The researcher sampled the respondents who had at least finished primary school and above who could read and write. This was premised on the idea that this group of the people had a good understanding of events in the communities.

#### **4.7 Data Collection**

According to Chandran (2004), data is information collected in research studies with an aim of achieving the research objectives as well as answering the research questions. The researcher relied on both secondary and primary data to obtain sufficient information that answered the research questions, met the study objectives and tested the research hypotheses. Primary data was obtained directly from all 216 respondents of this study sampled randomly and purposively. The secondary data was sourced from the Kenyan government sources, University of New England library database, library books, and academic journals.

#### **4.8 Data Collection Procedure**

The researcher with the help of research assistants who had a good mastery of local languages administered the questionnaires to the respondents. In some instances the research assistants acted as interpreters to in case of the respondents who could only understand the local dialects. Apart from ensuring a high response rate, this method of data collection helped to collect data even from the respondents who could not read and write. The researcher himself conducted the interviews and focused group discussions.

During the data collection exercise, the research assistants met with the researcher at the end of each day of data collection to submit the questionnaires and report any challenge that they encountered such as time taken to administer questionnaires with different respondents, uncooperative respondents with offensive attitudes when responding to questionnaires, and respondents asking for money before they would fill the questionnaire. As usual, apart from the El-Nino period, the Turkana weather was too hot and dry. While various hitches would arise, the researcher was on top of the situation and was able to address the various challenges that emerged during data collection.

## **4.9 Data Collection Tools.**

Various instruments were utilized to collect data from the respondents. They are outlined as follows;

### **4.9.1 Questionnaire**

The use of a questionnaire in collecting primary data is by large extent, the most broadly method used in research studies (Kothari, 2004). In this study, the researcher collected primary data from the Turkana natives and a few other Kenyans through the use of questionnaires which were administered by the research assistants under the coordination and supervision of the researcher himself.

The questionnaire had both close ended and open ended questions. Closed-ended questions are preferred due to a number of reasons. To start with, they are easier to analyze. Secondly, with closed ended questions, it is easier to assess statistical interpretation through use of numbers and codes. In addition, close ended questions are more precise and therefore more likely to communicate comparable meanings. Furthermore, closed ended questions take less time to administer and are therefore economical. The respondents who could not manage to answer the questions instantly requested to be given more time which the researchers did. The questionnaire mainly targeted gathering data on existing socioeconomic marginalization, low and medium intensity conflict on natural resources in the region, oil exploitation and people's expectations, intercommunity coexistence, challenges, their views on post-oil discovery and socioeconomic and political marginalization, and resource-based conflict. The questions that were asked sought to identify respondents' views on the current political marginalization/interference vis-à-vis oil exploitation in Turkana. The study sought to understand the community's underlying concerns about the oil and the community's views on community participation in managing natural resources such as oil exploitation and water in Turkana County. The data collection exercise took long since the research team had to elaborate the purpose of the data collection exercise and the instructions to the respondents. The respondents were also given opportunities to ask questions before committing themselves to the exercise.

#### **4.9.2 Interview Schedules**

The in-depth interview method is widely used by qualitative researchers. Qualitative in-depth interviews usually seem more like conversations than formal interactions with prearranged response categories. In this technique, the researcher examines general topics to help uncover the respondent's opinions through careful consideration of the manner in which the respondents frame and structure their responses. This technique is premised on an assumption that the participants' viewpoints regarding the phenomenon under study should unfold as the participant views it but not necessarily as the researcher views it (Gubrium & Holstein, 2002; Marshall & Rossman, 2011, p. 101).

In-depth interviews yield data quickly, which makes immediate follow-ups and clarifications possible. However, interviews seem to involve one on one interaction, and as such cooperation might be essential, but interviewees may be reluctant to share all the information the researcher intends to gather (Morris, 2015). According to Burton (2004), in-depth interviews are particularly beneficial in getting the story behind a participant's experiences. In this study, in-depth interviews were conducted by the researcher himself. The interview schedule was used mainly to elicit people's views on the effects of oil exploration on the people of Turkana and role of community participation in preventing resource-based conflicts linked to the oil discovered in Turkana.

#### **4.10 Validity**

Validity is a measure of how well a research instrument can measure what it is intended to measure (Kothari, 2004). According to Kothari (2012), validity test helps to measure the accuracy of the research instruments and the truthfulness of the research findings obtained. For the purpose of this study, content validity and face validity were used. Content validity was achieved through consultations and discussions with the supervisors. Face validity was used to eliminate ambiguity of the questions and to ensure clarity. Feedback from the validity test was used to improve the research tools.

#### **4.11 Reliability**

According to Kothari (2004), a research instrument is considered reliable if it yields consistent results over a period of time. Test-retest reliability method was used to determine consistency of the questionnaires to administer. This involved computation of Cronbach's Alpha statistic for all questionnaire items and the general assessment was done (Sekaran and Bougie, 2010). In this analysis, a threshold of 0.70 was used to determine the reliability of the instruments used for data collection.

#### **4.12 Data Analysis Methods and Procedures**

After data collection was over, the researcher screened the data to ensure completeness after which it was coded and entered into the Statistical Package for Social Sciences for analysis. The tape recordings of both the in-depth interview and focus group discussion were initially transcribed. The researcher then read the transcripts and the notes. Jennifer (2005) stated that there are literal, interpretative and reflexive readings of data. Interpretative reading involves construction and documentation to get the meaning of the data, and then describing and explaining the phenomenon under investigation. After reading the transcripts, the main concepts were grouped and an index built that contained broad themes such as natural resources management and community inclusivity, women's involvement in natural resource management, youth and employment, and pre-existing resource-based conflicts in relation to current ongoing oil discovery in Turkana County. Each group was then labelled using suitable headings. Finally, analysis and interpretation of the major findings under each topic and subtopic was done.

Qualitative data was analysed using thematic analysis method. Quantitative data on the other hand was analyzed using the Statistical Package for Social Science (SPSS). For accuracy in our findings, study contents and interview transcripts were analyzed using the SPSS software for qualitative data analysis. SPSS enabled the researcher to collect, organize and analyses content from interviews, focus group discussions, surveys, audio, and online journals. This helped the study to pinpoint important themes in the actual perceptions of participants towards the impact of oil discovery and resource-related conflicts in Turkana and their socioeconomic livelihoods, and the future of peace and security in relation to

the discovered oil in the region. The study findings are presented in tables and figures (see chapter 5).

#### **4.13 Ethical Considerations**

Carrol & Buchholtz (2000) define ethics as norms and standards of behavior that guide moral choices about peoples' behavior and their relationships with others. The main aim of doing this is to measure what is conceived to be morally right or wrong as per the societies prevailing norms and standards. As part of ethical consideration, the researcher acquired a license from National Commission for Science, Technology & Innovation (NACOSTI) and from the Turkana County Government. The respondents were well informed before their inclusion in the study. In addition, the researcher ensured that the respondents are protected by keeping their identity and all the information gathered confidential. This was part of adherence to the research and ethical guidelines of the School of the Australian National Standards and the University of New England.

#### **4.14 Chapter Summary**

Chapter four has discussed the methods and procedures that were employed to conduct the research study. The study was conducted in Turkana County which is divided into six sub-counties, namely Turkana East, Turkana Central, Loima, Turkana North, Turkana West, and Turkana South. The study employed a descriptive research design. The choice of this design was s premised on the fact that the study only sought to examine and explore various aspects of resource-related conflicts in Turkana County including their pre-existence, the contributing factors to resource-based conflicts, the impact of community involvement in management of natural resources to mitigate resource-based conflicts, the role of indigenous communities in managing local resources to promote peaceful coexistence and mitigate resource-related conflicts, and challenges that are hindering effective indigenous participation in natural resource management.

The target population comprised of the Turkana people, community leaders in Turkana, County government officials who dealt with natural resources, officials from the National government in the Ministry of Environment, Natural Resources and Water, those who represented civil society in Turkana County, officials from oil companies operating in Turkana County, women's and youth groups in Turkana County, and those engaged in conflict resolution and peace building in the

county, such as the District Peace Committees. The sample comprised of 216 households which were randomly selected from all the sub counties. The FGD participants were sampled through purposive method from Turkana town, Arimatoi Women welfare Group, Lokichar Self Help Group, Welfare Group, Akisen Women Group, Arikor Youth Group, Napeikar Farmers Youth Group, and Kakuma Hope Women Group. Other key respondents included civil society representatives, officials from the Turkana County government, and a representative from Tullow Oil.

The study used both primary and secondary data Primary data was obtained directly from the respondents using structured questionnaires, interview guides, and focused group discussions. Secondary data on the other hand was sourced from the Kenyan government sources, University of New England library database, library books, and academic journals.

Quantitative data was analysed using Statistical Package for Social Sciences. This was done using descriptive statistics such as the means, percentages and frequencies. Qualitative data on the other hand was analysed using thematic analysis method. Through this, the researcher was able to pinpoint important themes in the actual perceptions of participants towards the impact of oil discovery and resource-related conflicts in Turkana and their socioeconomic livelihoods, and the future of peace and security in relation to the discovered oil in the region.

## **CHAPTER FIVE**

### **PRESENTATION AND DISCUSSION OF THE RESEARCH FINDINGS**

#### **5.1 Introduction**

This chapter presents data analysis and interpretation of the results of the research. The data was analyzed using the Statistical Package for the Social Sciences (SPSS) software and thematic analysis. The findings are presented using frequency tables, charts, and graphs.

#### **5.2 Response Rate**

In this research, out of 216 questionnaires that given out to respondents in different households of the Turkana living in the targeted townships of Lodwar, Lokichar, and Kakuma, 178 questionnaires were fully answered and returned to the researcher, which represented a response rate of 82%.

The study targeted three Turkana townships: Lodwar, Kakuma, and Lokichar, because of their demographic and geographical significance. Lodwar is the capital Town of Turkana County. It is also the administrative town of both the County Government and the Oil Companies. Apart from having many Turkana people, it also attracts communities from other parts of Kenya for business and touristic reasons. Also, the town is the center of administrative and employment opportunities; and therefore providing more access to information, socioeconomic opportunities, and political dynamics. The people of Lodwar town are better informed than most of the people in other parts of Turkana. This is because most of them are relatively well-educated, are working with the County Government, oil companies, or civil society. Lodwar offers more commercial, socio-economic, political and academic opportunities, thus bringing more change agents and educated Turkana people to the town. In this study, 100 questionnaires were distributed among 100 households in Lodwar town and its environs and 89 questionnaires were properly completed and returned to our research team, in a response rate of 89%.

The town of Lokichar is the oil hub of Kenya. Most of the oil wells found in Turkana County are located in the Lokichar basin. It is also the administrative and commercial center for Turkana South

sub-County. Most of those people employed in oil industry live in Lokichar town. Due to its population size, 58 questionnaires were administered in Lokichar Township. Forty-eight of the questionnaires were duly completed and returned to the research team. This represented a response rate of about 83%.

Kakuma Township is one of the most diverse towns in Turkana and even in the country because it hosts more than 200,000 refugees from the African Great Lakes region. The researcher chose this town because of its diversity in order to have different views about Turkana crude oil management and resource conflicts in the area. It was also important to target the Kakuma refugee community because of their previous experience with resource-based conflicts. Most of these refugees fled resource-based conflicts associated with resource curse in their countries. The majority of the refugees came from South Sudan and DR Congo. By reaching out to this group of people, it was important to have divergent views about oil management and conflict in Turkana. In Kakuma refugee camp, out of the 58 questionnaires distributed, 41 were adequately answered and returned to our research team, which represented a response rate of 71%, making the Kakuma community have a lower response rate compared to both Lokichar and Lodwar.

**Table 5.1: Respondents' locations and response rate**

<b>Location</b>	<b>Sample Size</b>	<b>Actual Response</b>	<b>Response Rate</b>
Lodwar Town	100	89	89%
Lokichar Town	58	48	83%
Kakuma Township	58	41	71%
<b>Total questionnaires</b>	<b>216</b>	<b>178</b>	<b>82%</b>

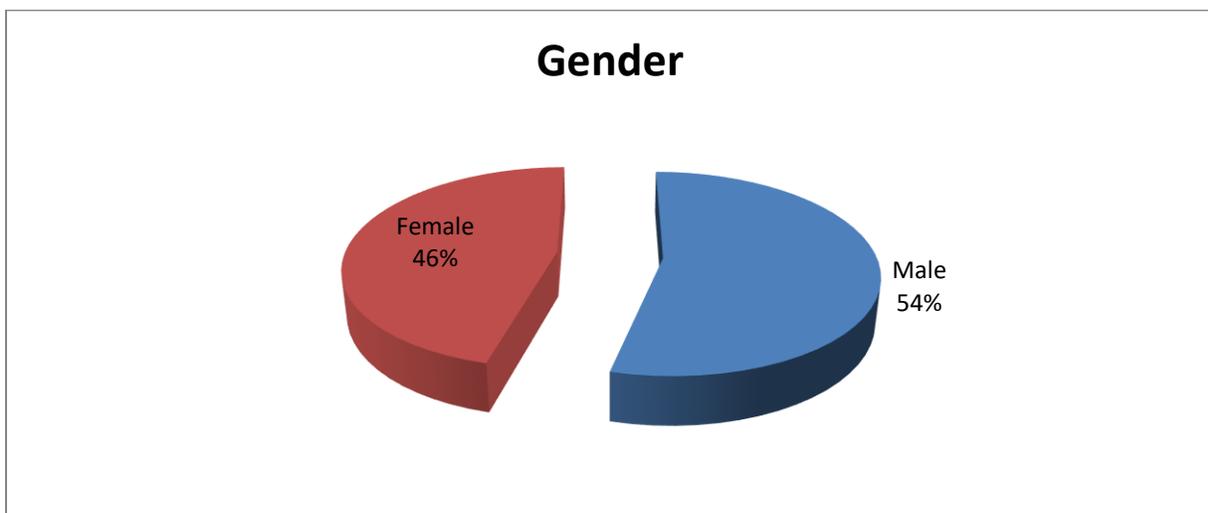
**Source: Field Data (2015)**

### **5.3 Demographic Information**

In this study, the researcher looked at different demographic variables such as the gender, age, marital status, highest education level, social background such as whether the respondent was an indigenous Turkana or immigrated to Turkana, and the period of time the respondent had lived in Turkana County.

### 5.3.1 Gender

The majority of the respondents were males at 54% compared to females at 46% (see figure 5.1). This may be explained by the fact that the researcher targeted the heads of the households where the majority, in this case, was males. Traditionally, in Turkana, men are the ones responsible for responding to family matters unless they are not available. In their absence, older women can assume that responsibility. The male children in this community usually have higher levels of education than their female counterparts. This is because the Turkana culture emphatically gives a male child more privileges compared to the girl child, especially when it comes to acquiring education.



**Figure 5.1: Gender of the respondents**

**Source: Field data (2015)**

### 5.3.2 Marital Status

**Table 5.2: Marital Status of the Participants**

<b>Marital status</b>	<b>Frequency</b>	<b>Percentage</b>
Married	115	64.6
Single	58	32.6
Separated	2	1.1
No response	3	1.7
<b>Total</b>	<b>178</b>	<b>100</b>

**Source: Field data (2015)**

The findings revealed that most of those who participated in the study were married. Only a few were separated. Marriage among the Turkana is a highly-respected rite of passage. It is considered as the first and the primary stage of adulthood among women. Girls in this community get married between 15 to 20 years of age. This explains the high proportion of married participants among those who participated in the study.

### 5.3.3 Age Bracket

The purpose of the researcher here was to determine the age brackets of the respondents. This was crucial to help the researcher to understand the experiences, views, and perceptions the respondents had based on their age with regard to resource-based conflicts in Turkana County and crude oil exploration, discovery, and exploitation and management in Turkana.

**Table 2.3: Age of the participants**

<b>Age bracket</b>	<b>Frequency</b>	<b>Percentage</b>
18-30 years	83	46.6%
31-40 years	35	19.7%
41-50 years	32	18%
Over 50 years	28	15.7%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

The findings indicated that most of the participants were youths. This is not surprising considering that Kenyans under 30 years of age constitute 75% of the country's population (KNSB, 2013). According to the Kenyan constitution, a youth is a person who is a resident of Kenya in the age bracket 15 to 30 years. In Turkana, this age group is charged with the responsibility of providing security to the community, and ensuring the survival of the Turkana people who are mostly pastoralists. This puts pressure on the Turkana youth. They are also involved in most resource-related conflicts in Turkana region.

#### **5.3.4 Education Level**

The researcher sought to determine the level of education among the participants. The findings indicated a relatively high educational attainment among the participants (See table 4 below). This high education level of the respondents was because the participants were divided into two groups. Those who had lower education levels were put mostly in the Focus Discussion Groups in order to include their views whereas those with a certain level of education were provided with questionnaires. Another factor in a region which has the lowest level of education in the country is that the study targeted townships where education attainment was relatively higher. This is because the majority of educated Turkana migrate to townships in search of better life and socioeconomic facilities. Oil discovery too has contributed to more educated Turkana choosing to flock into townships. In addition, the presence of Kakuma refugee camp is another factor. This is because the UNHCR which manages refugee camps provide basic education to all refugees; thus, there is a higher education level among refugees.

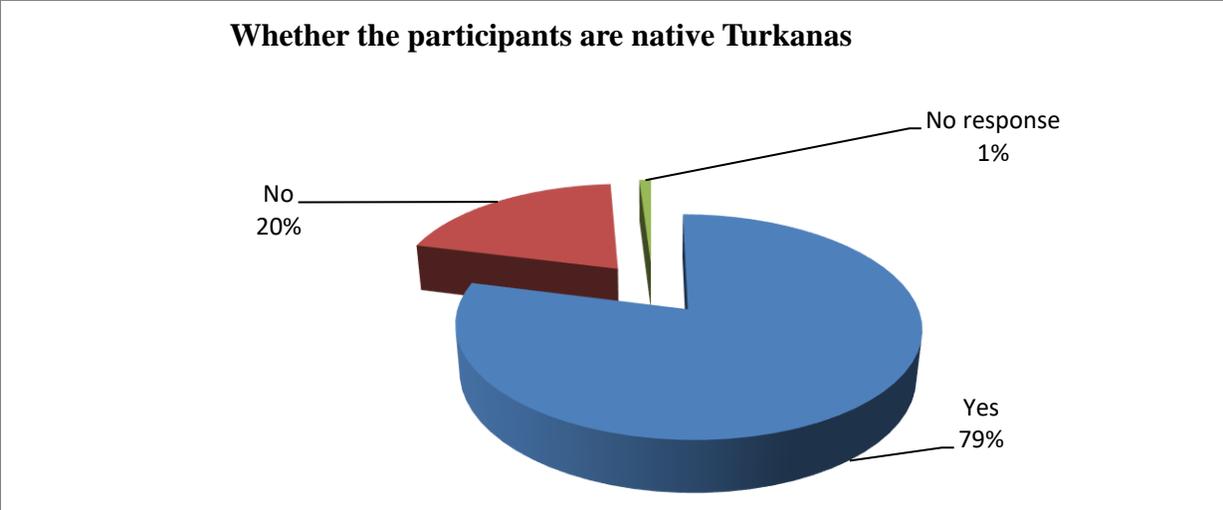
**Table 3.4: Education level of the participants**

<b>Education level</b>	<b>Frequency</b>	<b>Percentage</b>
No formal education	28	16%
Primary education	25	14%
Secondary education	46	26%
College	45	25%
University	34	19%
<b>Total</b>	<b>178</b>	<b>100 %</b>

**Source: Field Data (2015)**

### **5.3.5 Native and Non-Native Turkana**

The researcher sought to determine whether the participants were Turkana natives or not. The findings showed that the majority of the participants at 79% were indigenous Turkana people, while 20% of respondents were not Turkana natives. A small proportion of the respondents did not disclose their origins (see figure 5.2 below). The same case was observed among the FGDs whereby the majority of the participants were Turkana natives. The number of non-indigenous people has increased due to the recent increase in commercial activities because of the presence of crude oil in the region. Since the discovery of oil in Turkana, different Kenyan communities have been going to Turkana for both employment and investment opportunities.



**Figure 2.2: Whether the participants are native Turkana**

**Source: Field Data (2015)**

**5.3.6 Economic status of the participants**

The study sought to determine the economic status of the participants (see table 5 below). Among those who completed the questionnaires, the results indicated that the majority are not doing well economically. The same situation was observed among the FGDs where most of them reported that they languished in poverty. The poor economic status of the people has contributed significantly to resource-based conflicts in the area as the people struggle to improve their living standards.

**Table 5.5: Economic status of the respondents**

<b>How the respondent rates his/her economic status</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Poor	63	35%
Very poor	58	33%
Average	53	30%
Good	2	1%
No response	2	1%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

### 5.3.7 Number of dependents

After establishing the economic status of the participants, the researcher sought to know the number of dependents the respondents had within their households.

**Table 5.6: The number of dependents**

<b>The number of dependents</b>	<b>Frequency</b>	<b>Percentage</b>
1- 3	79	44%
4- 6	74	42%
7- 10	14	8%
11- 13	4	2%
Above 14	0	0%
No response	7	4%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

The study found that the majority of the dependents in most households did not exceed six. Only 10% of the participants had more than six dependents. The study found that the living standards deteriorated among the households as the number of dependents increased. This posed a high risk of conflicts over limited natural resources such as land, livestock, water, and grazing land. This situation might also be related to cattle raids as families struggle to provide for their dependents.

Having many dependents, especially children, is not uncommon among the Turkana community. Turkana people value children and a communal lifestyle. The findings presented above indicate that most of the Turkana people classify themselves as economically poor. Although there are many factors that contribute to their poverty such as unfavorable weather conditions including drought, poor infrastructure, and limited natural resources, having a bigger family also puts more pressure on the household with so many mouths to feed.

## CHAPTER SIX

### NATURAL RESOURCE-BASED CONFLICTS IN TURKANA

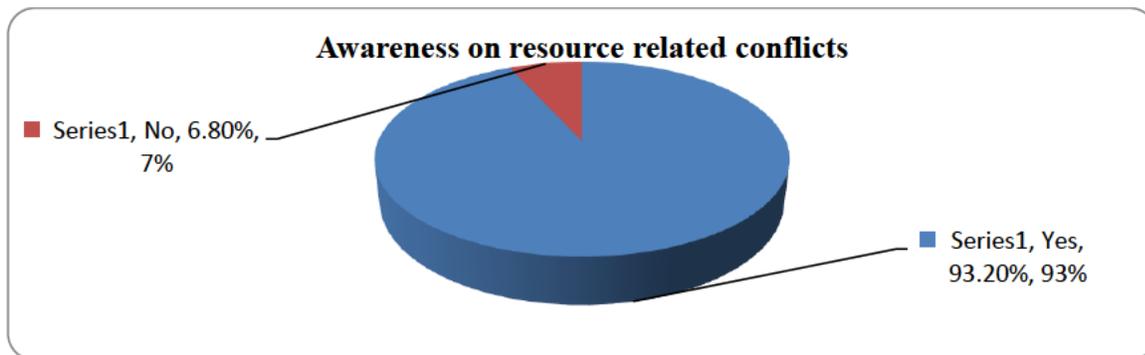
#### ANTECEDENT TO OIL DISCOVERY

##### 6.1 Introduction

The study sought to examine the existence of natural resources-related conflicts in Turkana region and relate this to people's experiences. This chapter focuses on resource-based conflicts in Turkana that pre-dated the discovery of oil.

##### 6.2 Prevalence of Pre-Oil Resource Related Conflicts

The study first determined whether the participants were aware of resource-based factors in the county. This was a way of letting them discuss the important role that natural resources played in either promoting or preventing conflicts. Among those who filled out the questionnaires, the majority were aware of natural resource-related conflicts that happened within their locality (see figure 6.1). The findings are in line with those of the FGDs where the participants unanimously acknowledged that there existed resource-based conflicts in the county.



**Figure 3.1: Community Awareness of Resource-Related Conflicts**

**Source: Field Data (2015)**

The participants cited the fact that both intercommunity and intra-community forms of resource-based conflicts existed in the county. They reported that they had witnessed disagreements among

the people they interacted with within the Turkana community and outside it over natural resources key among them being pasture land and water.

The findings show that conflicts over natural resources in the Turkana community were real and a concern for many Turkana people and the future peace and stability of the community. Conflicts involving pastoralist communities are extensive in Turkana County. These communities have constant migration due to frequent drought spells as they search for grazing land and water across the county and at times even across the country borders, whereby they get into contact with other communities and conflicts and confrontations occur. Although the most instances of conflicts were local in nature, inter-ethnic clashes that resulted from prolonged droughts, food scarcity, and changes in lifestyles were also common among the different pastoralist communities.

From the study findings, it was established that the conflicts stemmed from various intertwined and intricate factors. Some of the leading triggers of conflicts included wealth, livestock, ethnocentrism and high proliferation of easily accessible crude weapons. Other traditional factors that triggered and fueled conflicts included drought, heroism, poverty, and demand for livestock for dowry payment. The most common forms of conflicts in Turkana County as identified by the study were cattle rustling, banditry, and land conflicts. The key aggressors as reported by the respondents included the Pokot from Kenya and the Toposa from South Sudan and Uganda. Others included Dodoth, Tapeth, and Matheniko from Uganda, Didinga and Nyangatom from South Sudan, and Merille and Dongiro from Ethiopia, and to a lesser extent, the Samburu from Kenya.

Table 6.1 shows the web of inter-community antagonism. The insufficient pastures and water for pastoralists, especially during dry periods, facilitate fighting as communities try to force and aggressively push their way to other communities' territories. In the process of trying to push their way to the neighboring communities, the conflicts start and flare up to become worse if intervention measures are not put in place. This phenomenon has caused a lot of problems to communities in the area as the effects are enormous, ranging from displacement, vandalization of social amenities, and underutilization of resources in some regions, for example, Todonyang and Kibish areas. The conflict-prone areas lag behind in terms of development, and many people have been rendered destitute as others end up being internally displaced.

**Table 6.1: Conflict Hot Spots in Turkana County**

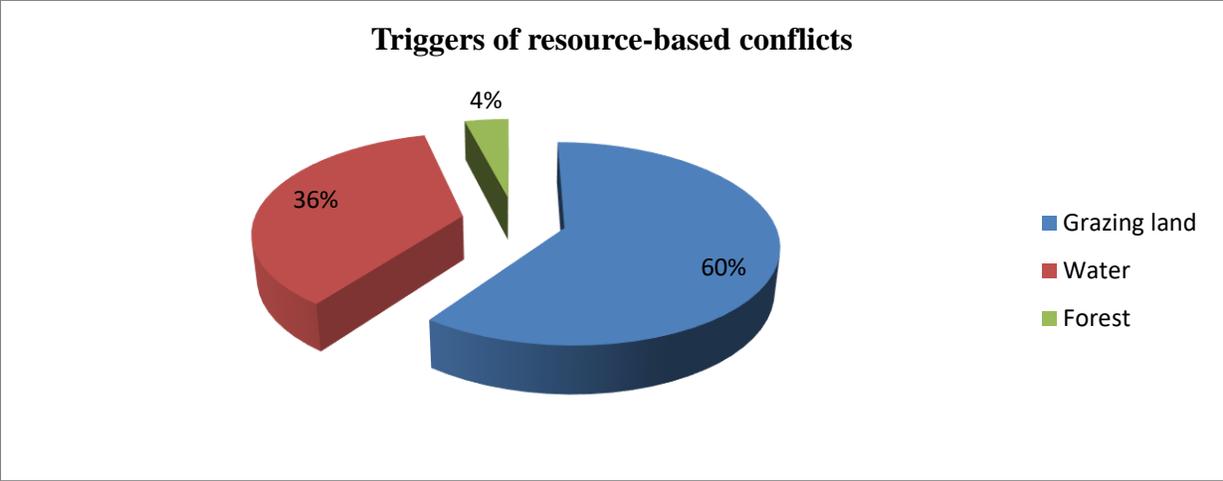
Area	Actors	Country	Frequency
Todonyang	Merille	Ethiopia	Very frequent
Kibish	Merille, Dongiro	Ethiopia	Very frequent
Nadapal	Toposa	S. Sudan	Very frequent
Oropoi	Pokot	Kenya	Very frequent
Orum/Lotere/Lokiriama	Karamojong cluster	Uganda	Frequent
Lorengkipi and Loyaa	Pokot	Kenya	Very frequent
Kainuk	Pokot	Kenya	Very frequent
Kapedo	Pokot	Kenya	Very frequent
Lomelo	Samburu	Kenya	Not frequent
Lokichoggio	Nyangatom	S. Sudan	Very frequent

**Source: Field Data (2015)**

Among these communities, Pokot was identified as the community having the longest history of confrontation with the Turkana people. As the study found out, these conflicts appear to be aggravated as a result of climate change. On occasions of drought, these two communities engage in heated conflicts over grazing lands and water points. If not mitigated, these conflicts turn to armed violence leading to loss of lives. Drought also increases cattle rustling instances in the county. As the respondents reported, they raid their neighbors to compensate for the animals they lose during drought. These raids together with retaliatory attacks result in loss of lives, animals, and property.

### **6.3 Causes and Triggers of Pre-Oil Resource-Based Conflict in Turkana**

The study sought to determine the factors that caused natural resource-based conflicts in Turkana County. The factors that triggered prevalent resource-based conflicts as reported by the participants were grazing land, and water resources. Other factors that caused conflicts as reported by the respondents emanated from oil exploration and exploitations. These included unemployment, land grabbing, land ownership, and political incitement. Among those who filled the questionnaires, the findings revealed that grazing land was the key trigger of resource-based conflicts in the county (see figure 6.2).



**Figure 6.2: Causes of resource related factors**

**Source: Field Data (2015)**

**6.3.1 Grazing Land and Water Points**

As reported by those who participated in the FGDs, grazing land was the main factors that caused conflicts in Turkana County. This is because of their nomadic culture which makes them move from one place to another in search of fresh pasture to feed their cattle. This movement puts Turkana herders into contact with other pastoralist communities in the region who also move around in search for pasture.

Geographically, most of Turkana is lowland. This plays a role in conflict dynamics since pastoralist migration is rather uniform in the highlands during dry spells in search of pasture. These highlands are located near borders with other communities which compete for the same resources. To the North, there are Solia Hills at the border with South Sudan, the Hills near Todonyang’ rise to 4,373 feet, the highlands North of Namoruputh rise to 6,378 feet, on the Ugandan side, the highlands rise to about 5,400 feet in Matheniko game reserve and about 6,000 feet in Kalapata. Due to limited grazing land, these areas have thus become conflict zones with other pastoralist neighboring communities such as the Pokot, Merrile, Nyangatom, Toposa, and Dongiro.

Water availability goes hand in hand with grazing land availability. Indeed the Turkana consider that family rights to access water sources determine access to grazing land since to those who have

no access to water access to grazing is useless. Water came second among the factors that caused conflicts in the region. The participants reported that in many instances, intercommunity and intracommunity conflicts occurred over scarce water resources.

The participants in the FGDs reported that the Turkana people got into conflicts with neighboring communities, particularly the Pokot over natural resources mainly grazing land and water resources, most especially in times of drought. The most persistent conflict as reported by the participants involved the Turkana and the Pokot. One participant said,

We live in fear of attacks. The Pokot always invade our grazing land. They take our animals and they kill us (FGD participant 5, Turkana, September 2, 2015)

Another participant noted the following:

The Pokot community always invades our grazing lands and water points. We are not safe and we live in fear. Relocation towards the borders during drought poses great danger and our people get massacred. Efforts to resolve these conflicts have not yet succeeded (FGD participant 3, Arimatoi Women Welfare Group, September 9, 2015)

The Turkana and the Pokot people have a long history of conflict over grazing lands and water resources. They have been engaging in endless skirmishes characterized by short-term peace periods mediated by the governments and the peace actors. The communities' population pressures and the inadequate resources have fueled incessant conflict as the need for land acquisition; natural resources access and control have increased. Deep and growing enmity has developed between the two. This hostility has fueled raids and retaliatory attacks between the two communities resulting in heavy loss of human lives and animals, and destruction of property. This has been facilitated by the presence of firearms which makes the effects highly detrimental. In the olden days, these communities were using less destructive weapons such as spears, bows, knives and stick to fight, unlike the present when guns, poisoned arrows and other modern efficient deadly weapons are used by both communities. The source of these light weapons is not precisely known, but sometimes they are alleged to be from war-affected nations such as Sudan, Ethiopia, and Uganda.

There are also frequent instances of scuffle between the Turkana and the Merrile, the Ethiopian neighbor in the northern part of the Lake Turkana. Although usually less frequent than those with the Pokot, these conflicts over grazing and fishing rights often result in the loss of human lives, and destruction of fishing gears and vessels. Each side blames the other for intruding on the other's territory thus sparking and facilitating conflict. The Todenyang massacre of 2011 by the Merille community from Ethiopia in which over 40 Turkana people died is among the most tragic incidents in the county (Ng'asike, 2011). The Nyangatom are another Ethiopian neighbor of the Turkana on the Kibish side, who also cross the border forcefully bringing their livestock to graze inside Kenya without permission. It is also known that both the Nyangatom and the Merrile believe their land was given to the Turkana during the border demarcation by the colonists.

Forest was rated the least among the factors that caused conflicts between the Turkana and her neighbors. Deforestation that occurred in search of building materials and land degradation in various instances caused and fueled conflict particularly between the Turkana and the Merille communities.

Among the pastoral groups, during drought, communities would scuffle for the scanty pastures and limited water resources. As competition toughens, the competing groups would get into conflict which end up compromising the livelihoods of the communities involved (AU, 2010). Scarcity of resources thus, has the potential to trigger conflict, and cause institutional dysfunction and social disintegration (de Soysa, 2002).

In Kenya, competition for scarce resources accounts for a greater part of conflict particularly in the ASALs region (Gakuria, 2013, p. 30). The scarce resources in question include water and grazing land. The respondents argued that the main cause of recurrent conflicts between Turkana and the communities was access to and use of dry season grazing land. For their pastoral lifestyle system to function effectively, proper management of grazing land especially during drought is necessary. The respondents reported that the instances that adversely affected their lifestyles were linked to loss of access to main grazing fields as a result of invasion by the other pastoral communities, seizure by the government and Tullow oil for oil activities, and grabbing by community elites, politicians and outsiders.

In-depth discussions with the key respondents revealed that extensive migration in search of pastures and water was the main approach used by the Turkana and other pastoral communities neighboring the county. For instance, during drought, pastoralists migrate to the highlands in the North. These highlands have become conflict zones between the Turkana, Pokot, Merille and Nyangatom, Toposa, and Dongiro, whereby each community claims ownership of these areas. These communities have been engaging in repeated clashes characterized by short-time peace periods mediated by the governments and the peace actors.

The study found out that during drought, due to scarcity of pastures and water resources, thousands of animals died. On the wet season, incidences of cattle raids increase as the communities strive to restock the animals lost during the dry season, which augments conflict between the communities. During these raids and in retaliatory attacks a lot of lives are lost, and property and animals looted.

The study also found out that oil exploration and exploitation has also fueled competition for grazing land in the county. The respondents reported that Tullow oil has seized vast areas of land that was formally grazing land pushing them into more marginal areas. To sustain their pastoral lifestyles, they are forced to migrate into other areas leading to conflicts with their neighbors particularly the Pokot. According to one participant,

Tullow oil does not care about us. All they care about is oil. They take our land and push us away into areas where the Pokot attack us (FGD participant 3, Turkana, 2015).

The Pokot, on the other, hand do not consider this as their problem as each community has to fight for its survival. Consequently, the oil benefits would trickle to the Turkana people in their own view so why should they compromise. This draws the line therefore for the conflict between the two communities.

The findings of this study on the nexus between scarcity of resources and occurrence of conflict are in line with the findings of Aredo and Ame (2004) that scarcity of water triggers conflict between pastoralist communities. Further, the findings are consistent with the research findings of Butler and Gates (2010), Theisen (2010), and Witsenburg and Adano (2009) who identified that

incidents of cattle rustling in the ASALs in Kenya increase during the rainy seasons as the animals are strong enough to walk over long distances.

### **6.3.2 Climate Change Depletion of Pasture and Water**

The change of the eco-systems occasioned by decreasing forestland, shrub land and significant loss of vegetation cover and water resources contributes to change in climate. This affects the nomadic pastoralists since they depend entirely on these resources for survival. The decreased pastures and water forces the communities to migrate to search for livelihoods. As these migrations intensify, armed confrontations occur in the areas with resources due to competition. The scenario is heightened especially if the environmental migrants are from different ethnic groups. This confirms statements captured during the FGDs with the respondents noting that most of the conflicts in Turkana County were as a result of struggles to control dwindling water resources and pastures.

In the perceptions of the Turkana, climate change is the chief source of depletion of natural resources in Arid and Semi-Arid Lands (ASALs). Increased drought as a result of climate change results in depletion of pastures and drying up of water points. This forces the communities to migrate and compete for these resources. It is during this migration that confrontations occur and at times aggravate resulting in massive loss of lives and animals and destruction of property.

Just as in many other communities in ASALs, pastoralism is the backbone of the Turkana people implying that they are equally affected by climate changes. Drought episodes have become more frequent leading to declining water resources impacting on flora and fauna. Over the past 30 years, the climate has become more variable with a shift from known seasonal patterns which were January–mid-March (dry spell) and rainy seasons (mid-March–April and October–December) (Ekal & Ameripus, 2016). Members of the Turkana community identified climate change as the biggest threat to their livelihoods since it is one of the contributing factors to shrinking natural resource base. Their livelihood is being affected by persistent droughts due to climate changes. One participant in the FGDs said,

Episodes of drought have become more frequent than earlier, and changes in weather patterns are more pronounced. There are declining trends in the water and resources, and some plant species have become either extinct or endangered. (FGDs, Turkana, 2015)

The climatic variations characterized by prolonged drought have caused a persistent problem of water and pasture shortage in the county. The large herds have overgrazed on vegetative resource thereby depleting them. This forces the community to travel widely in search of livelihood. This movement predisposes them to conflicts with their neighbors who need similar resources to support their livelihoods. These communities include the Toposa from South Sudan, Merille from Ethiopia, and the Karamoja cluster communities from Uganda, Pokot, and Samburu from Kenya. Among the nomads, their region experiences the harshest climatic variations which force them out to search for pasture and water from wherever they found leading to conflicts.

We have been trying to come up with coping mechanisms by migrating to far areas, but the weather in this region is getting even more erratic making it hard to bear. We have to compete for the available water points and pastures which puts us at more risk of attacks by our neighbors (Respondent1, Turkana FGD, 2015).

Recently, following the prolonged drought, the natural resources required to sustain our way of living have been dwindling. The only sources of water we have dried up and pastures have shrunk which has caused frequent and severe drought and famine. There has been unreliable rainfall in this area throughout the year. Conflicts over scarce watering points, grazing lands, and livestock are a part of our daily life here. We have lost lives because of insecurity and people are not able to access natural resources freely. (Respondent 4, Turkana FGD, 2015).

Climate change has increased cases of cattle rustling and banditry. The respondents reported that they resorted to raids to compensate for the losses they incurred when their animals died due to drought.

When we don't have access to pastures and water due to climate change, we lose our livelihoods. This is the reason we turn to cattle raids in order to compensate the loss we get when our animals die because of drought (FGD participant 5, Turkana, 2015)

In Turkana County, there is evidence of decreased rainfall and increased temperatures (Koske, 2014). There is increased vulnerability of the communities to climate change and conflict. As a result, the communities have resorted to migration as an alternative. It is during these migrations that they get into conflict with other communities.

The respondents reported that sometimes they agreed with their neighbors to share water points and green pastures but in other instances they got into conflict while trying to preserve their lifestyles. The respondents reported that due to climate change, cases of cattle rustling and banditry have increased.

When drought kills our animals, we raid our neighbors for other animals. They also do it. We cannot die as we watch. (FGD participant 7, Turkana, 2015)

### **6.3.3 Cattle Rustling**

Pastoralist traditional cultural beliefs and practices have had a catastrophic impact in pastoralists' societies' overtime as they have been stirring up violence causing conflict among them. These beliefs and practices have been manifested in cattle raiding even if it as not originally regarded a crime (Okumu, 2013, p. 7).

Turkana is within what is popularly known as the Karamojong cluster which hosts the largest number of pastoralists globally (Mwaura, 2013). The various communities inhabiting this conflict zone include the Pokot, Toposa, Turkana, Karamajong, Didinga, and Nyangatom. These communities have a long history of conflicts over the scarce grazing lands and water points. Cattle-rustling was reported to be the leading form of conflict among these communities. It usually results in numerous deaths. This has continually subjected the people of Turkana to the vicious cycle of poverty.

Among the Turkana, the central belief is that all cattle belong to the Turkana and they have a right and, or a duty to not only dispossess other communities of the livestock, but also have an absolute grazing rights in the land and keep them by force if need be. This has increased instances of cattle rustling between them and their neighbors particularly the Pokot. According to Pragya (2013), the practice is an acceptable activity among pastoral communities including the Turkana.

Among the Turkana community, as indeed it is in other pastoral communities, boys are taught military skills at quite a young age. This is done to give them suitable skills to protect the community and carry out cattle raids on other communities. For such raids to be successful, the young men carrying out the raids must be strong and experienced. These men are not perceived as criminals in their homeland but as heroes. This practice enables them to gain fame and high status in the society. They are often encouraged by elders and women to conduct as many successful raids as possible. According to the traditions of the community, the young men who successfully carry out raids are highly acknowledged and regarded as heroes.

Marriage in the Turkana community is one of the factors that have fueled this cattle raiding. Marriage within this community is a highly prized institution and for anyone to get married, a bride price must be paid. This bride price paid to the girl's family is based on livestock. According to the participants, cattle rustling is meant to enable young men who are ready for marriage to raise enough cattle for the bride price, which ranges from fifty cattle to one hundred in some instances. It is an indisputable fact that bride price has been rising with time while a number of animals are succumbing to drought. A participant in the FGD said,

Most parents tend to impose a high bride price on the marriage of their daughters because they consider girls as their main source of wealth (FGD Participant 1, Akiror Youth Group).

As the study found out, cattle which were previously regarded as a primary source of life sustainability and a pride to the community are causing division between the community and their neighbors.

Increased conflicts in Turkana and other communities in the ASALs have also resulted from weakened traditional administrative systems, collapse of intercommunal social contracts, unwillingness of the state to protect its citizens in these areas, and politicization of peacemaking campaigns (Sharamo, 2014, p. 3). Increased conflict has propelled enmity between the Turkana and their neighbors. Lack of international cooperation between Kenya and its neighbors to the Northwest leaves the Turkana community vulnerable to attacks from international actors including foreign government-sponsored aggressors. The Ethiopian Merille at times backed by the Ethiopian

military carries out criminal activities in Kenya with impunity. The Ugandan government at times deploys their security forces in the force near the Kenya-Uganda border. These organized forces cross the border to harass and intimidate the Turkana herdsman. This has been made possible by the weak security installations that the Kenyan government has deployed in the northwest. The formal justice system is almost non-existent thereby leaving the criminals to go free even after being involved in heinous crimes. The worst hit areas of Turkana suffering inter-community conflicts according to this study are Kainuk, Katilu and the larger Lokichar basin to the south.

The participants reported that cattle-rustling is recognized as a source of wealth and a way of curbing poverty caused by scarce resources. Another factor that facilitates raids is the traditional endorsement of the practice. As reported by the respondents, the customary payment of dowry using cattle has sustained the attacks amongst the communities in Turkana and neighboring counties. As the FGD participants reported, the cattle raiders are highly praised and adored if they carry out successful raids. The warriors get tattooed as a sign of a great warrior and are given a new names ending with the suffix 'moe.' All these practices paint the practice as a colorful practice.

These raids are executed by the morans, as a symbol of dominance. They are planned, guided and moderated by the community elders. After the raids, retaliatory attacks are organized by the rival community elders' at the most appropriate time. As the participants reported, contemporary raids have become more frequent and fatal. They have resulted in multiple deaths of those affected with most being women and children.

The increase in raids is attributed to increasing extreme climatic events, particularly the prolonged droughts. This observation agrees to the observation of Meier et al. (2007) who established that cattle raiding which are used as key ways of restocking the lost animals take place mostly as a result of climate change. Turkana County is semi-arid to arid and it is thus characterized by a severe shortage of water pastures with worsening conditions as drought frequency and severity increases. As the county gets drier, competition for pastures, water, and cattle raiding instances increases. The FGDs agreed that due to losses that result from drought, they become impoverished and the only option they are left with is to raid their neighbors to compensate for the losses.

The participants reported that cattle rustling cases are higher during the wet season as compared to the cases during droughts. The reason they gave is that during droughts, the animals do not have good body conditions and cannot walk for long distances. Most of them succumb on their way and those that make it do not survive for long due to lack of pastures. Raiding occurs during the wet seasons when there is enough water and pastures, and when the animals are healthy enough to walk for long distances. During the wet seasons, the animals seized get enough pastures and water to reproduce and replace those lost during adverse climatic conditions. A good example as recalled by one elder is a raid that occurred in November 1995 carried by the Pokot whereby about 2,000 animals were stolen, and one herdsman was killed. In December the same year, the Turkana launched revengeful raids which left three people dead and loss of around 4,000 cattle.

#### **6.3.4 Proliferation of Guns and Commercialization of Raided Livestock**

These conflicts are worsened by the recent proliferation of small arms which has resulted in massive loss of lives, destruction of property, and loss of livestock during conflicts. The participants recalled an incident they termed the Tondonyang massacre that took place on May 2nd, 2011 whereby a large number of traders from the Turkana were killed and their bodies maimed by militias from the Merille community. The Turkana carried out retaliatory attacks which left about 46 people dead. As the study found out, the conflict was triggered and fueled by climate-induced natural resource scarcity.

These raids as the study determined are exacerbated by factors such as the proliferation of small arms, cultural rewards to such violent behavior, and the absence of State governance in these areas. Generally, the study was told that there has been little or no presence of Kenyan police officers in the county. This has allowed unlawful activities such as banditry, the proliferation of small arms and cattle rustling to thrive. The Turkana and the neighboring communities have guns which they use to protect the communities, their animals and property. However, while the weapons could have been utilized to safeguard security, they have been misused and have led to increased insecurity in the county. These arms have made cattle raiding a dangerous and sophisticated activity. In traditional cattle rustling attacks, women and other vulnerable groups were not targeted, but the users of modern firearms do not spare any one.

The levels of conflict and violence have escalated as a result of commercialization and politicization of raids. The situation has been aggravated further by ineffective border control and mismanagement of the weapon stockpiles of the government. This has facilitated flow of small weapons in the county which leads to serious aftermaths during attacks. The study found out that gun ownership in the Turkana community is not regarded as a crime, and according to the participants, ownership of guns and other arms is perceived as a proper representation of the capacity of one to protect and prevent their community from random attacks by other communities. The proliferation of these weapons is a demonstration that official security agents have fallen short of community expectations within the county. Thus, this study revealed that where the law of the land fails, other powers emerge and take center stage to fill the vacuum left by the legal power holders or service providers, as such thus leading to the formalization of group identities in regarding the protection of community assets from any form of aggression. These assumptions have made arms ownership an act of patriotism to the respective communities rather than a criminal offense as defined by the government.



**Figure 6.3: A young Turkana Herd's Man Armed with a Kalashnikov Rifle at Nangore Village.**

**Source: Field Data 2016**

### **6.3.5 Incitements by Politicians**

Political incitement is another factor that triggers and fuels resource-based conflicts. Political leaders such as Members of Parliament (MPs), party leaders and councilors can be facilitators of a conflict by their acts of commissions and omissions (Sharamo, 2014, pp. 5-6). They can also directly promote conflict by certain propaganda while competing for political leadership as in general elections and party elections. Politicians and elites have driven conflict by hiring youths to perpetrate cattle raids and banditry in order for them to make political gains and to increase their odds of being elected and also to intimidate other politicians from neighboring communities (Mbugua, 2013, p. 14). They sponsor raids as a means of raising money to fund their campaigns and to uphold political influence over their rivals in order for them to win power easily. All this is in efforts to improve their reputations for being powerful figures.

In Turkana, as the study found, politics has played a major role in causing and fueling conflict. Respondents alleged that politicians in West Pokot would buy political mileage by sponsoring cattle rustling in Turkana and grabbing land in Turkana County. One elderly focus group participant gave an example of what happened in 1997 when the then Turkana South Member of Parliament was accused of making statements that threatened peace. The participants also reported that when disarmament operations were conducted, they were highly politicized to favor some communities. They alleged that the disarmament exercises during 1997 and 2002 were politicized and were only intensified in Turkana which left the community vulnerable to the Pokot. A participant recounted what happened as follows,

During disarmament, they did not disarm the Pokot. They took our weapons and the Pokot continuously raided us in 1992, 1993, 1995 and 1998. These attacks weakened our community and made us poorer and vulnerable to hunger and diseases (Elderly FGD participant, Lokichar, 2015)

### **6.3.6 Disputes over Parceling out of Communal Land**

In Turkana, vast lands are held under communal trusts. However with the rise in settled agriculture, land has started being allotted to individuals for settlement. This demarcation of land, as the participants reported, has emerged as a new trigger of conflict among the community members.

The issue of some community members assisting outsiders to acquire land in Turkana is changing the community's perspective about land as communal property, and it has started causing intracommunity conflict.

The community elders who were attempting to preserve the community land accused the youth of selling the land for quick cash. Mostly, the young people felt that land should be distributed so that people could own property, whereas the community elders were of the opinion that land should continue being a community property. This was in disagreement with the elders who feared that opening up land ownership would expose the community to outside buyers from other communities who have money to acquire land in Turkana. There was a feeling among some of the youths the research team interacted with especially those from urban backgrounds that owning a piece of land that could serve as loan collateral would give them an opportunity to get bank loans. On the other hand, community elders felt that individualizing land in Turkana could take power from them and also increase conflicts over grazing rights. Given the findings of this study, these varied land ownership perceptions are likely to trigger intra-community conflict in future.

### **6.3.7 Conflict with Kakuma Camp Refugees**

The refugees in Kakuma are among the non-locals detested by the Turkana people. The participants reported that the establishment of the Kakuma refugee camp has brought with it numerous challenges. For instance, they said that the refugees have threatened food security and water availability in the county. According to one participant,

The only option we have is to walk too far places in search of water (FGD participant 4, Naipeka Farmers Youth Group, 2015)

These results are similar to the findings recorded in Chad and Darfur whereby an increased number of refugees increased demands for resources which in turn put intense pressure on the limited resources available. This resulted in tension between the locals and the hosts (Cronin et al., 2008).

The participants reported that the refugees were also often perceived as a security threat to the Turkana people. For instance, the Dinka community hosted in Kakuma refugee camp was accused by the Turkana community of increased rape cases and deforestation in the county (Aukot, 2003).

The study also found that there has been a conflict between the refugees and the Turkana people whereby the locals accused the refugees of being responsible for deforestation in the county. According to the participants, when the refugees arrived at the camps, they depleted the forests in their search for timber and fuel. This has put a lot of strain on the forest resources (Verwimp & Maystadt, 2009), and has contributed to recurrent confrontations between the refugees and the Turkana people.

The Turkana people also accused the refugees of affecting the local education sector. The participants claimed that the refugees at Kakuma Camp often have more education opportunities than the Turkana community. This, according to the community, is because the refugees are allowed to attend the local schools and there are also many teaching groups at the camp. While the refugees are allowed to attend local schools, the Turkana community is not allowed to attend schools in the camp. As noted by a participant,

We are not allowed to take our children to centers in the camps but they bring theirs to our schools (FGD participant 7, Akisen Women Group, 2015)

The situation in Turkana is unlike that in Ghana at the Buduburam Refugee Camp where the local people are allowed to take their children to the education facilities at the camp, which resulted to improved education access for both the local community and the refugees (Boamah-Gyau, 2008). Similarly, in Zambia, the locals are permitted to utilize the educational facilities at Meheba Refugee Camp. Also, the houses left behind by the refugees when they relocate are taken up by the local communities. This creates a good relationship between the local community and the refugees.

The participants also accused the refugees of increasing job competition in the county. According to them, job competition at the Kakuma Refugee Camp is very intense. They reported that the NGOs at the camp prefer employing refugees in place of the local community members. In addition, the Turkana accused the refugees of lowering wage level and thereby reducing their own access to casual labour.

The refugees are ready to work for low pay unlike our people here. This makes the employers take them and leave us jobless (FGD participant 1, Arikor Youth Group)

The local community further accused the refugees of increasing health issues in the County. The respondents reported that the influx of a large number of refugees has led to an increase in transmissible diseases in the areas surrounding the camp. They further lamented that the refugees were provided with better health facilities than the host community.

### 6.3.8 Summary on Pre-Oil Conflicts

The researcher wanted to collect respondents' reactions to the statements below which focused on different themes about factors that could trigger resource-based conflicts in Turkana County. The themes ranged from the lack of policies for local community participation, mismanagement of local natural resources, unequal distribution of locally available resources, to political interference in the management of resources in Turkana County.

According to the respondents (Table 6.3), the factors which triggered natural resource-based conflicts in the county were social and traditional beliefs, socioeconomic benefits that come with resources, scarcity of natural resources in the county, marginalization and inequality, crude oil exploitation management, environment factors such as drought, lack of the government presence, political interference in natural resource management, and environmental migration and geographical factors.

**Table 6.2: Respondents' ratings of the statements on triggers of resource-based conflicts in Turkana County**

Statement	Agree	Neutral	Disagree	No response	Total
Turkana social and traditional beliefs	73%	13%	11%	3%	100%
Socioeconomic benefits that come with resources conflicts	75%	12%	11%	2%	100%
Scarcity of natural resources in the county	64%	17%	17%	2%	100%
Marginalization and inequality in Turkana County	83%	8%	6%	2%	100%
Crude oil exploitation management	67%	16%	15%	1%	100%
Environment change factors such as drought	80%	11%	7%	2%	100%

Lack of the government presence	80%	11%	8%	1%	100%
Political interference in natural resource management	52%	26%	21%	1%	100%
Environmental migration and geographical factors	83%	7%	8%	2%	100%

**Source: Field Data (2015)**

From the interaction with the participants, the study identified various forms of pre-existing conflicts in the County. These conflicts have been existent for an extended duration of time and have been caused, triggered and proliferated by various factors such as grazing land, water resources, traditional beliefs and cultural practices, ethnocentrism, unsettled historical confusion over inter-community land boundaries, modern political economy of land, climate change and environmental degradation concerns, and proliferation of arms. These factors have fueled enmity between Turkana people and their neighbors and have been characterized by cattle rustling and banditry. Drought has also increased cases of cattle rustling in the county. The study found out that cattle raiding is acknowledged and considered as a way of compensating for the animals lost during drought, and since climate change has increased episodes of drought, the conflicts have become more frequent. However, there is now raiding to sell, unlike in the past when raided livestock were brought in to the fold and could be returned through conflict resolution. In addition, there is the new behavior of politicians instigating their community to raid another community in scoring political disputes.

This study revealed that the key driver of conflicts that are prevalent in the county is competition for scarce natural resources which is intensified by recurrent droughts. The situation has further been worsened by some of the traditional beliefs, bad politics, disregard of the role of local community participation in making decisions and designing policies on matters that impact on them especially the management of natural resources, disregard of the role of the community in resolving natural resource related conflicts, weak intervention frameworks, land seizing, as well as inadequate policies to address land tenure issues.

## **CHAPTER SEVEN**

### **NATURAL RESOURCE-BASED CONFLICTS IN TURKANA**

#### **DIRECTLY RELATED TO OIL DISCOVERY AND EXPLORATION**

##### **7.1 Introduction**

This chapter focuses on resource-based conflicts in Turkana that are related to the discovery and the ongoing explorations for oil. The Kenyan government and the Tullow Oil, a multinational British Oil Company, announced the discovery of about 300 million barrels of crude oil in Turkana County (Johannes, Zulu, & Kalipeni, 2015). The government has granted licensing to Tullow Oil and Oil Africa to carry out oil exploration in the County, including on community land.

It was hoped that the discovery of crude oil would have a transformative potential to reduce poverty levels and provide the capacity to expand the provision of essential services in the County. It was also expected that it would directly benefit the Turkana residents by providing employment opportunities at the oil sites and indirectly through improved infrastructure and income-generating opportunities associated with urbanization. However, the study found indications that crude oil exploitation and management could soon become one of the contentious issues in as far as resource-related conflicts is concerned.

##### **7.2 Tullow Oil**

Tullow Oil has been taking steps to improve its operations and relationship with the community by establishing a crisis and emergency management programme and making sure that their operations are in line with the industry's best practice (Tullow, 2016). To address the complaints that resulted from the exploration operations, Tullow Oil has put in place a project-based Community Grievance Mechanism (GMs) which is administered by its Community Liaison Officers. Through this, all issues linked to oil exploration and production is addressed within duration of 30 days (Tullow, 2016).

For instance, in 2014, the company carried out several operations, culminating in a major subsea containment blowout scenario intended to test its response capacity at all levels of the organization

(Tullow, 2014). The company has also reviewed its Oil Spill Preparedness and Planning Standard which is aimed at helping to make sure that the company is properly prepared, has adequate resources to respond efficiently to spillage and curb the effects on the people, prevent environmental degradation and protect its assets and reputation.



**Figure 7.1: The newest oil extraction site discovered by Tullow oil in January 2017 in Southern Lokichar. Turkana community residents described how they only have a vague idea of what happens in the oil company. To them the company is extortionist.**

**Source: Field Data (2015)**

Tullow is putting in place measures to boost security. It conducts its own security risk assessments and utilize the findings to design security plans conforms to the guidance presented by the Voluntary Principles on Security and Human Rights (VPSHR) (Tullow, 2014). On adhering to these principles, Tullow Oil gets an opportunity to reduce and prevent conflicts by involving the host community members in the design of security programs and in the provision of private security operations. As part of its security and human rights management plans and strategy, the company has sought backup from the national government, the Institute for Human Rights and Business (IHRB), the Kenya Oil and Gas Association Security Committee and the British Deputy High Commissioner, and has assessed its operations to make sure that they are in agreement to the UN Guiding Principles on Business and Human Rights and International Finance Corporation

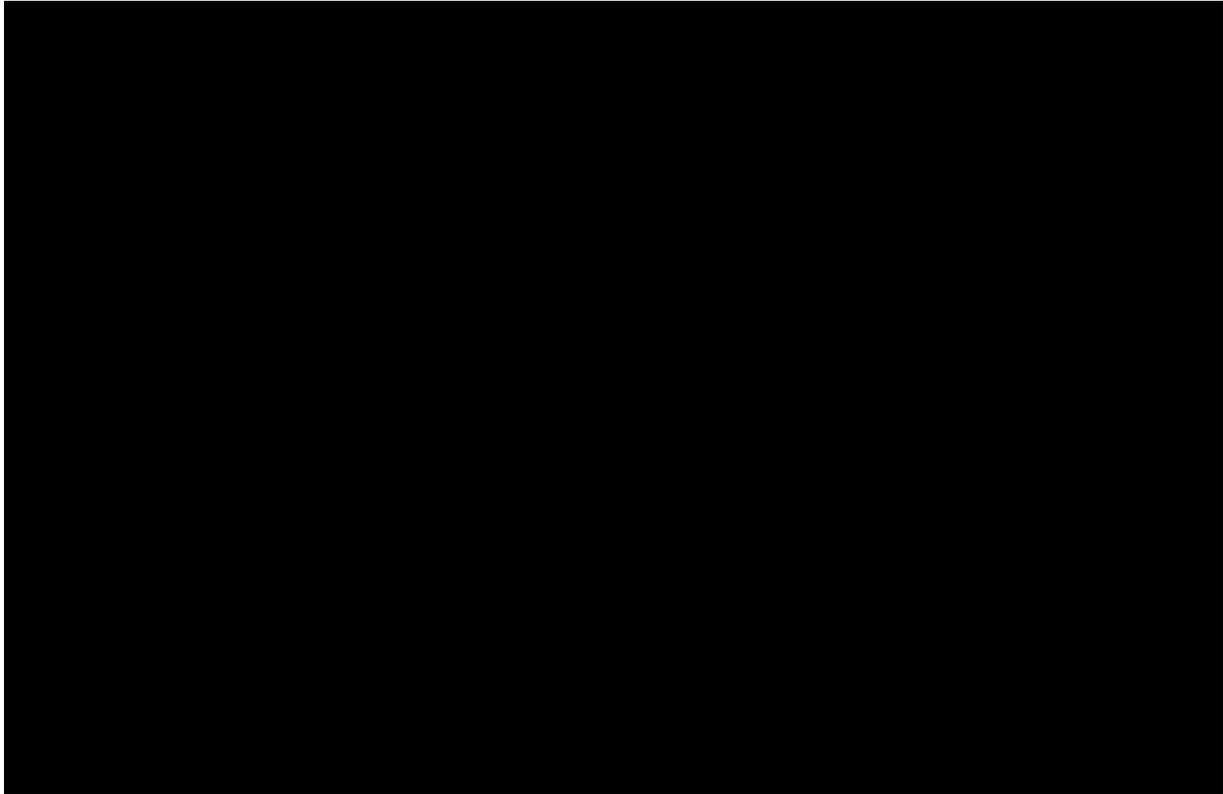
Performance Standards to inform a revised Human Rights Policy, and improved its grievance management processes to address and manage claims of human rights abuse by its security personnel.

Tullow Oil is also putting up a number of measures to reduce challenges related to water shortages in Turkana County. For instance, a groundwater development programme is being instituted by the company (Tullow, 2016). This programme is expected to bring high success rates to meeting operational water requirements for the company and the community. In places where the company has displaced the local communities from water sources, the company has provided the local people with boreholes and tanks. Tullow is also striving to minimize land-related conflicts with the local communities. It was noted, however, that sub-contractors were a particular problem because they did not have an ongoing relationship with communities, and their terms of engagement might differ from those agreed between the community and contractors. Demonstrations in Tullow/Africa Oil's Block 10BA site in Lower Engak in the first quarter of 2015 and in Lokichar in May 2015 were related to this issue.

Considering the great importance attached to land by the communities in Turkana due to their pastoral lifestyles, Tullow Oil was to come up with strategies meant to minimize the effects of its operations (Tullow, 2016). Presumably, this is to ensure that its operations are carried out away from the settlements of the local people, areas of cultural heritage and in areas with sensitive environments. To avoid potential environmental and social effects as well as effects on cultural heritage, Tullow Oil carries out Site Specific Assessments whereby the local communities are involved, National Museum of Kenya representatives, and the Turkana Basin Institute.

During the evaluations, where sensitive settlements are identified especially where large trees have to be cut, and in areas of cultural significance that are likely to be affected, the company would try to relocate the site in order to avoid these effects (Tullow Annual Report, 2014). The Turkana discovery was part of a multi-well drilling operation that was conducted in Kenya's Rift Basins. The discovery of the oil was largely perceived as a blessing to the County due to its promise and potential for socio-economic development. As exploration continues there are high expectations for encountering oil in other sites. This discovery has raised hopes for the prospective boost that it could provide not only to Turkana County but also the general Kenyan economy.

The study found that the discovery of crude oil in Turkana is triggering new forms of conflict in the county. It poses significant challenges to the host communities and it is a potential trigger of conflict. The reasons behind the community aggression were related to the unmet expectations that the communities had from the company. There was a general outcry among almost all the participants that the County government, the central government, and the Tullow Oil Company did not care about their welfare. This continuing resentment among the people is a potential trigger for even more conflicts in the future.



**Figure 7.2: Areas where commercially viable oil has been discovered in the Southern Lokichar Basin.**

**Source: Cordaid (2015)**

The potential triggers of conflict as the study identified are issues of land ownership displacement, compensation, environmental degradation, and the distribution and sharing of benefits obtained from the oil sector. The study identified that the community was already in conflict with Tullow Oil which is in charge of the oil activities, and is increasingly perceived as an enemy by the community.

“We are attacked by two enemies, Tullow oil on one side and the Pokot on the other hand”  
(FGD participant 7, Arimatoi Women Group, 2015)

“We do not know well how Tullow Oil benefits us. The company is now an enemy to us. But we can do nothing about it. We blame the government because it brought the project and all the problems to us” (FGD participant 4, Arikor Youth Group, July 23, 2015).

### **7.3 Cases of Agitations against Tullow Oil Company**

Community lands are included among places being surveyed in the oil explorations. The people of Lopii and Nakukulas expressed deep rage when speaking about exploration on their lands. The conflict between Tullow Oil and the community in Nakukulas, for instance, has resulted in riots where the community has raised roadblocks that interrupted access to the Tullow sites (Schilling et al, 2016). The community members also vandalized the wires and other fencing structures that Tullow put in place. In 2013 a conflict occurred during which the community stormed the oil site, and looted and vandalized property (Enns & Bersaglio, 2015). This paralyzed the activities of the company and even led to closure for several weeks waiting for the tension to cool off (Tullow, 2014). The respondents in the FGDs in some areas expressed bitterness against Tullow for pushing them from their traditional lands to insecure places neighboring other communities especially the Pokot.

The high rate of unemployment in the county caused the youth from Kainuk area to demonstrate and block the Kitale-Lodwar road, disrupting transport in the area. According to demonstrators, Tullow Oil posted job advertisements locally after deadlines had passed, barring them from applying (Lutta, 2013). The police, county government, local leaders and representatives from Tullow Oil had to intervene to calm the angry protesters.

Local politicians have also been accused of inciting the locals against exploration companies and the non-locals. Tullow Oil, for example, recorded such political incitements where Turkana residents stormed the firm demanding employment opportunities (Akumu, 2013). These disruptions caused the oil company to halt its activities for a record period of two weeks. The implication is that if such disagreements are not well tackled, they could potentially mutate to fully fledged civil conflicts as experienced in Nigeria's Niger Delta and Angola.

### **7.4 Increased Incidents of Cattle Rustling**

The respondents mentioned the heightened security around the premises of Tullow Oil and in its immediate areas of operations. Tullow Oil has several Kenya Police Reserve (KPR) officers and Administration police officers as well as private security guards who maintain security in Lokichar basin. Cases of cattle rustling have therefore significantly reduced in these specific areas (Lutta,

2015). However, villages far away from the Tullow security cover have been experiencing double what they used to experience regarding cattle rustling and banditry. Such incidents are shown in Figure 7.3. One community member in Lopii area commented that the Pokot kept raiding them, and according to her, the oil company did not respond or even attempt to mitigate the problem despite the fact that they have the capacity to do so.

The researcher sought to know how the current crude oil discovery and production development was affecting the existing fragile peace in Turkana County. Table 5.14 shows conflict incidents mentioned by the respondents as being related to crude oil exploitation in the county. Among those who filled in the questionnaires, the majority believed that crude oil was making Turkana County unsafe because of different incidents related to civil unrest such as the Turkana youth protest in 2013 that paralyzed oil operation in the County.



**Figure 7.3: Map showing levels of cattle rustling after the discovery of oil. Note the areas bordering West Pokot have the highest cases of cattle rustling.**

**Source: Transparency International February (2014)**

Respondents also expressed concerns over increased small arms proliferation in the County due to oil money. Other themes that recurred over and over among the FGDs included: increased disputes over boundary demarcation, conflicts between Turkana and Pokot, and increased HIV/AIDS prevalence due to oil business in the County.

**Table 7.1: Conflict incidents related to crude oil exploitation in Turkana**

<b>Conflict incidents about crude oil management</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Turkana youth protests in 2013	48	27%
Increased small arm proliferation	35	20%
Increased intra community disputes over boundary demarcation	27	15%
Conflict among Turkana clans	18	10%
Increased Turkana youth protests against oil companies	12	7%
Increased political nepotism and favouritism	8	4%
Reduced presence of the Kenyan Police Reserve	8	4%
Community displacement for oil exploration	7	4%
Increased HIV/AIDS prevalence due to oil business	7	4%
Widening socioeconomic gaps in the community	4	2%
Increased issues of individual land ownership	4	2%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

Police reservists were deployed by the government to guard Tullow's facilities and equipment. Some were among those already serving in the County, while others were recruited afresh. According to the respondents, the police reservists received no formal training and were heavily armed by the government. This, according to the participants, provided an open pathway for violence including banditry and cattle rustling. The researcher feels that should the conflict escalate to militarization, the government would send in more police reservists. For this reason, the government should invest in the provision of policing services with a clear command structure, accountability and where the police are adequately compensated and held to account.

Further complaints that were raised by the respondents are that deployment of police reservists in the area has not helped to beef up security. The general concern from the respondents we spoke to (notably pastoralist communities) is that the communities have become more prone to increased insecurity and vulnerability, a scenario that was not there prior to oil exploration in the county. According to the respondents, this was particularly the case since the Kenya Police Reservists (KPRs) who were initially deployed to protect the local communities have disregarded the local

communities and only protect the assets and interests of the company. From what the study uncovered, this has made the local people especially in Turkana East and South more susceptible to external attacks by the neighboring communities especially the Pokot. Respondents from North-Western Turkana reported similar situation that the local communities are now more prone to external aggression from tribes from South Sudan that easily cross the poorly manned border.

## CHAPTER EIGHT

### COMMUNITY CONCERNS AND GRIEVANCES

#### OVER OIL EXPLORATION MANAGEMENT IN TURKANA COUNTY

##### 8.1 Introduction

The recent discovery of oil in Turkana brought high expectations for achieving development in the County. After years of marginalization and deterioration associated with by prolonged droughts and conflict, there was new hope for the Turkana community. However, according to the study findings, the community was discouraged and felt aggrieved that, given the present state of affairs, this valuable natural resource might not change the current situation in the County.

In general, the participants expressed levels of dissatisfaction on all the expectations the community had from Tullow, the County government, and the National government. This is expressed by the various ratings they gave as shown below in Table 8.1.

**Table 8.1: General Satisfaction with the Benefits Accrued from Oil Exploration**

<b>Community expectation</b>	<b>General level of satisfaction</b>
Provision of Employment	Very low
Enhancement of security in the county	Low
Provision of water	Low
Provision of health facilities	Low
Provision of education	Moderate
Compensations for land taken for oil exploration	Low
Compensations resulting from oil exploration activities	Low

**Source: Field Data (2015)**

##### 8.2 Community Understanding of Acquisition and Ownership of Private Land

Land ownership is a very sensitive matter and is a key trigger and driver of various forms of conflicts (Gibbons et al., 2014, p. 7). According to the World Bank report (2013), only about 10%

of rural land in sub-Saharan region is registered. The rest of the land in this region is not documented and formally administered which makes prone to grabbing and expropriation without effective and enough compensation (World Bank, 2013).

Traditionally, land in Turkana is communally owned, meaning that among the Turkana people, there is no individual land ownership. Most of the land in the County is held under communal trusts; however with the increase in sedentary lifestyle, land has started being allocated to individuals for settlement. The introduction of land demarcation and title deeds has created another source of conflict between pastoralists and land owners.

In Kenya, a Community Land Bill (2015) seeks to formalize the access and ownership of community land through registration of groups of land users. However, there are looming fears that it might be hard for the marginalized communities to execute these complex processes and that, less legitimate claims could dominate. In addition, formalized land ownership could interfere with the existing fluid agreements and the migration patterns of the communities which are of great significance to the pastoralists.

Regarding land ownership, the findings revealed that the majority had no knowledge as to how land is acquired in the County. Among those who completed the questionnaire, only 29% reported that they knew how land is acquired in the County (see table 8. 2). Similar views were reported among the FGDs participants that they lived in darkness and did not know how land is acquired.

**Table 8.2: Knowledge on How Resources Such as Land Were Acquired As Individual Property**

<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	52	29%
No	122	69%
No responses	4	2%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

Although land in Turkana continues to be communal, the new trend of oil exploration in the region is changing land ownership policies and practices. Many property developers have been streaming into Turkana to buy land expecting to sell at higher prices soon when the exploitation of crude oil starts. They also do this anticipating the region will become economically vibrant. This is changing the community's perspective about land as communal property and it has started causing conflict between most of the community elders who want to preserve it for future generations and some young people who want quick cash. The situation provides an open field for a whole range of fraudsters.

Thus participants reported that land in Turkana is not transparently acquired or distributed. The issue of lack of transparency and trust in how natural resources such as land in Turkana are managed is a threat to the peace and stability of the region. There is internal conflict among the Turkana people, especially between the old and the young who have different views of how land should be managed. Most young people feel that land should be distributed so that people can own pieces of property whereas community elders think that land should continue being community property.

Those who participated in focus group discussions said that community elders feared that opening up land ownership would expose the community to buyers from other communities who have money to acquire land in the county. This has caused disagreement between the elders and the youth who reported that owning a piece of land would give them opportunities to get loans from banks. On the other hand, community elders think that individualizing land in Turkana could increase conflicts over grazing rights.

When respondents were asked to explain further the reasons why they thought that the land in Turkana is not equally or transparently distributed, they had various reasons including the fact that local politicians grab land and that community leaders are bribed to give out community land. They also felt that those who work in the county government and the national government distributed community land to their relatives and friends, whereas the community is left in the dark as to how land was acquired and distributed.

### **8.3 Land Appropriation for Oil by Government**

Oil exploration has to a large extent affected the lifestyles of the pastoral communities in Turkana County. One of the main challenges brought by oil exploration is displacement of the pastoral communities to pave way for oil exploration activities, as a result of which a large portion of land in Turkana which was previously communal has been allocated as oil blocks in agreements with investors (Okoth, 2012). This allocation has displaced pastoral communities from important grazing areas, water points, and migratory routes, and the displacement, in turn, has led to livelihood difficulties and high levels of anxiety.

In Turkana County, large tracts of land, almost all 77,000 square kilometers, have been set aside for oil exploration although in practice, oil exploration only in few particular areas. In early 2016, Tullow Oil had discovered 32 viable oil wells in South Lokichar whereby each occupied about 13 acres. (Mbogo, 2016). Not surprisingly, the allocation did not align well with the local communities who were agitated when they were prevented from accessing some areas which were previously communally-owned

“They have taken our land. Our lives depend on that land. They do not even ask us before taking the land” (FGD participant 3, Lokichar, 2015)

This respondent reported that the establishment of Ngamia 1, Twiga 1 and Eklas, and the creation of an airstrip meant loss of the homesteads of the community where men could rest. What angered the community was the lack of consultation with the community when the authorities were seizing the land for oil activities and other developments.

“They steal our land and bring outsiders to steal our jobs” (FGD participant 2, Arikor Youth Group, 2015)

In another twist of events, some of the respondents raised allegations that Tullow Oil compensated the community members on a discriminatory basis. For instance, it was alleged that Tullow oil directly compensated one clan approximately two and a half million Khs (25,000 USD) and other benefits. However, this form of compensation directly to the clans may cause legal problems due to the informal nature of land tenure existing in the county. The agitations linked to land ownership and displacement in some sparked demonstrations which interfered with oil exploration activities. For instance, in May 2013, the local communities in Turkana County staged demonstrations against an investor who established an airstrip whereby they burned and destroyed property worth millions which included large tents and fencing poles. According to the Agency for Pastoral Development Officer (2013), the key reasons behind the demonstrations were displacement and improper acquisition of community land. However, irrespective of the demonstrations, the investor remained and leased the airstrip to the Tullow Oil. Also, the investor provided boreholes and tanks to the communities as another way of mitigating tensions.

The Turkana people have for a long time lived in peace with each other in their communally owned land. However, as the study established, oil exploration has started causing divisions among the people and the neighboring communities. According to respondents from Turkana South, the displacement of the people to allow for oil exploration has increased conflict instances between the communities in Turkana and the neighboring Pokot. According to the respondents, oil exploration has left the Turkana communities with no choice but to move and settle in areas closer to the Pokot border which have high insecurity.



**Figure 8.1: Photo showing a religious shrine on the shores of the Lake Turkana: Ngamia 1 Project is just a few hundred meters to the left: Note the feeble fence around the shrine to apparently to stop Tullow Oil from destroying the shrine.**

**Source: Field Data (2015)**

The other key concern raised by the respondents apart from land seizure was the effect the exploration process had on grazing land. The key concern among the local communities was how the significant changes in land access and ownership would interfere with their traditional lifestyles and how it could increase conflicts among them due to increased competition for limited land. Seasonal migration patterns which are essential for the survival of pastoral populations may be disrupted. In Lokichar, where Ngamia 1, Twiga 1 and Eklas are based, the area is known as an 'ere,' a homestead area in which children and the elderly may stay and to which herders may return in the wet season. Establishment of these sites, therefore, meant loss of the homesteads of the community. An airstrip has also been constructed which has taken part of the community land. The problem this raises is, if pastoral communities can no longer access this land, or the land available is limited particularly when herders return, it is likely to threaten the people's livelihoods and cause conflict as it has already done.

In addition to this, the study found that the allocation of crude oil exploration lands was done with little or no regard for the Turkana pastoral lifestyles. The allocation was done disregarding the

community's traditions and sacred places such as the graveyards and shrines. It also led to what might be called the illegal or unfair occupation of the grazing land in the areas of the South Lokichar basin, Etom-2, Amosing and Ngamia (Africaoilcorp). Once the areas are marked for exploration, they are fenced up and declared out of bounds for the Turkana people and their cattle.

The hiving off of the land by both the National Government and the oil companies in Turkana has the potential of leading to competition for the scarce grazing land available. When this happens, herders would have no choice but start crowding their cattle in small spaces, a situation which could result in overgrazing and water shortage. What stood out for most of the respondents was that the conflicts over grazing land could escalate due to limited grazing land as a result of land allocation for oil exploration and extraction activities.

#### **8.4 Land Acquisition by Oil Companies**

To acquire land, Tullow obtained a lease agreement from the county government of Turkana, which is renewable on a yearly basis. The company also sought community agreement which involved providing some form of community benefit, in recognition of the status of Turkana land as communal land.

As the study found out, the Turkana people were holding the oil exploration exercise responsible for the destitution they are experiencing which explains the poor reception given to Tullow Oil by the community who perceive the company as an enemy who came to grab their community land.

“We are caught up between two enemies: Tullow Oil on one side and the Pokot on the other hand” (FGD participant 4, Arimatoi Women Group, September 9, 2015)

“When our enemy (Tullow Oil) forced us out of our land, we had no option than to occupy areas near the Pokot border, where they raid us at will” (FGD participant 8, Lokichar, 2015)

Apart from the concerns raised, some of which are related to loss of their grazing land occupied by oil exploration exercises, the community further lamented the lack of compensation for their land taken by the government.

“They have taken our land and they did not pay us for that. They have also fenced this land which blocks our movement to other grazing areas”. (FGD participant 3, Turkana, September 2, 2015)

The respondents lamented that their pleas to the government and the company have not borne fruits.

“Tullow Oil is like a rock. They do not listen to our problems. They take our land and push us to the Pokot our other enemy.” (FGD participant 4, Lokichar, 2015)

One of the problems faced by the community is the open corruption that links the company and the government. When Edwin Okoth, a journalist writing for the Daily Nation, approached the government and Tullow Oil about the fact that Martin Mbogo Tullow Oil’s Kenyan country manager was living with Mary-Jane Mwangi the acting CEO of the National Oil Corporation of Kenya, neither government nor company denied this fact, instead they denied that this constituted an insuperable conflict of interest (“Controversy Clouds Oil Transport Plan” Daily Nation 10/06/2017).

## **8.5 Environmental Concerns**

There have been reported instances of environmental pollution resulting from oil exploration activities in Turkana. This is a valid concern given the devastating environmental impacts that the oil industry has had in other parts of the world, such as the Niger Delta (Kadafa, 2012; Ite et al., 2013; Opukri & Ibaba, 2008). Oil extraction has a number of adverse effects on the environment at various stages in the process, many of which are currently showcased in the Niger Delta (Kadafa, 2012; Pyagbara, 2007) For instance, oil spills release dangerous and sometimes carcinogenic hydrocarbons into soil and water, reducing plant growth and threatening animal and human health (Mukherjee, 2011). In Turkana, this is a genuine concern given the community’s dependence upon water holes. Gas flares caused by the burning off of gas mixed with the oil release of CO<sub>2</sub>, methane and also some toxic compounds may disturb the aquatic animals and their breeding patterns (Rena, 2008).

In addition, toxic wastes and effluents in both exploratory and extractive phases may kill plants and animals on land or at the bottom of rivers and lakes through smothering (Ron & Rosenberg, 2014). What is more, during extraction, removal of water which is mixed with the oil underground requires safe discharge. The cumulative effect of such contaminated water may be very damaging to plants, animals, and fish (Ron & Rosenberg, 2014). There are also concerns about the wastes from the exploration process revolving on whether or not the effluents are disposed of safely, particularly around the lake (Cordaid, 2015).

Another key issue raised by the respondents was the lack of sufficient information concerning environmental protection. The findings established that the statutory environmental impact assessments were insufficient and that the consultants conducting them were at times paid by companies which may prejudice their findings (Constantaras, 2014). According to the respondents, although the environmental impact assessment reports were sometimes made available, they were very large and difficult to access, download and comprehend. In addition, no popular versions of these reports have been provided and this has made it almost impossible for the communities to comprehend what was going on, which further curtailed their chances of participating. This inaccessibility of information is further compounded by the high illiteracy levels among the majority of the members of the community (Agade, 2017).

The respondents reported environmental concerns as other potential triggers of conflict in the County. The main environmental concern raised by the participants was the effect of oil exploration on land and trees. The key issue reported by the respondents was deforestation during seismic surveys and road construction. The community perceived deforestation as causing harm to the environment which they termed as disrespect especially if more trees were not planted. As a means of environmental conservation, the community members expected more trees to be planted which was not the case.

As in most development issues, women are most adversely affected in cases of community stress, and this has been so in the case of environmental degradation as a result of oil exploration and extraction. In the communities living in Turkana, women are responsible for carrying out subsistence activities and feeding their families. Environmental degradation has increased their

workload as they have to trek widely in search of clean water, fuel, wild products, and land to plant food crops (Kabonesa & Kindi, 2013).

Another concern raised was the destruction of Lake Turkana. The Lakeshore community members and fishers the researcher interacted with had fear that oil activities around the Lake would affect the quality of the water and harm the fish. The communities requested a fish stock assessment to be done prior to any further oil exploration in order to state of the fish population in the lake. Another concern among the community members is that the oil companies would use large volumes of lake water for industrial purposes which could pollute the lake and possibly increase the brine level of the water beyond the required level.

All the cited effects according to the respondents were likely to increase insecurity and susceptibility of the communities living in the vicinity of the lake.

“This lake is a fence and protects us from attacks by enemies; if the lake is destroyed, we will be attacked from all sides. If we our livelihoods are affected, we will become refugees” (FGD participant 3, Turkana, 2015)

Air pollution was another environmental concern raised by the respondents. The key issue linked to environmental pollution was the flaring which the community did not understand. Health and safety sub-issues included possible harm to health resulting from oil exploration activities that produce flaring gases and dust. The respondents connected the increased incidences of skin rashes, eye problems, coughs, chest pains, among other health issues to the flaring at the exploration sites in Turkana South. The study established that despite the concerns raised, Tullow oil had not consulted either with the local communities or the Lokichar Health Clinic on the issue of flaring which according to the community was done without warnings.



**Figure 8.24: View of Ngamia two from Lochikar Township: Notice the smoke emanating from burning oil (Source: Cordaid, 2015).**

**Source: Field Data (2015)**

Respondents also cited various smaller changes in the environment linked to oil extraction and preparations for it. Community members mentioned that vibrations caused by heavy machinery during drilling the ground scared the livestock. The respondents, especially from Nakukulas village, mentioned that their smaller livestock were being tripped and or injured by wires erected in the field by Tullow Oil. The researcher observed that the wires were erected 15 to 20 centimeters above the ground for long distances. These wires are partially hidden by bushes, and it is almost impossible for herders and their animals to avoid being tripped by them.

The Environment Management and Coordination Act 1999, The Petroleum Act 2015, and the Constitution of Kenya 2010 all spell out the legal provisions on the management of environment in relation to oil and gas exploration and exploitation. Article 42 of the Kenyan Constitution 2010 guarantees all Kenyans right to clean environment. NEMA recognizes that the country is vulnerable to the unlawful dumping of toxic and hazardous substances. NEMA drafted a national

policy on hazardous substances and toxic wastes (GOK, 2013). To the best of the researcher's knowledge, no such policy has actually been published by the Government of Kenya. The threat however lingers. Studies in Nigeria clearly point to the fact that petroleum-based contamination and related pollution have adverse effects on local communities particularly due to lack of proper regulations as is the case in Kenya (Iwegbue, 2013).

At this early stage of exploration, the community members in Turkana have been raising concerns about the destruction of community environment, especially trees (Cordaid, 2015) and cultural sites by trucks and large-scale equipment. Respondents reported various changes in the environment related to oil exploration and extraction. The main concern linked to environmental degradation was the effect of oil activities on the grazing land which is the key source of livelihood for the people.

“Tullow destroys our grazing lands, our watering points and they felled trees here when constructing roads. They only cut trees without planting others” (FGD participant 7, Turkana, 2015)

Trees are considered a key source of food for the animals, shade, protection, and a source of fuel for the local communities. When trees are cut, the community considers this as deprivation of their livelihood and a disrespectful act. The respondents said that the community accused the refugees at Kakuma of cutting down the already scanty trees in the region for timber and firewood. This angered the community and has fueled resentment towards the refugees. The community also accused Tullow Oil of cutting trees when carrying out oil exploration and exploitation in the county.

“They cut down the few trees here, the trees that give shade to our animals” (FGD participant 8, Lokichar, 2015)



**Figure 8.3: Heavy truck used by Tullow Oil in Lokichar Township. (Source: Field data)**

**Source: Field Data (2015)**

The participants further lamented a high loss of livestock resulting from accidents caused by heavy trucks. The researcher observed increased traffic of Lorries and other huge machinery linked to oil exploration.

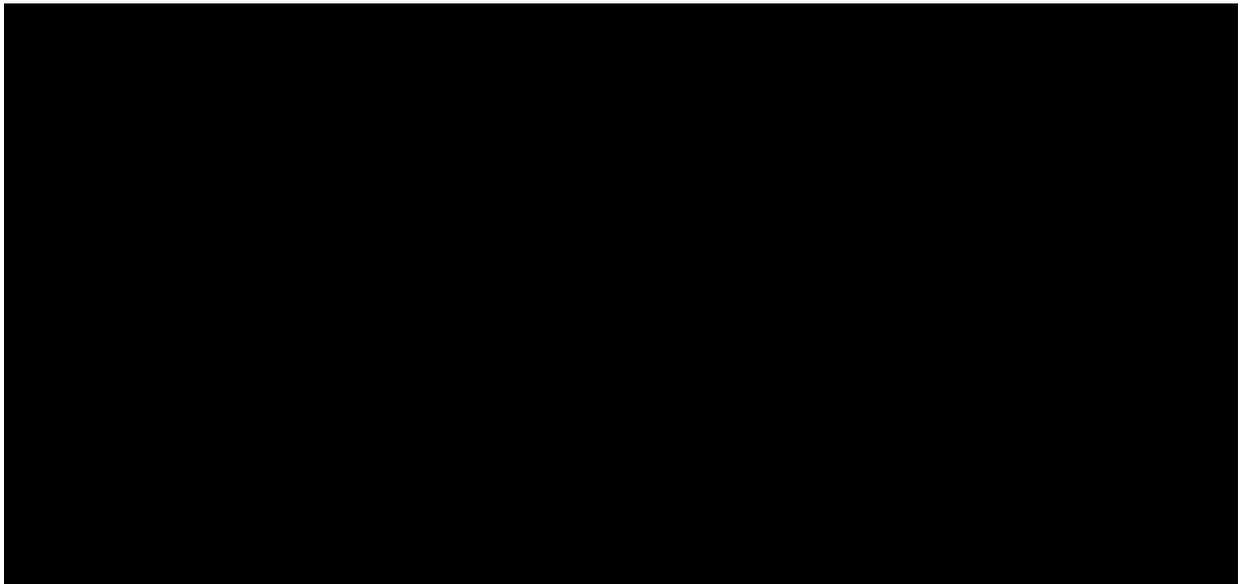
“They construct roads across our grazing lands. As they drive their heavy vehicles they hit and kill our animals” (FGD participant 6, Lokichar, 2015)

Following complaints by the communities of vehicles knocking over and killing cattle and people, Tullow Oil started hiring a large number of road marshals outside its sites to avoid such accidents (Cordaid 2015).

Several respondents also claimed that oil extraction and exploration sites have blocked or altered their migratory corridors used in search of fresh pastures particularly during drought. However, this is expected to change upon the completion of the LAPSET project that will install a pipeline from extraction sites to the oil refinery. Tullow Oil states that the said pipeline will run underground; therefore, it may not alter pastoralist migration routes (Tullow, 2014). It is noteworthy however that the LAPSET project is not just about the pipeline, it also encompasses other infrastructure such as highways that may change pastoralist migration routes permanently.

## 8.6 Land Grabbing by Outsiders

Being a semi-arid area not taken over by the cultivation of crops, the communal system of land tenure is most prevalent in Turkana County. Communal land is vested in communities that have similar cultures, interests or ethnicity. Apart from communal land ownership, community members have ownership of chunks of land especially in arable areas based on traditional tenets. However the vast bulk of Turkana Land is not registered. This makes the Turkana people fear to lose their ownership rights as more land is likely to be taken over for oil exploration activities.



**Figure 8.45: A member of Kayoi Clan. This particular clan was agitating for land to be demarcated and to be given their title deeds.**

**Source: Standard Newspaper, 2016**

Since the discovery of oil in Turkana County, the value of land has increased, and groups and individuals are flooding the county trying to secure land by all means. Apart from the threat presented by the oil exploration activities, with high expectations that the county will grow economically following the discovery of oil, outsiders are trying to acquire land to benefit from the general prosperity which is anticipated to come. The respondents accused some local elites and the political class of colluding with and assisting speculators from outside the County to acquire land in the county. The respondents lamented that elites have even gone to the extent of forming

community-based organizations which these Turkana elites utilize to grab land and later divide it among themselves and then sell to outsiders yearning for land in the County.

“It is painful seeing them rushing to take land from us and rob future generations of their livelihoods. What will be left for the children of our children if everybody grabs the land that has been ours for generations? Where will our livestock graze?” (FGD participant 3, 2015)

The respondents reported that the community is forced to use young armed men to guard the land that is under the threat of being grabbed to prevent these cartels and other individuals trying to take over the land. In most instances, protests and confrontations occur between these youthful gourds and those aspiring to grab the land.

The participants recalled an incident in May 2016 when a national police reservist was severely injured and left in a critical condition after he was violently attacked by community members who were protesting against increased land grabbing incidents in Methewan area, Lodwar. According to the community these protests are warning signals to land cartels and brokers who sell their grazing lands to individuals and private developers without their consent.

“They will take our land. We do not want to be blamed by future generations for not protecting our land, we, therefore, have to protect it all cost” (FGD participant 8, Akisen Women Group, 2015).

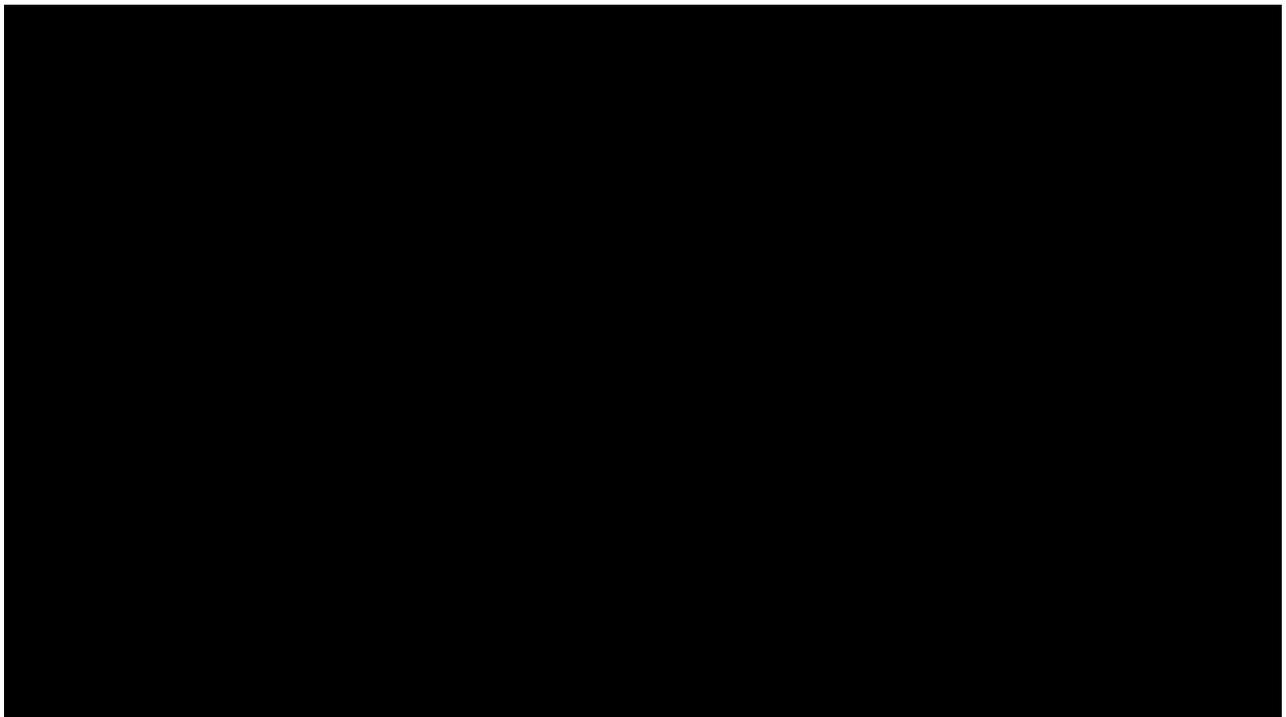
There have been various incidents of conflicts resulting from land grabbing allegations. There was a case when a political leader and cartels of elites from the community were accused of grabbing community land (Langat, 2016). This angered the community who demolished the outsiders’ fences during a demonstration.

“So the people you see on the ground are the locals, but the eventual beneficiaries are the financiers who are non-locals” (FGD participant 3, Akrikor Youth Group, 2015)

“It is painful seeing them rushing to take land from us and rob future generations of their livelihoods. What will be left for our children and the children of our children if everybody

grabs the land that has been ours for generations? Where will our livestock graze? “(FGD participant 5, Lokichar, 2015)

In most instances, violence erupts between the youths and those who attempt to grab land. The respondents, for instance, reported an instance in May 2016 where the community demonstrated in protest against increased land grabbing cases in Lodwar. From the agitations raised by the respondents, it is evident that land grabbing is a serious issue that needs to be mitigated to prevent conflicts. Proper laws should be put in place and enforced to govern land selling and land acquisition in order to curb cases of illegal land acquisition. In addition, those accused of land grabbing should be prosecuted accordingly.



**Figure 8.5: Parents and pupils of Nakulula Academy march in protest over land grabbing**

**Source: Turkana Media Information Hub**

The study found that land in Turkana is not transparently acquired nor is it fairly distributed. The issue of lack of transparency and trust in how natural resources such as land in Turkana are managed is a significant threat to peace and stability in the region. The study established that the reason why land in Turkana is not transparently acquired nor equally distributed was that the local

politicians grabbed land while community leaders were bribed to give out community land. Those working both in the county and national government distributed community land to their relatives and friends, whereas the community was left in the dark on how land was distributed. Community leaders cannot be relied upon to protect their people because they are often the very ones who are facilitating the exploitation of the poorer and less educated members of the community.

Politicians and the elites are taking advantage of the people, in the context of mass illiteracy. The researcher feels that illegal land rush in Turkana is also thriving because of the legislative vacuum at the national level. Kenya’s parliament is yet to pass a bill on community land which will guide the conversion of community land to private or public land.

**Table 8.4: Why respondents think the resources are not equally distributed**

<b>Respondents’ Reasons</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Land grabbing by politicians	40	22%
Corruption among community leaders	37	21%
Nepotism	22	12%
Political sycophancy	19	11%
There are no clear guidelines from the County	15	8%
Community is not involved	13	7%
No idea	10	6%
Land is distributed in a haphazard manner.	8	5%
Land is given to people who don’t live in Turkana	7	4%
National government officials use influence to own land	5	3%
People in Turkana are not aware of land ownership rights.	2	1%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

Most of the respondents thought that resources were not evenly distributed throughout the County since some groups of people owned more land compared to others within the same County, but also because of land grabbing as it was the case in most parts of Kenya, where those in leadership positions or politically connected illegally acquired big plots of land leaving citizens as squatters.

### **8.7 Low Number of Locals in Employment of Oil Companies**

Article 55 of the Constitution of Kenya guarantees youths the rights to affirmative action, training, involvement in social, economic and political processes and access to meaningful employment opportunities. However, the youths in various parts of Kenya are still marginalized and excluded in various ways (Devas & Grant, 2003). In Turkana, the situation is not different from the situations prevailing in other parts of the country. As the study established, the marginalization and lack of opportunities for the local youths were increasingly threatening security in Turkana (Enns & Bersaglio, 2016). The main sentiment reported by the younger respondents the researcher interacted with was lack of opportunities in the oil sector. They reported that they expected the oil sector to provide employment to them and bring new opportunities for them to diversify their livelihoods, the implication being that the situation prevailing was different from the people's expectations. The youths who participated in the FGDs lamented that due to their lack of specialized skills and the expertise required to work in the oil sector, they had not been able to utilize the available employment opportunities in the sector. Although they were willing to undertake training to attain skills necessary to work in the oil and gas sector, they lacked access to training platforms and funds for training.

Respondents, particularly those from Nakukulah, Lopii, Lokwamosing, and Nang'ore villages, mentioned youth unemployment as a key factor that triggered conflict in the County. They also noted that despite the fact that the County Government Act specified that Turkana residents should benefit from at least 70% of job opportunities resulting from oil exploration activities, the situation on the ground was very different.

“Tullow does not benefit us at all. They have taken our land and have not even given us jobs. They have brought outsiders to work for them. They are an enemy to us” (FGD participant 3, Akisen Women Group, July 3, 2015).

“They bring in outsiders to steal our jobs, and they do not give our youth opportunities. They milk our camel as we watch” (FGD participant, Arikor Youth Group, July 28, 2015)

As the respondents reported, the company has disregarded the Turkana people when allocating jobs. The highest position given to a Turkana in Tullow Oil was that of a security officer.

“They give our jobs to outsiders. They call us uneducated people and that the only job we can do is that of guards” (FGD respondent 6, Turkana, 2015)

The respondents claimed that the experts working in the company were sourced from Nairobi and other major towns, thus disregarding the elites from the community.

“We want Tullow to give us jobs. Our educated people should be given official duties while the rest of us can do manual jobs” (FGD respondent 4, Lokichar, 2015)

The respondents reported that the published reports on employment were contrary to the actual situation on the ground. A 2013 press statement by Tullow claimed that 57% of their workers were residents of Turkana County (Tullow, 2013). The Business Daily (2014) also reported that Tullow Oil employed 2187 people from Turkana out of a workforce of 3619 as at October 2014, which contrasted sharply with the number given by the respondents as only between 4 to 17.

“We are being told redundancy, but as we are fired, other people from elsewhere are being employed” (FGD participant 6, Naipeka Farmers Youth Group, 2015)

The participants lamented that the way Tullow advertised jobs excluded the community and kept them in the dark. They complained that jobs were only advertised on the internet, a platform which the majority of the Turkana people do not have access to. They also claimed that they were denied driving jobs which many of the Turkana youths are skilled in. According to the respondents, Tullow had only 2 local drivers out of 32, largely because the expertise required by the company to drive trucks was very high and beyond the skills most Turkana people had. The respondents reported that the Defense Driving Training Certificate (DDT) required to work as a driver in Tullow was very costly and hard to acquire. According to them, they needed to be assisted with training in order to gain these skills.

“We have tried to push for DDT training but our efforts have been disregarded” (FGD participant 5, Arikor Youth Group, 2015)

“It is very painful and a stumbling block. To work for Tullow, you must get DDT. It is issued by Tullow. Tullow should take us as drivers then train us and give us DDTs” (FGD participant 2, Naipeka Farmers Youth Group, 2015).

The study found that police reservists’ recruitment was another factor that was triggering conflict among the people in Turkana. The respondents reported that they were not content with the number of reservists who were actually from their community. According to the participants, most reservists were sourced from outside the community, especially from the neighboring Samburu community. A county government official who was also our respondent claimed that out of 32 police reservists guarding the Turkana Wind Farm, 28 were from the neighboring Samburu community while only four were from the Turkana community. It was however not possible to verify this claim because of the tensions in the area.

The respondents admitted that the community was only friendly to police reservists (also known as home guards) who were from their respective communities. In other words, the reservists from the community were trusted, while those from other communities were viewed with suspicion and branded as spies or as collaborators with the so-called oppressors. These reservists have mainly been deployed in areas where Tullow Oil has installed their extraction and exploration infrastructure.

The respondents reported that in Turkana South, Tullow and Toyota Kenya had an agreement that was meant to benefit the local people. The agreement was meant to lease vehicles which would be driven by local drivers for Tullow and eventually would become the property of those drivers. This was a positive move by Tullow to make sure that the local people reaped some benefits of oil in their county. However, the agreement did not materialize, and consequently did not meet the expectations of the people. This caused demonstrations in Lokichar in February 2015 where the protesters mounted road blocks. These demonstrations were led by the local drivers’ organizations who were protesting, amongst other matters, the unrepresentative manner in which cars had been given to people who were politically linked.

“We do not see the help they are giving us. Vehicles were given to individuals who then gave to relatives. It is very good Tullow brought 36 vehicles. Even if they are owned by

[these] owners, why not employ locals? Those who got cars let them benefit. But let others also benefit, by being employed instead of just employing relatives” (FGD participant 3, Lokichar, 2015)

The respondents suggested that the company should organize for apprenticeships to train members of Turkana community in order to acquire qualifications for various job openings, to overcome the fact that the Turkana community is stereotyped as poor and illiterate.

“Outsiders should not be benefiting from our resources. We will fight for what is ours. The government should give us back our rights that have been taken up by foreigners” (FGD participant 3, Arikor Youth Group, 2015)

The agitations presented by the community members, particularly the youth, were strong potential sources of conflict. In fact, some of them even said that they expected conflict and a tense future if the situation on the ground is not rectified.

In the northeast of the county, in early 2015, there were protests as the people lobbied for jobs and contracts (SARPCON, 2015). Road blocks were also mounted when one sub-contractor failed to pay out Ksh.11 million for food supplies and hired vehicles and records of transactions disappeared. In the northwest, sources of tension identified by this study also included rivalry for supply tenders for local materials including sand, gravel, and charcoal.

In the beginning, the news of the oil discovery caused excitement among the community members as they perceived it as an end to prolonged destitution. The local communities thought that the oil discovered would be a source of instant income and wealth which was not the case. In the southern parts, the local government, civil society actors, and Tullow’s community liaison staff made efforts to achieve a basic level of understanding among the local communities that the early stages were just involved exploration and that the oil discoveries were not a guarantee that there would be commercial quantities of oil. So far, the main economic benefits from the oil exploration process related to development in Lokichar and jobs and tenders with Tullow and its subcontractors, but these have been the source of much tension and discontent.

As identified by the study, economic concerns and expectations linked to oil discovery were the key concerns that were most frequently cited by the respondents. This encompassed various issues which included employment and award of tenders and contracts. The Turkana people lamented that they had not been given enough job opportunities and tenders in the exploration process. A review of Tullow's figures released in August 2014 revealed that of the 3619 people employed by their subcontractors, about 60% were Turkana, while 28% were from other parts of Kenya, and 12% were expatriates. A breakdown according to skill level revealed that about 99 percent of unskilled laborers and about 75% of semi-skilled workers were Turkana, but as expected, skilled laborers were only around 14% Turkana (CORDAID, 2014). These compared favorably with figures released in the previous year, in which semi-skilled laborers were 60% Turkana (Constantaras, 2014).

Tullow (2014b) was categorical that in 2013, Ksh. 4.1 billion was spent by Tullow with local suppliers and Ksh. 4.1 billion by subcontractors. However, of the latter figure, only Ksh.259 million was with Turkana businesses. In another report, the chairman suggested that the main barrier to increasing specifically Turkana content was the capacity of local suppliers to meet technical, environmental, health and safety standards and to be reliable and cost-competitive (Tullow, 2014).

Participants in the FGDs gave different figures, however. In the Lokichar FGD, one participant stated that 70% of jobs at Tullow were given to non-Turkana, a statistic which was hard to substantiate, but which was likely to anger its hearers. Confusion abounded, and locals assumed that they were deliberately short-changed, especially as downscaling of operations occurred.

We are being told redundancy, but as we are fired, other people from elsewhere are being employed (FGD participant, Naipeka Farmers Youth Group, 2015)

#### **8.4 Inter-Community Traditional Rivalries fueled by Oil**

According to the community members whom the researcher interacted with, oil exploration has increased insecurity in the county, especially between the Turkana people and the Pokot. The Pokot have started laying claim to some of the Turkana areas bordering their lands that have oil deposits. The Pokot County Council even went to an extent of going to court to push for a review

of the boundary between the two Counties, arguing that the oil is in their county (Daily Nation, 2015). For decades, the Pokot competed for pasture land and water points, but now they have started vying for oil finds. The study established that in Turkana South, the local communities live in fear of attacks by the neighboring Pokot.

In 2015, a territorial boundary conflict erupted along the border of West Pokot and Turkana South whereby 100 lives were lost in Kainuk and Kaputir. According to the local reports, oil was discovered in Kalemn' gorokarea area in Turkana South occupied by the Turkana people. However, recently, the Pokot have started laying recent territorial claims to the site citing colonial maps and other documentations that they believe confirm that the oil fields are deep within Pokot Central sub-County and that the Turkana were encroachers.

“We live in fear of worse attacks by the Pokot. In the past, they only came for our cattle but now they want to attack our villages and push our people out in order to take the oil fields” (FGD participant, Turkana, 2015).

The study established that this rivalry for oil resources between the communities was worsened by political incitement. It was alleged that political leaders from both communities have been making inciting statements regarding the ownership of the oil fields. Such kinds of utterances could incite both communities, and if not checked, might lead to serious conflicts.

The participants also cited some forms of oil-related conflicts between the Turkana South people and the rest of the County. They reported that there were new conflicts related to benefit sharing among the locals. The FGDs raised concerns that the Turkana politicians from Turkana South were pushing for their people to benefit more from the oil than the rest. But such a move is likely to spark conflicts and cause divisions among the community that previously lived in unity.

“Initially, the people from Turkana south, where the whole oil thing is, claimed that they need to benefit more than those from other parts. However, authorities intervened to sensitize the people that the oil will help the whole Turkana” (FGD Participant, Arikor Youth Group, 2015).

## **8.5 Perceived Danger of Crime Wave and Erosion of Traditional Social Values**

Since oil exploration activities started, Turkana County has seen an influx of non-locals. The non-locals include those working for Tullow, the Chinese working on the LAPSET project, mainly the wind farm on the shores of the Lake Turkana, and nongovernmental organizations' staff. However, the deepest bitterness has been directed at people from other Counties in Kenya who are seen as taking away jobs belonging to the Turkana (The Star, 2013).

The respondents were of the view that the influx of outsiders has brought about the breakdown of social norms and structures of the Turkana people. For instance, urbanization and creation of entertainment spots have led to an increased erosion of social values and a wave of new crime has emerged. Immoralities such as prostitution, drug dealing, and small arms businesses have also increased.

“Our children are becoming immoral. They are carried away easily by the lifestyles of these outsiders “(FGD participant 5, Akisen Women Group, 2015)

Most responses concerning the spread of diseases associated with the perception that high disposable incomes obtained from oil and a high influx of outsiders led to high cases of prostitution which has led to high cases of sexually diseases such as HIV/AIDS. Other vices such as drugs trafficking and proliferation of small arms were previously very low, but the cases are now on the rise.

## **8.6 Political Interference**

Political interference was another factor identified by the participants as a possible trigger for conflict in the County. Divisive politics in Turkana and bordering Counties have also contributed to skirmishes in this region. The fact is that for a long time, lack of a clear boundary and land ownership policy in pastoralist Counties has been used by politicians to gain political mileage by instigating communities against each other. This has caused armed confrontations and resulted in massive loss of lives and animals.

This study has noted that politics has played a key role in the exploitation of natural resources in the County. For instance, the participants raised concerns that politicians from Turkana County and the neighboring Counties have politicized oil exploration and exploitation and are setting the Turkana people against each other and their neighbors. Politicians from Turkana South were initially claiming that since oil is explored in the southern areas, the people from the south should reap more benefits than those from the other parts of Turkana. This study believes that if the situation is not effectively addressed, it can bring deep-seated divisions within the county and fuel conflict. Also, going by the examples of other resource-rich nations, inter-communal politics has the potential of playing a role in the scramble over oil-rich areas. As reported by the FGDs, Pokot leaders claimed that Turkana South where oil was discovered is part of the Pokot region. Such tendencies need to be checked. .

“The Turkana politicians from Turkana South incite their people claiming that they should benefit more than those from other areas because the oil is in their area. The Pokot politicians are also inciting their people that the oil-rich areas in South Turkana belong to their community and not us” (FGD participant, Arimatoi Women Welfare Group, 2015)

The respondents further reported that politicians used false promises during elections to win their votes, but after they assumed office they would fail to honor their promises. A good instance occurred in in 2012 whereby, while campaigning, politicians stressed the importance of residents of Turkana County benefitting from oil the deposits in their county before other parts of the nation do (Daily Nation, 2012). They even promised to appoint the energy cabinet secretary from the Turkana County so that the individual would be in charge of oil extraction and exploitation. However, this political promise never saw the light of the day. No member of the Turkana Community was appointed to the Cabinet, let alone to the Ministry of Energy. Instead, one leader from a neighboring County was named Cabinet Secretary for Energy and Petroleum, a move which has been one of the causes for dissent among Turkana residents.

According to the respondents, this was just one example of such populist statements put across by the Kenyan political class to earn themselves votes, after which the statements are forgotten. Such statements raise expectations on the benefits the communities would get from the projects. When the returns are below par, desperation ensues. The statements can now be turned into objects of

incitement by the political class especially those in the opposition with the result being violence and negative ethnocentrism.

Due to these expectations being taken a notch higher by the political class, it is not uncommon to experience violence meted out to non-locals especially in areas where active extraction of the precious commodity is anticipated. Tension will always build up between the locals on one hand who view themselves as the owners of the resource and the non-locals who are often imported from other parts of the country for their skills which are assumed not to be present in Turkana County.

### **8.7 Solutions to the Grievances as Perceived by Respondents**

The researcher wanted to know what the Turkana community members perceived as the possible solutions to natural resource-based conflicts in the County. This study asked the respondents to name their solutions in rank order. The responses in Table 8.18 show that indigenous people in Turkana County felt that effective community participation was the key to peace and the prevention of future crude oil-related conflicts in the County. Twenty-two percent of the respondents reported active community consultation in crude oil management activities as a better approach to preventing future resource-based conflicts over Turkana County oil, while 15% of the respondents said that Turkana youth should be given preference in employment opportunities from the oil companies in Turkana County. Development of infrastructures in the Turkana County came third with 11%.

**Table 8.5: Community’s Perceived Solutions to Prevent Future Resource-Related Conflicts**

<b>Turkana members’ perceived solutions to prevent future resource related conflicts</b>	<b>Frequency</b>	<b>Percentage</b>
Community Consultation in Oil Management Activities	40	22%
Turkana youth should be given precedence in employment	26	15%
Develop Turkana County infrastructure to increase trade	20	11%
Ensure Turkana people equally profit from crude oil benefits	17	10%
Increase socioeconomic opportunities in Turkana County	15	8%
Establish Hybrid Financial Institutions for Turkana people to access loans for business	14	8%
Educate more Turkana youth to take managerial roles in Turkana oil management	12	7%
Involve more Turkana Community-Based Committees	10	6%
Develop clear process for Turkana-based representation in national oil boards	8	4%
Establish transparent guidelines for equity in land distribution	6	8%
Establish Turkana-based Oil Fund for Disaster Management	5	3%
Establish more gender-based microfinance opportunities	3	2%
Livestock Restock Fund Initiative for Turkana People	2	1%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

The respondents also said that to ensure that Turkana people equally profit from crude oil benefits, the government should increase socioeconomic opportunities for the Turkana County people, and establish hybrid financial institutions for the Turkana Community members to enable them gain access to loans for business start-ups. According to them, these were very important for the stability of the region. Further, the respondents were of the view that educating more Turkana youth to take up managerial roles in Turkana oil management, involving more Turkana community-based committees to discuss how oil is managed, and developing clear Turkana-based representation on national oil boards would ensure that the Turkana people feel part of crude oil management.

## **CHAPTER NINE**

### **EFFECTS OF OIL DISCOVERY AND EXPLORATION**

#### **ON THE SOCIOECONOMIC WELFARE OF TURKANA PEOPLE**

##### **9.1 Introduction**

This section reviews the effects of oil discovery to the socioeconomic welfare of Turkana people, citizen's participation in the management of oil exploration and oil resources, and natural resources benefit sharing.

##### **9.2 Effects of Oil Discovery to the Socioeconomic Welfare of Turkana People**

Oil exploration projects are activities mainly geared towards the extraction of oil deposits. These activities are undertaken particularly for the economic development of a nation and the region endowed with such deposits. Oil exploration and extraction can provide new opportunities for local communities which can play a big role in improving their livelihoods. New exploration projects can create employment and business opportunities, and bring infrastructure, schools, and health facilities to remote and previously impoverished areas (Agade, 2017; Imana & Mmbali, 2016; Muigua, 2016).

###### **9.2.1 Pre-Oil Socioeconomic Situation of Turkana County**

In the colonial era, Kenya was sharply divided into various communities as a deliberate administrative policy. This trend did not change after independence and heavy disparities have existed in the distribution of resources and opportunities. Turkana is the poorest county among the areas in the ASALs in Kenya, with a poverty index of 95 percent, implying that a large proportion of its residents are impoverished and largely depend on relief food handouts. Turkana county, like all other counties in the North Eastern regions, has been marginalized by successive governments irrespective of the unexploited resources in the county. Its millions of livestock should bring wealth but the government has not reckoned on them as a worthwhile resource that deserves national attention.

Turkana County is gravely under-served with respect to very basic amenities such as roads, health facilities, drinking water, and schools. From the colonial period to Kenya's independence, Turkana people had been marginalized through exclusion from political participation, low socioeconomic development, cultural discrimination, and low presence of security agents. Because of low security coverage, its livestock were subjected to perennial attack by cattle rustlers, while unrelenting and unmitigated droughts wrecked further havoc. Because of parental poverty, children who graduated from the few schools in the County were unable to pursue higher education. The result was a perpetuation of poverty and under-development. Such disparities in socio-economic status have the potential of catalyzing conflict (Kimenyi & Lewis, 2015, p.5). Historical marginalization and exclusion in the ASALs have generated and aggravated conflicts (Gibbons, 2014, p. 1). In Turkana, general marginalization and inequality in the distribution of resources was reported as one of the key factors that have contributed to insecurity and resource-based conflicts.

People in Turkana, like the others in Northwest Kenya, do not feel the presence of government. When seeing off a person departing to any other part of Kenya, it is customary for the people to say, "Greet them over there in Kenya". The people have a very low level of political awareness which can be attributed to low levels of education and the poor flow of information in the region. Turkana people, for example, know little or nothing of government schemes such as the Youth Fund and the Youth Enterprise Fund from which they can potentially benefit. These people rarely participate in political processes such as voting and even those who do vote have only a vague idea of why they exactly have to do it.

"Why should we vote in the first place? The leaders we elect into the government only mind themselves. They do not benefit us in any way" (FGD participant 8, Arimatoi Welfare Group)

There is a strong perception among the Turkana community that successive governments have forgotten them. With the discovery of oil came huge expectations, but whatever hope there was appears to be dimming. Respondents felt that, despite the fact that the oil resources are in their County, they still have not seen any concrete benefits. This dampening of community expectations could create a volatile ground for the operations of Tullow Oil and other outside organisations in the County.

The respondents lamented that the government had not put any efforts to rescue the water shortage in the county. Neither the county government nor the central government has made efforts to desalinate Lake Turkana water and distribute it across the county to address the problem of water shortage. Also, no efforts have been made to conserve water catchments of the large seasonal rivers such as Turkwel and Kerio Rivers that run across the County. Regardless of approximately 250 billion cubic meters of underground water being discovered just about 300m below the surface some time ago; the government has done nothing to exploit the water aquifers which are an indication that the government has neglected the Turkana people. This water shortage has inhibited agricultural activities in the county and has led to loss of animals to drought.

Even after the discovery of oil, little has been factored into the county's budget to address infrastructure or social amenities challenges. The state government spends billions of money in counties with adequate and cannot contemplate spending the same amount in counties where the commodity is not accessible even within flying distances.

For a long time, communities in Turkana and other marginalized communities have been characterized by low literacy levels, low retention and transition rates, and limited access to basic, secondary and tertiary education (Kenya Institute for Public Policy Research and Analysis, (2014). For instance, while the national net primary school enrolment is approximately 95%, about 15 out of the 47 Counties that had been recording low net primary school enrolment (below 80%) were in arid and semi-arid parts of the country including Turkana County (KIPPRA, 2014). The same low enrollment in primary schools applies to secondary schools and tertiary institutions. There are a variety of factors that have contributed to this low level of education attainment. They include the limited number of trained teachers, inadequate instructional and learning materials, the high mobility of the communities linked to their pastoralist nature, inflexible curricula, inappropriate methodologies, and retrogressive socio-cultural practices such as early marriages which threaten the right to education for the girls (KIPPRA, 2014; Turkana County, 2013).

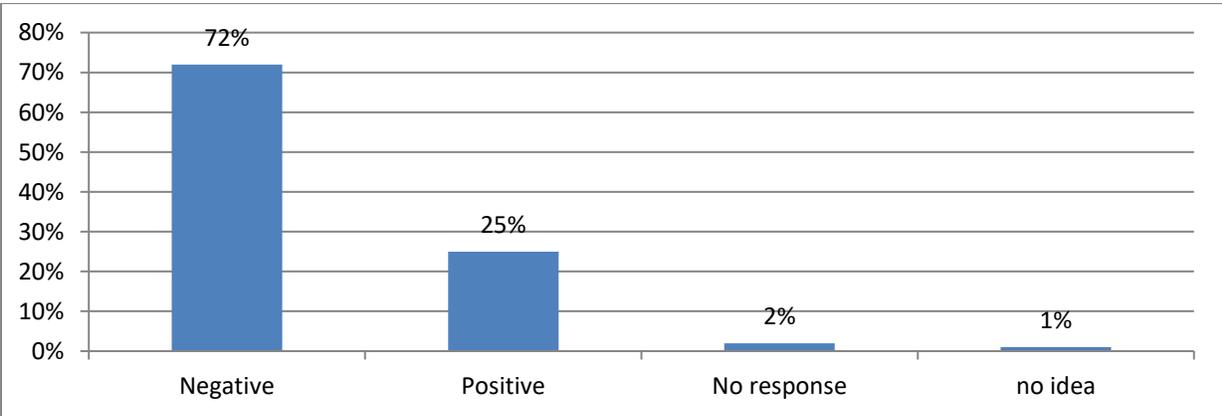
### **9.2.2 Socioeconomic Significance of the Oil Discovery for the Turkana People**

Not all is lost or grim. At least in some places, such as Lokichar area, the locals said that they have been realizing some benefits from the ongoing oil exploration, particularly in terms of jobs,

education structures, and improvement of roads. Having said that, there is some indication that, irrespective of benefits acknowledged as resulting from oil exploration, there are some challenges involved. For instance, oil exploration activities also have caused considerable disruptions to the local communities. In addition, the benefits could, however, be unevenly distributed, and the affected people might be poorly compensated for the loss of existing livelihoods and the damage to their environment and culture (Lane, 2001). If the local communities feel they are being treated unfairly or they are inequitably compensated, social tension might be the likely outcome and sometimes this could escalate and turn to violent conflicts (Burns, 2004). This has been witnessed in Turkana County on various occasions.

To further understand the people’s views about crude oil exploration and production and their future socioeconomic situation, the researcher asked the respondents whether the availability of crude oil in Turkana would have positive or negative effects on their livelihood. Their responses are as presented in Figure 9.1.

The majority of the participants reported that oil production in the area will have negative impacts on their livelihoods. The negative effects reported by the participants were; alteration of their nomadic lifestyles as a result of displacement from their land to pave way for oil exploration, environmental degradation, land grabbing, and disruption of migration routes by the pipelines from the exploration and exploitation sites to the refinery centers.



**Figure 9.1: Expected Effect of the Availability of Crude Oil in Turkana on Their Livelihoods**

**Source: Field Data (2015)**

The respondents further stated that they expected severe water shortages. According to them, this is because the large amount of water needed in the extraction and refinery process would likely aggravate water scarcity in the areas around the exploration and extraction sites.

“We feel excluded in the whole oil thing. They took our land, denied our people jobs and they do not even consult our elders. From the look of things, the situation is not expected to improve soon. We expect a hard future if this goes on” (FGD participant 4, Napeikar Farmers Youth Group, November 26, 2015)

This highly pessimistic view was based on the perception that Tullow Oil, the county government and the national government have not done enough to promote community inclusion and equitable distribution of the crude oil benefits, such as employment for the Turkana people.

Those who felt that oil production would positively impact on their lives reported that the extraction of oil was likely to have some direct and indirect job opportunities and would stimulate the local economy, especially in Lokichar.

On the impacts of the availability of crude oil on the respondents’ current socioeconomic situation, the respondents gave varied explanations as presented in Table 9.1 The findings indicate that there could be both positive and negative impacts of the availability of crude oil in t Turkana County. Most of the respondents felt that the availability of crude oil has led to improved living standards among the people, has attracted new investors and created more employment opportunities for the youth. There was also the building of new infrastructure such as schools, roads, hospitals, playgrounds, and social halls going on around the county.

Others reported increased County Government revenue, and drilling of more water wells to provide more water to the people and their livestock.

**Table 9.1: Views as to How Crude Oil Has Impacted the Socioeconomic Situation**

<b>Effect</b>	<b>Frequency</b>	<b>Percentage</b>
Improved living standards among people	34	19%

Attracted new investors and created employment	29	16%
Built new infrastructure such as schools, and hospitals,	24	13%
Increased County Government revenue	22	12%
New wells were drilled to provide water	15	8%
It has reduced conflicts due to more opportunities	11	6%
More business in the county	10	6%
Improved health system in the county	9	5%
Increased air pollution	7	4%
Other Kenyans coming into Turkana	5	3%
More education opportunities	4	2%
Increased deforestation	3	2%
Increased noise pollution	3	2%
Increased land grabbing	2	1%
Increased injuries to livestock	1	1%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

Other respondents said that the availability of crude oil in the county has reduced conflicts due to more job opportunities, has brought more business in the county, and has attracted more Kenyans to the county, which has fostered intercommunity integration. The negative effects reported by the participants included increased air and noise pollution, increased deforestation, increased land grabbing, and increased injuries and accidents involving the residents and their livestock.

It should be noted that since the inception of devolved governance in 2014, the County Government has been facilitating some noticeable improvement. The devolved form of governance mandated the county governments to provide improvements such as education (Constitution of Kenya, 2010). This has seen education being regarded as a key priority area of intervention by the County government (Turkana County, 2013).

The community members who participated as respondents expressed that the view that the Country Government has been moving in the right direction, in the provision of more education facilities and of bursaries for further education. However, considering the long periods of marginalization

the people have experienced, there is a great deal yet to be done. Turkana County still remains among the worst performing counties in the primary and secondary schools' national examinations.

The discovery of oil in Turkana was perceived by the people of Turkana as the beginning of the end of marginalization. However, since oil exploration activities began, the local community's initial expectations of better economic gains have been transmuted to growing impatience. This resentment has been demonstrated by the frequent protests as the community demanded jobs and other forms of benefits and compensation. Local people often complained of being disregarded by the government and Tullow Oil. They claimed that only the wealthy business people and the political class have benefited from the oil in the region. However, in spite of the dissatisfaction expressed by the community over benefits, there are various indicators of an economic boost to the county as a result of oil exploration.

The oil sector has already attracted various forms of investments, has generated infrastructural development, and offered skilled and unskilled employment opportunities. In areas where oil exploration has been ongoing, Tullow has also constructed schools and health facilities.

“There were no schools around and our children were walking far to the only schools that were there. Also, there were no hospitals nearby. But from the time Tullow Oil started its operations here; our lives have become better than before” (FGD participant 2, Lokichar, 2015).



**Figure 9.2: A classroom constructed in Nakukulah Primary School by Tullow Oil as part of their CSR**

**Source: Field Data (2015)**

Tullow Oil has also put some efforts into digging boreholes but, according to the participants, the water obtained from the borehole is not enough for both the villagers and the company and it is usually the villagers who miss out.

### **9.2.3 The Water Issue and Discovery of Strategic Aquifers in Turkana County**

Displacement from water sources was another issue raised by the respondents. To mitigate this problem, communities have been provided with tanks, although they had been informed initially of a plan to create boreholes. In northwestern Turkana, communities having witnessed this pressed for the digging of wells, of which six have been provided by CEPSA SPELL OUT. The participants lamented that severe water shortage in the County was due to neglect by oil exploration companies and the government. The communities expected Tullow to give them water, but according to the participants, this expectation has only been met to a limited extent. Regardless of their effort of providing them with water by setting up tanks, the community felt that company has not done enough yet.

“The water they give us is not sufficient for the community and our animals. They have totally forgotten us. The water is only in the main centers but not in the villages.” (FGD participant, Arimatoi Women Welfare Group, 2015)

It is the view of the researcher that water issues in the county should be addressed with urgency. The resentments documented by the study are likely to cause and fuel conflict between the community and the oil exploration companies, the government and with other communities as the Turkana migrate in search of water.

Two strategic aquifers were discovered in Turkana North in 2013. The Lotikipi Basin Aquifer has a great capacity to increase the country's strategic water reserves (Ruvaga, 2015). In February 2015, the Kenyan government reported that the water in this aquifer was too salty for human use. For it to be safe, it required desalination using reverse osmosis. New test phases are yet to be implemented. The aquifers are estimated to have enough water to last the country for about 70 years. According to Ilovi (2013), Ruvaga (2013), Boniface (2013), and Chan (2013), these aquifers have the potential of transforming people's lives if well-exploited.

Apart from the costs of desalination, there are major challenges in the way of water extraction from these aquifers (Walker, 2013). For instance, the biggest basin is in a remote area in the sparsely populated extreme northwest, and close to the border with Uganda, Ethiopia and South Sudan, and an area which is already susceptible to conflicts over the present limited resources (Pflanz, 2013). Apart from being remote with poor infrastructure, the place has no electricity. The distance and the terrain of the location of the aquifers could also cause great difficulties for the supply of water across the country (Andae, 2013).

Another challenge which is likely to aggravate the water scarcity in the county is the extraction of crude oil. Exploration and exploitation of oil requires a significant amount of water (Allen et al., 2011). Considering the high number of barrels Tullow intends to exploit, it is expected that the process will require a lot of water which will further strain the current water shortage in the county. Given the aridity of the area and the pre-existent water scarcity, it seems probable that much of the water required for oil exploration and exploitation will be acquired from groundwater resources. There are concerns that the aquifers discovered could be mainly used for industrial purposes at the expense of the local community (Constantaras, 2014). Apart from the expected strain on the water aquifers from oil exploration, there is also a concern that oil exploration and extraction could pollute the water aquifers. This is because the aquifers and the oil deposits occur within the same geologic zones although at a different depth (Constantaras, 2014). Ground water could also face a

risk of contamination through geologic faults or cracks that would provide a pathway for chemicals used during extraction through drilling activities and the oil itself to reach the aquifer.

### **9.3 Participation of Turkana Community in Oil Exploration Management**

Public participation is regarded as essential in decision making on public matters (Mdunyelwa, 2008). It is among the foundational principles of democracy. It is a democratic right for all citizens to equally partake in decision making process on matters that touch on their lives. Apart from participating in political events such as voting, the public is also entitled to take active roles in planning and policy making on issues that affect them (United Nations Human Settlements Programme, 2014). Through participation, the goals and objectives of the people are incorporated into the planning processes. Public involvement in decision-making helps in empowering the citizens, enhancing the relationship between the government and the public, fostering suitable prioritization of projects, improving provision and delivery of public services and improving the government's responsiveness to issues. Involvement of the citizens also increases public support for projects and helps to curb and minimize conflicts and costly delays in implementation.

Public participation is crucial since it not only helps the people to appreciate the projects implemented but also helps in facilitating social acceptance of projects by the people, therefore, fostering peace and development. Effective public participation platforms help in building trust, promoting accountability, strengthening the commitment of all stakeholders towards improving governance, and directly limiting the possibility for corruption (United Nations Human Settlements Programme, 2014). Public participation can thus ensure that the opinions of the public are heard and incorporated in decisions on development issues, therefore making the government responsive and answerable to the community.

#### **9.3.1 Kenya's Constitutional Provisions for Public Participation**

The Constitution of Kenya (2010) has emphasized the principle of public participation, and, on paper at least, is a remarkably progressive document. It implies that citizens' sovereign power can be articulated via direct or indirect participation in matters that touch their lives. According to Article 10(2) of the Constitution, citizen participation is a national value. The Constitution provides that citizens should be involved actively in the legislative process and in projects and

programs that touch their lives. As articulated in Article 174(c) of the Constitution, this was the idea behind devolution, namely to give self-governance powers to the people and improve their contribution in the exercise of state powers and in decision making on matters that affect them.

With regard to natural resource management, the Constitution provides the basic foundation for guaranteeing and safeguarding effective natural resource management in Kenya. For example, the Bill of Rights seeks to preserve the dignity of individuals and communities, as well as promoting social justice. Various rights and freedoms safeguarded by the new Bill of Rights have direct links to natural resources exploitation. These include respect for and protection of human dignity, right to property, right to access to justice and right to a healthy environment. The Constitution further provides for the state to use and manage the natural resources and the environment in a sustainable manner in order to benefit the public. Article 69 of the Constitution tasks the government to take measures that encourage community participation especially on matters to do with conservation of the environment in a sustainable way. Article 40 provides that an environment impact assessment must be conducted before the onset of exploration and extraction activities. The National Government is also limited in how it can conduct the extraction and exploration of oil in the interest of all Kenyans. In this spirit, various government agencies, in collaboration with the community, are supposed to take deliberate measures to make sure that biodiversity is well conserved, and to ensure that natural resources are used effectively for sustainable development.

The Environmental Management and Co-ordination Act EMECA (Amended 2015) states that every Kenyan citizen is entitled to a healthy environment. This includes the right of access to environment-related recreation facilities, including for education and spiritual purposes. The Act also provides for legal redress in the High Court of Kenya if and when citizens feel that their right to a healthy and clean environment has been violated (EMCA, Section 3(2)). This means that the oil companies and the other investors have a legal responsibility to make sure that their activities do not interfere with the community's right to a healthy environment.

In a bid to ensure community participation, EMCA gives the High Court powers through orders to halt activities that are potentially destructive to the environment. It also demands an environmental audit of ongoing activities and the ability to order restoration of the environment to its previous state and compensation of the affected individuals or communities (EMCA Section 3 (2) (3)).

However, the EMCA and particularly section 3(2) has not adequately protected the local community in Turkana as far as environment matters are concerned.

The study found that where actual oil extraction is ongoing, the oil companies, in particular Tullow Oil, has demonstrated little or no regard for the environment. The company has dug trenches and left open pits which are hazardous to people and livestock. In Lokichar Town, Tullow Oil has been seen flaring massive amount of oil gas into the air. Tullow Oil has also erected wire fences blocking off areas covering hundreds of kilometers. These are just but a few examples of how environment sustainability and conservation was bypassed despite an already existing participatory framework.

### **9.3.2 Kenya's Legal Framework for Local Content Regulation**

There is no universal definition of what constitutes "local content." However, local content can be seen to be about the development of indigenous capacities and capabilities through deliberate and planned skills and technology and even ownership transfer to citizens. According to the World Bank (2016), local content refers to the value added to the local economy resulting from the use of local resources and services in the extractive value chain. In defining local content, there are at least five critical components that are put into consideration. These are ownership, maximization of local procurement and preferences, value addition, local employment, and skills and technology transfer.

With regard to ownership, local content may involve requiring multinational oil gas and mining companies to enter into joint ventures with local firms or to open equity to local partners as a pre-requisite to obtaining mining or exploration licenses. Regarding maximizing use of local goods and services, local content involves localizing the extractive industry supply chains by sourcing from local companies. This, however, requires the locally procured goods and services to meet acceptable standards. Procuring locally also makes business sense since it is usually cheaper to produce and procure locally. That said, local procurement should be made transparent and competitive according to acceptable standards.

Value addition primarily involves putting in place policies to ensure that the extracted resources are transformed locally before being exported as this would ensure the country or local regions reap more from the resources as compared to when raw materials are transported. With regard to

local employment, any local content provision is likely to require that employment should be accompanied with the necessary training, skills development, and technology transfer to the locals. Employment procedures should be transparent and inclusive of susceptible groups such as youth, women, and people with disabilities. Local content also requires the multinational companies to invest in local research and development. This could ensure local companies are competitive as a result of using the latest technology. Involving local Kenyan universities in research and development is one effective way of developing local capacities.

The Local Content Act in Kenya is generally meant to benefit those participating in commercial activities related to the exploration, extraction, development and exploitation of oil, gas and other mineral resources in the mining sector in the country. The Local Content Bill contains provisions for various key bodies charged with various roles. These bodies include the Local Content Development Committee, the County Government, the Secretariat, and the Cabinet Secretary. The Local Content Development Committee is mandated to identify sectors in which value-addition opportunities exist along the extractive value chain, facilitate the realization of local content, ensure delivery of maximum local value addition and pursue supportive policy objectives across all policy frameworks with the view of giving effect to the law. The committee is also expected to routinely assess local capabilities and keep regular review of these capabilities. With regard to the County government, Clause 6(4) of the Local Content Bill sets out their functions which generally involve assisting local contractors and companies within the respective counties to develop their capabilities and capacities; implementing the cross-cutting policies formulated by the National Government for the implementation of local content and putting in place and monitoring measures to facilitate the implementation of local content performance by all operators in the county.

The Secretariat in the Local Content Bill is an administrative unit established under Clause 17 which is responsible for matters related to the extractives industry, essentially the technical aspect of administration of the extractives. The Cabinet Secretary has been granted a wide array of powers which range from nominating members of the Secretariat, designating the minimum local content to be applied by any operator engaging in any extractives activity under the Bill, and as captured under Clause 22(1) prescribe a methodology for determining the percentage of local content in goods and services acquired or delivered in Kenya. The Cabinet Secretary is also required to

develop a strategic plan on technology transfer which shall be included in contracts, agreements, concessions and licenses granted to an operator.

The Senate's Local Content Bill 2016 in its current form is good, but more effort needs to be made to ensure petroleum project host counties start, grow and expand their petroleum-targeted local businesses. The proposed benefit sharing formula can guide local content legislation in building an environment that enables sufficient benefit sharing to trickle down to host communities, sub-county and counties. Governments, both national and county, should promote the principles of ownership of natural resources set out under Article 62 of the Constitution, and the principles of equity in sharing of benefits accruing from natural resource exploitation set out under Article 69 guided by Article 10's stipulations on national values and principles. The county governments need structures to know, identify, count, develop, share and report on what part of the project spend belongs to locals in and in what format.

On November 2nd 2016 the Institute for Human Rights and Business (IHRB) sponsored a meeting on Local Content Development in Kenya's Extractive Sector in Turkana County which was held in Lodwer and attended by 49 people including a significant number of women. Attendees included people from the oil sector, local government, NGOs, Churches and civil society. One recommendation was that the oil companies should have MOUs with the local communities so that both sides could understand what was required.

The county governments, in assisting local contractors and companies within their respective counties to develop their capabilities and capacities, are obliged to ensure that local host communities have a place in the procurement of goods and services whose total spend equals at least 5% of the project budget. County government budgets for economic and business development should include sub-county based businesses support and facilitated to contribute to targeted supply-value chain goods and services. This is best achieved if there are legislated assurances that 20% of any petroleum project should be allocated to host county, sub-county and communities.

### **9.3.3 Challenges to Local Content Development and Implementation in Kenya**

There are various challenges to development and implementation of local content in Kenya, one of which is information asymmetry. There exists an information gap in the Kenyan market regarding the foreign investor's needs and the goods and services locally available in Kenya (Murunga, 2015). This leaves both international and local investors groping in the dark and spending large amounts of time and money trying to understand the sector and the market (Macharia, 2015). As the situation stands, investors can only access information available from the World Bank Doing Business Index and Report and the Africa Development Bank Information Centre for the Extractives Sector (ICES) launched in December 2013. Regrettably, ICES does not specifically analyze the goods and services available in Kenya. This information asymmetry needs to be addressed as a matter of priority. Another challenge in the development of the local content in Kenya is the high level of technical skills required in the oil and gas sector and often not available in Kenya (Murunga, 2015). The local companies, most of which are young, lack the capacity to provide drilling services to meet local content requirements. This is compounded by the fact that some of the technologies used in oil field services have been patented and may not be readily available to Kenyan companies.

The requirement to involve the local communities is usual in natural resource management and is not popular in Kenya, unlike in other countries such as Zimbabwe, Botswana, Guinea, Tanzania, and Indonesia which have put in place similar laws. The local communities are given supply and transportation tenders. However, lack of financial capability and poor infrastructure is a challenge that Kenya needs to meet in order to ensure that the local investors are actively involved in extractive activities. With regard to a natural resource fund, there are no such funds in Kenya but there are provisions in the Mining Bill that call for the creation of a sovereign fund managed by the Sovereign Fund Board.

### **9.3.4 Community Representation in Natural Resources Management in Turkana**

In Turkana County, the structures set up for representation of the local community in the extractive industry can be categorized into four groups: (i) Community Liaison Officers, (ii) Ad hoc Committees, (iii) the Provincial Administrators, and (iv) the Elected Political Leaders

(Legislators). It is notable that the traditional elders have not been given any formal role in oil resource management, but they are crucial in any affairs of the community.

#### **9.3.4.1 Community Liaison Officers (CLOs)**

The Community Liaison Officers are persons employed by the investor (Tullow Oil Company) whose duties are to act as the link persons between the community and the investor. As the respondents reported, these individuals have not been effective in representing the interests of the community. The study found that these representatives were under Tullow and therefore, complied with the guidelines of the company. According to the study, the selection of these representatives was highly politicized and once selected; they only represented the interests of the selected personalities who aided them in getting these positions.

#### **9.3.4.2 Ad hoc Committees**

The second category was that of the community representatives comprising ad hoc committees. These committees were established after the local community demonstrated against Tullow Oil in October 2013. The committees were elected by both the local leaders and the provincial administration, which meant that the membership of the committees included either the local leaders or their representatives. The committee's mandate was to come to an end once it either resolved the problem at hand or made its report. There would, therefore, be no continuity in this kind of representation. The respondents lamented that these committees have not adequately represented the interests of the community.

“Yes we have people to represent us but they do nothing. It is like they are given money to stay silent. They have not done anything concerning the issues facing us” (FGD participant 7, Lokichar, 2015)

#### **9.3.4.3 The Provincial Administrators as Community Representatives**

The third category of community representation is by the provincial administrators. Due to the remoteness of the county and lack of information/awareness, the local community still believes that chiefs form part of a monarchical system. This belief has resulted in the provincial

administration wielding a lot of influence on local issues. In default, therefore, the provincial administration has ended up being the representative of the people as pertains to their interests vis-à-vis that of the investor. This system of representation, as the study found, has not been effective since the officials are not accountable to the people.

#### **9.3.4.4 The Legislators Elected in the County**

The fourth and last category is representation by the elected leaders within the county for the County Government and the National Government, i.e. the Governor, the Senator, members of the National Assembly and members of the County Assembly, who act as representatives of the people as of right. Most of the concerns raised by the community are channeled through these leaders.

The people of Turkana highly respect their leaders (due to their culture which requires elders to play a critical role in shaping public opinion) and greatly believe in them. This means that, should the said leaders advance their own or partisan interests in matters concerning the investor, the entire community would follow suit. For instance, the legislators from Turkana South and Turkana East led the local community to protest over lack of opportunities they expected from Tullow Oil that could empower them economically (Khamadi, 2013). However, as it later unfolded, the leaders who were linked to the protests were accused of having vested interests in tenders awarded by Tullow, and they had organized the demonstration for their vested interests (Khamadi, 2013).

#### **10.6.5 The Traditional Elders**

Traditionally, the Council of Elders, known in Turkana as Ekitoe- Angikilok, is the prefect of morality, peace, harmony, and cohesion in the area. This is the group perceived to be suitable to best represent the interests of the community. Traditional systems that manage the utilization of natural resources are well established in Turkana and other pastoral communities. The Council of Elders is assigned the responsibility of overseeing the ownership, utilization, and management of natural resources.

It is believed that as a man ages, his status increases based on the number of age-grades he has undergone. The seniority of elders makes them almost indispensable in the general life of the communities. Therefore, the community members seek the presence or advice of elders in all

functions (Kenyatta, 1965) and in issues to do with dispute resolution. Elders hold the highest authority and safeguard customs and they thus command respect and honor both in their presence and absence. They are charged with the responsibility of decision making on matters pertaining to control and utilization of natural resources and also counseling the youth who are the implementing agents for territorial security of resources.

The community elders make all decisions regarding the time and the migration patterns of the communities based on the availability of natural resources. They set up rangelands for particular animals such as calves, goats, and sheep, kids or sick animals and they reserve pastures for supplementary feeding of livestock during droughts. The elders are also charged with the responsibility of protecting the community's natural resources against misappropriation, settling disputes and punishing those accused of misusing and mismanaging natural resources. They are also very instrumental during raiding and cattle rustling as they campaign for peace, recovery of stolen livestock, and compensation of the families of the innocent community members killed. They are key instruments for peace and they usually negotiate for peace, settle internal feuds and are act as peace emissaries during peace negotiations. However, they key role they play is in most instance compromised during raiding and cattle rustling if they are given a portion of the proceeds of the lootings.

One of the key frameworks for curbing conflicts in most African communities is the institution of elders. Conflict resolution by community elders in most African societies is guided by social/cultural principles, customs, and beliefs that are communally understood and accepted. Due to this, people are able to accept and conform to their decisions.

According to the prevailing situation in Turkana, the community elders do not play the crucial role they once did in the management of natural resources. This is as a result of frequent crises of drought which stressed the social fabric and many cases of the proliferation of arms whereby the gun-totters defy authority. The role of the elders has been further weakened by devolution and the discovery of oil in the county.

Oil exploration has led to political division in Turkana County. The Turkana County Council (TCC) had been the upholder of communal lands in Turkana and it was assigned the duty to

manage and control them on behalf of the community (Runci, 2015). After the devolved form of governance was put in place, land management was put under the County government of Turkana. Before this change in land control, the community members raised concerns that the oil companies, the national government, and other investors did not formally engage with TCC and that the council was always left out of decision making

“No one engaged with the county council members. Not the government or the oil companies. We only saw their big machines and trucks on our land” (FGD participant 4, Lokichar, 2015).

The researcher established that the Turkana County Council had raised the issue of exclusion in key decision making but with no effect. Another challenge faced by TCC at the local level was the independent moves of some TCC officials who have engaged with Tullow and the subcontractors directly and informally (Mkutu, 2014). Information about these encounters has not necessarily been shared with the TCC and there are no records, which raises concerns of abuse of positions (Mkutu, 2014). This shows that the right procedure can be overruled with ease and this raises concerns about local representation.

With the incoming of devolution, a number of political divisions have emerged in Turkana County. These divisions and confrontations have been aggravated by the oil exploration activities. A good instance of political disagreement occurred when the Turkana South openly warned the Turkana Governor not to step in his constituency (Mkutu, 2014). Although traditionally Turkana people have been unified, divisions among them have started emerging following the recent discoveries of oil, with both sides claiming that the resources belong to them (Mkutu, 2014). The study also established dominance by politicians in the management of oil resources in Turkana (Imana & Mmbali, 2016). The political elite, far removed from the realities of the people, plan and execute policies and measure their own success based on the indicators conceptualized by themselves, most of which hardly resonated with the critical needs of the community. However, when the politics of natural resources dominate discourse, the values, spirituality, and meaning the Turkana people attach to nature and to their natural resources are often ignored (Imana & Mmbali, 2016). This leads to cycles of political solutions that often don't work because they do not reflect the values of the community which are expected to honor, recognize, or comply with such solutions.

The political invention of natural resource management solutions without listening to the voice of the community and examining the beliefs and practices of the community can only be a recipe for failure (Imana & Mmbali, 2016). Policy implementation experience teaches us that government alone cannot succeed in executing policies that require compliance from the community, especially when the people feel left out, ignored, marginalized, or robbed by the government (Roskin, Cord, Medeiros, & Jones, 2006). The wisdom of governance demands that the government listens to and learns from the people in exchange for participation, compliance, and success. Thus, engaging and working with the marginalized people as development partners in policy design and implementation in the oil sector is essential for policy sustainability.

### **9.3.5 Community Perceptions of the Performance of the Community Representatives**

The community rightly expected the national and county governments to at least occasionally directly engage with them in consultations. Regrettably, this has not happened. The respondents also reported that they believed that the District Commissioner's office backed the operations of the company in disregard of the community. The respondents argued that on the other hand, Tullow has a very effective engagement platform with the county government, the national government and even the Ministry of Energy and Petroleum. According to them, oil exploration agreements are usually made with complete disregard of the locals, while the oil company signs mining concessions and related licenses and get renewals on terms that are opaque to the people. The fact is that if this situation persists, it could trigger and fuel conflict in the future.

The respondents further reported the lack of clear and sufficient information regarding oil exploration activities. Basically, the locals in general do not have any knowledge about land exploitation and mining rights and have not been enlightened on these issues.

The people expressed deep dissatisfaction with rules set for the composition of the Community Representatives in this oil exploration management. They felt that the set-up mostly comprises elites with vested interests. They have high distrust of these Representatives, believing that they are bribed by government officials and the company to push official interests and to suppress or curtail community demands.

The respondents further cited greed and corruption of a few individuals, mostly politicians, as a potential trigger of conflict in the future. FGDs participants reported that the immediate beneficiaries of oil exploration are a few greedy affluent individuals and institutions with vested interests leaving the community in darkness.

According to the respondents' views, they preferred to have only community-chosen people as their representatives in the management of oil exploration and exploitation instead of being represented by government representatives and the political elites. According to them, representation by these officials denied the community the chance to give opinions which would help to shape the management of natural resources.

“Politicians and government officials do not necessarily represent the interests, perspectives and needs of ordinary people. They only think about themselves”. (FGD participant, Kakuma Hope Women Group, January 6, 2016)

Tullow hired Community Liaison Officers (CLOs) and Village Socialization Officers (VSOs) and established various offices in different parts of the County as channels for publicizing its operations to the communities and for creating a suitable platform for the communities to request information and air their complaints. However, the community members the researcher interacted with reported that the CLOs and the VSOs working in the county actually created a barrier between the community and the company contrary to what the community expected of them.

“These officers are just poor middle-men who are greedy and who care only for themselves  
“(FGD participant 8, Akiror Youth Group, 2015)

This indicates that the community engagement method used by the companies has not worked. The people perceived a game of “divide-and-rule” in the approach of Tullow Oil whereby it employed certain community elders and leaders to act as VSOs and CLOs. The other community leaders, the non-favored elders, and community elites did not often get invited to crucial meetings. The CLOs and VSOs often met only with the favored community leaders who then briefed the community on what Tullow was doing. The respondents reported that these leaders were only used to pass communications from the company to the people but did not present the opinions and grievances of the community to the company.

“We have no one to talk on our behalf. The leaders elected by the community do not get a chance to raise our issues. Those chosen by Tullow just think for themselves”. (FGD participant 10, Turkana, 2015)

The respondents told the research team that they felt that the CLOs and VSOs were only used by Tullow to monitor and spy on the community instead of representing them.

“These officers are not of any good to the community. They do not listen to our problems.” (FGD participant 5, Turkana, 2015)

“Most of these officers are not educated and do not even know much about the government and the operations of Tullow. They only care about themselves and ignore the issues of the whole community. They don’t even care for their own families and clans”. (FGD participant 9, Arimatoi Welfare Group, 2015)

According to some respondents, it was actually hard to consult with the company since the process was long and procedural.

“We cannot go to them when there is a problem because we don’t know who to talk to. We only talk out our problems through demonstrations” (FGD participant 6, Lokichar 2015).

“It is hard to have a discussion with Tullow. The process is long and we see it as a waste of time”. (FGD participant 4, Turkana, 2015)

The local people, especially the youth were very bitter with the oil company, which they perceived as putting its stake only on friendliness with local politicians and those who were politically connected to the national government.

“If Tullow will not work with our people, it will be very, very hard for them. Personally, I do not see a positive future relationship with Tullow”. (FGD participant 6, Napeikar Farmers Youth Group, November 26, 2015).

The people in Turkana expressed the feeling that the company was being insincere by making empty promises.

“When we protest, they pretend they listen to us but they do nothing at all. They just give empty promises to cool us down”. (FGD participant 9, Lokichar, 2015).

The people stated clearly what they actually wanted, as summed up in the following:

“If they involve our people, and give us jobs and other benefits, we will give them full support. We have been marginalized for a very long time. This should be our opportunity to benefit”. (FGD participant 8, Arimatoi Women Welfare Group, September 9, 2015).

### 9.3.6 Factors Hindering Community Participation in Oil Exploitation Management

The participants were asked to indicate factors that hindered Turkana community participation in natural oil management. As shown in Table 10.1, they mentioned lack of representation in policy making process, political interference, and discrimination based on gender, tribes, and education, lack of sufficient information on participation policies, and lack of programs that could support community participation.

These findings are contrary to the provision of the Article 174(c) of the Kenyan Constitution (2010) that the public should be adequately informed on issues that affect them and that they should be well represented in policy-making on matters touching them especially management of natural resources.

**Table 10.1: Reasons for Turkana Community not participating in Crude Oil Management**

<b>Reasons for Non-Participation in Crude Oil Management</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Lack of overall community involvement in Oil management	38	21%
Lack of community elders and stakeholders’ consultation	33	19%
Local politicians’ interference	23	13%
Local discrimination against Turkana youth	20	11%
Lack of transparency in oil management	13	7%
Few programs that encourage community participation	11	6%
Discrimination based on gender	9	5%
Discrimination based on tribes	9	5%
Community elders have been sidelined	7	4%

Youth are not given priority by oil companies	5	3%
Discrimination based on education level	5	3%
Less enthusiastic about participation	3	2%
Lack of community guidelines on participation policies	2	1%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2017)**

With regard to the areas the respondents felt that Turkana people should be involved in managing their local natural resources, as shown in Table 10.2, about half of the respondents who filled the questionnaires said they would want to be involved in the crude oil management decision-making process so that they could be confident that the oil would benefit them.

A small proportion of the respondents said that they wanted to be involved in the revenue sharing decision-making process, whereas others wanted employment opportunity schemes. In addition, some respondents said they wanted to be involved in social infrastructural development planning programs as a way of developing Turkana County.

**Table 10.24: Turkana Community Participation Areas in Crude Oil Management**

<b>Areas of Interests for Turkana Community Involvement in Crude Oil Management</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Crude oil management decision-making process	91	51%
Revenue sharing decision-making process	23	13%
Youth employment opportunities	15	8%
Social infrastructural development projects	13	7%
Food for work projects	11	6%
Education initiatives	9	5%
Stakeholders decision-making inclusion	7	4%
Information sharing opportunities	5	3%
Security program	4	2%
<b>Total</b>	<b>178</b>	<b>100%</b>

**Source: Field Data (2015)**

Although security is crucial, respondents gave it little priority as an area that they thought they should be involved in. Only a very small proportion of the respondents expressed support and willingness to be involved in the security program. This is because they believed that it was the responsibility of the national and county governments to provide security to the people.

### **9.3.7 Participation of Women**

Natural resources form the basis of livelihoods and contribute significantly to the national economies of many countries (OECD, 2011). In order to fully reap the benefits accrued from natural resources, it is imperative to ensure that various groups of individuals participate actively in the management of these resources. However, globally, women and youths are not fully represented in natural resources management and they are also excessively affected by poor natural resources management as a result of cultural factors and gendered power relations that deny them access to natural resources such as land (UNEP, 2013). As the study established, the same situation holds for the Turkana. With regard to women, the field research established that owing to their gender roles in society, they were not given good platforms to participate in development agendas, political affairs, and in important social matters. In all the communities in the County, women's responsibilities were those of ensuring food production and preparation for the family in addition

to other domestic duties such as collection of water and firewood (Tulel, 2013; Wawire, 2003) As this research identified, the voice of the women in important development and political matters in the community was almost inaudible during consultations and thus there was a lack of involvement in all sorts of decision making.

“In Turkana culture, we as women are not allowed to stand or be leaders in front of men. We are not allowed to talk in any important forums”. (FGD participant 3, Arimatoi Welfare Group, 2015)

Article 27 of the Constitution of Kenya (2010) guarantees equal opportunities and non-discrimination against women. Also, other newer laws such as the Draft Community Land Bill include specific guarantees on equal treatment and non-discrimination against women (Clause 14(4) (b), Community Land Bill, 2015). However, as the study established, these provisions have not yet prompted widespread changes in the Turkana society. The oil extractive sector involves significantly fewer women at project site level signifying limited economic opportunities for them (Tulloch, 2014). This reflects typical patterns of gender-segregated roles across the extractive sector.

With regard to benefit-sharing, women’s voices were absent and they also lacked a clear understanding of the policies and procedures involved in sharing the benefits accrued from oil and other natural resources in the county. Women were usually not even given opportunities when benefit-sharing agreements were drafted which left them in the dark.

“The problem is that we as women are never given chances in discussions. We are called inferiors and our duties are just looking after our families.” (FGD Participant 6, Arimatoi Women Group, 2015)

## **9.4 Natural Resources Benefit Sharing**

### **9.4.1 The Concept and Models of Benefit Sharing**

Benefit sharing is the obligation to channel some kind of monetary or non-monetary returns back to a range of chosen participants (Nyamwaya, 2013, p. 25). These participants could be the affected

communities, source communities or source nations for natural resources exploitation. Benefit sharing can be categorized into monetary and non-monetary benefits. The former involves a portion of the cash generated from the project being redirected to the community (Nyamwaya, 2013). On the other hand, non-monetary benefits include integrating project benefits into the local system of life. This could be through livelihood restoration and enhancement as well as through community development. The key idea behind benefit sharing is to ensure that the revenues obtained from the natural resources are distributed in a manner that benefits the people concerned. It, therefore, means an obligation to channel some of the benefits created by the operation of a project back to the local communities where natural resources are exploited.

There are two bases for benefit sharing. One is benefit sharing as a matter of right and the second is benefit sharing as a means of Corporate Social Responsibility (CSR). According to Nyamwaya (2013, p. 27), the obligation to compensate the people who lose some rights such as land rights in a community due to exploitation of natural resources is not enough and organizations that exploit these resources need to do something further than just the one-off payments they make to those individuals who lose their land rights and other economic rights. They need to share extra benefits that come with developing a natural resource, such as improving livelihoods by building social amenities and schools. According to Nyamwaya, resource extraction projects can only operate when the surrounding community grants a social license to proceed.

A good instance of this is the cancellation of Metgasco's exploration license as a result of community resistance. Thousands of people protested and camped at the exploration site raising concerns that the company had failed to undertake genuine and effective community consultation (Turnbull, 2017). The protesters demanded the gas exploration company to stop its activities on the basis that fracking, a mining technique that was to be used for drilling gas, could lead to contamination of groundwater pollution of the environment. During the protests, the community members used poles and truckloads of gravel to block access to the gas exploration site and laid steel spikes on the driveway to the oil exploration site. This is a good indication that lack of community acceptance can affect the successful implementation of projects.

Sharing the benefits accrued from natural resources with the community and compensating those affected is also crucial to garnering community support. According to Nyamwaya (2013), if the

community rejects a project due to insufficient or unsuitable compensation, this can cause resistance and disruption that can negatively affect the extractive sector in the country. Therefore, benefit sharing and community involvement are vital as they foster positive attitudes towards natural resources management.

Cost redistributing and benefit sharing mechanisms with regard to natural resources exploration and management include financing, ownership arrangements, and power-purchasing agreements. Cooperation in natural resources that are perceived to be trans-boundary ranges from sharing data to joint management. This helps in creating a friendly environment that fosters wider cooperation. Effective national policy and regulatory framework are necessary for such cooperation to be realized.

#### **9.4.2 Direct Distribution of Natural Resource Revenues**

Direct distribution of revenues from natural resources has lately been recommended as a way that can be used to make sure that communities reap benefits from their natural resources, to promote democratic governance, and to curb corruption. Direct distribution of benefits to the people is attractive in nations such as Iraq and Nigeria where greedy politicians and other government officials rip off oil benefits for their own use and suppress all forms of political resistance. Regardless of the revenue sharing formula being deemed suitable, it has various challenges. For instance, when revenue is distributed directly to the people, poor spending habits may increase among the people.

Another challenge that may occur is reduced incentives to engage in entrepreneurship among the people which would further curtail the growth of the small and medium enterprises. A good instance is the case of Alaska, whereby the people received annual dividends from the oil and gas revenue through compulsory state investments in the Alaska Permanent Fund. The direct channeling of oil prospects to the people promoted a situation where the people focused on consumption rather than investment.

Another challenge faced in direct distribution of oil benefits to the people is the failure of the models used to effectively regulate those charged with the responsibility of dispersing oil proceeds

to the people, and therefore failing to make sure the state government neither mismanages nor misappropriates the funds.

Community benefit sharing as a matter of right is premised on the reality that most of the benefits from the exploitation of natural resources from rural communities go to urban communities, industries, and other national systems, while at the same time those directly affected local communities are left bearing the environmental and social costs of the project. This is despite the fact that these local communities have rights that are limited or interfered with during the process of exploiting the local resources. The local community has the right not only to be compensated for the injuries that it suffers but also that some of the benefits from the exploitation of the resource should be used not only for reparations but also as a means of improving the livelihood of the community in general. This can be in terms of better infrastructure or transferring skills to members of the local community to ensure that they also participate in the economic activity of exploiting the resource. This is the moral thing to do.

As a matter of corporate responsibility, community benefit sharing is a situation where there is no legal obligation for the people or organizations exploiting the natural resource to improve the livelihoods of the people where they are exploiting the natural resources. This is based on the argument that the exploitation of the resource does not cause any perceptible injury or damage to the local community, or that the organization that is extracting the resource has not occasioned any hindrance to the local community in enjoying their normal lives. In this case, even though the companies exploiting the resource do not have an obligation to improve the livelihoods of these communities, they, however, choose to pass on some of the benefits to the community as a matter of good business practice. This form of sharing is purely dependent on the organization's corporate social responsibility and they cannot be compelled to continue providing the same benefits in the event that they do not wish to continue doing so.

In Turkana, benefit sharing is not a matter of corporate responsibility but a matter of constitutional right. It is the right of the communities in Turkana to have a share of the prospects obtained from the oil since they have been directly affected by exploration activities through displacement and disruption of their lifestyle.

### **9.4.3 Natural Resource Funds (NRFs)**

Natural Resource Funds (NRFs), otherwise referred to as sovereign wealth funds, consist of stabilization funds, savings, and development investment funds. Stabilization funds aim at reducing the effect of volatility of commodity prices on the economy which helps in improving the predictability of budgets through stabilization of spending patterns. When prices are high, stabilization of funds helps to minimize overspending, and when the prices fall, it helps to reduce borrowing. In contrast to stabilization funds, savings funds aim to make sure that even when the natural resources are exhausted, a proportion of the wealth obtained from this sector will still be reserved for the future generations. Natural Resource Funds are found in both the developed and developing nations. These include the Oman General Reserve Fund, the State Petroleum Fund in Norway, and the Foreign Currency Reserve Account in Iran, and Nigeria's Future Generations Fund.

However, there is dramatic variation in the institutional structures and success rates of these funds. For instance, with regard to the Alaska Permanent Fund, there is high public participation in the establishment and evolution of the fund (Nyamwaya, 2013, p. 30). Public debate has affected the manner in which the oil benefits are utilized thus leading to the formation of a benefit-sharing program which entitles each Alaskan to a portion of the oil revenues. Contrary to what obtains in Alaska, there is no transparency in the Reserve Fund for Future Generations in Kuwait because neither the legislature nor the public has information about its holdings and expenditures. Other oil-producing countries such as Kazakhstan, Azerbaijan, and Chad have also implemented natural resources funds. In East Timor, the International Monetary Fund (IMF) and the World Bank have recommended a Petroleum Fund model to help in managing the expected petroleum proceeds from newly-discovered offshore reserves. In most developing countries, there is lack of effective institutions that support natural resource funds, which points to the need for effective institutions that give emphasis to transparency and accountability for natural resource funds to work effectively as designed. The fate of Chad's Oil Reserve Fund shows exactly how Africa's lack of good governance makes such funds vulnerable to greedy politicians.

Development investment funds, in this context, are statutorily established, seeded from and to be progressively replenished from the mineral resource revenue, and aimed for deployment into

specific development projects. Examples of these are Nigeria's Petroleum Technology Development Fund, Tertiary Education Trust Fund, and Infrastructure Development Fund.

#### **9.4.4 Kenya's Benefit Sharing Bill, and Other Relevant Legal Frameworks**

The Kenyan Constitution allows key responsibilities to the county governments for natural resource management which include control of air and noise pollution and other public irritants. It is the role of good governance as set out in the Constitution to make sure that natural resources are exploited equitably and sustainably (see Article 69(1) (a) ) Article 202 makes it an obligation to share benefits accrued from natural resources in an equitable and sustainable way between the national and county governments. A broad interpretation of equitable benefit sharing, in this sense, extends to include the possibility that the communities on whose land the resources are mined should get a larger share of the benefits in relation to the other Kenyans.

In Kenya, the Senate produced the Natural Resources (Benefit Sharing) Bill (2014) to provide the legal framework for sharing benefits accrued from natural resources. This Bill was meant to ensure that investments in natural resource-related areas would benefit the national economy, the county economy, and the local community. The Benefit Sharing Bill 2014 advocates for the adoption of a three-tier management structure that comprises of the National Natural Resource Council, the County Natural Resource Committee, and the Community Natural Resource Committee to govern the natural resources funds. The framework is meant to promote community engagement in the management of natural resource funds. According to Nyamwaya (2013, p. 27), this approach mirrors the country's general governance framework and promotes the constitutional aspiration of self-actualization within each administrative unit of public life. It also proposes the use of the revenues from the exploitation of natural resources at the various levels of government depending on the existing developmental priorities.

At the state level, the royalties would be used for economic stabilization programs, sustainability of natural resources, and social equity. At the county level, the royalties would be used for capacity building in civic education, entrepreneurship and budgetary financing, the realization of the objectives of devolution as articulated by Article 174 of the Constitution of Kenya, the establishment of fiscal management tools such as trust funds, and development of local programs.

At the community level, the revenue allotted is to be utilized to restore activities and projects meant for the improvement of standards of living for women, youth, the underprivileged and people with disabilities.

The equitable sharing of the proceeds from oil is outlined in the Petroleum Bill which stipulates the various percentages of revenue accrued from oil proceeds to be shared among the central government, the county government and the host community at 70%, 20%, and 10% respectively. The Petroleum Bill further states that the portion payable to the local community should be managed by a Board of Trustees formed by the county government in consultation with the local community. However, there are proposed amendments to the Petroleum Bill to slash the 10% benefits allocation to the community to 5% (Ngasike & Letting, 2017). This has caused resentment among the people in Turkana and is a potential trigger for conflict since they perceive the move as a scheme to rob them what is constitutionally owed to them. This has also been highly politicized with the opposition leadership accusing the government of a plot to rob the community of their rightful benefits.

A major shortfall of the proposed Natural Resources (Benefit Sharing) Bill 2014 is the fact that it does not address the issue of who will receive the money meant for the local community. Section 31 establishes a Local Community Benefit Sharing Forum. This is composed of five people from the community, who are mandated to represent the interests of the people of the local community at the County Benefit Sharing Committee. They are perceived as the best placed to receive the share payable to the community directly. However, this poses a challenge from the point of view of how this money will be channeled to these chosen representatives and from them to the community or to community projects.

In addition, as has happened elsewhere in Kenya, the political elites who run the County governments have been given the power to make decisions on who will constitute the Board of Trustees. If and when they have their own people on the Board, this is a clear avenue for mismanagement and theft of public funds. This makes the people feel underrepresented and oppressed, which again causes resentment. For peace and cohesion to prevail in the county, fairness in sharing of benefits from oil must prevail and must be seen to prevail. The study found that on the ground in Turkana, implementation of the law regarding the provision of oil exploration

benefits to the community only remains in theory and not in practice. Ever since the Head of State, President Uhuru, said that he would not assent to the Bill that spells out the resource-sharing formula, trouble has been looming and it is not clear how the people will finally react to this decision. For example, there have been heated debates and political confrontations as the Turkana leaders agitate for a higher allocation of the revenues from oil exploitation to the county government and the local community. The Head of State was actually pushing for the reduction of the proportion of revenue meant for the county government and the community from 10% to 5% (Senelwa, 2017). However, the political leaders have vowed to disrupt oil exploration and extraction activities if their grievances are not addressed. This, again as we see it, is a recipe for conflict in the future.

The issue of benefit sharing has also been emotive elsewhere in the world where oil extraction has been ongoing. In Indonesia, the government had to adopt a symmetrical method of sharing resources. Equity is still far from being achieved. In Iraq, just as in Kenya, there are many ambiguities in sharing resources. It is not clear who is responsible for the management of extracted oil and gas. The Central Government and the Kurdish Regional government have for a long time been involved in the dispute over the management of the oil and gas resources (Aresti, 2016, p. 10). In Nigeria, the benefit-sharing model adopted has been used for a considerable duration of time. However, despite the Niger Delta being the largest oil reservoir in Africa, it is among the least developed areas in Nigeria more because of corruption than because of the formula. In the case of South Sudan, oil has also long been a key political factor. Because the oil sector is the main source of income to the government, the sector is highly politicized and badly managed. In Sudan, just as it is in many oil-rich countries, there is very limited access to employment opportunities in the oil extraction sector. This is because the oil industry being a capital-intensive industry does not need many workers. The skilled workers in the sector are expatriates or come from outside the oil-rich areas. Not surprisingly, this has caused conflicts (Cordaid, 2014).

Kenya's Mining Bill was published in 2012 by the Ministry of Environment and Mineral Resources with an aim of revitalizing the extractive sector by making sure that there is transparency and efficiency in managing benefit sharing and resolving disputes. In October 2012, the Mining Regulations which emphasized local equity participation were established. This emphasized increased public involvement in the mining companies. According to the regulations,

every mining license should have a component of local equity participation amounting to at least 35% of the mineral rights (Nyamwaya, 2013, p. 33). The interpretation of this regulation means that at least 35% of shareholders in companies operating in the extractive sector should be Kenyans. Regarding Kenya's current benefit sharing, the Mining Bill has been criticized due to lack of a framework that fosters equitable revenue sharing and efficient waste management (Nyamwaya, 2013, p. 32).

## **CHAPTER TEN**

### **DEVOLUTION AND NATURAL RESOURCE MANAGEMENT**

#### **10.1 Introduction**

This chapter discusses the process of devolution and management of natural resources in Kenya. It covers the impact of devolution on education, health, public participation, and management of oil resources.

#### **10.2 Legal Frameworks for Devolution in Kenya**

Devolution refers to the transfer of authority for decision-making, finance, and management by the central government to the sub-national level of governance (Litvack & Seddon, 1999; Rondinelli, 1999). According to D'Arcy (2016), devolution is a more comprehensive form of governance which involves power-sharing between the national government and the subnational. This form of governance is meant to protect minorities, and promote the fair and equitable distribution of resources and it is thus seen as a way of minimizing conflicts.

The 2010 Constitution provided for the introduction of a devolved form of government. The devolved government became effective in 2013 with two levels of government created, namely the national and county governance. The key objective of decentralization was to bring the government to the people, to increase public participation on issues of public interest, to improve service delivery and quality, as well as achieve equality across the country. According to Murrissa (2008), this transfer of power from the national government to the local governments was perceived as a suitable way of increasing service delivery to the public particularly those at the grassroots levels. According to Kimenyi (2013), devolution would be a suitable tool that can be utilized in bringing power closer to the people, expanding the political space, and fostering citizen's inclusivity in governance and in decision making on matters affecting them.

Devolution led to the creation of 47 new county governments, which were charged with the responsibility of providing services that were previously the responsibility of the national government. These included health care, education, and the maintenance of local roads, among

other infrastructural facilities. The county governments are thus entitled to receive a share of national revenues in order to ensure effective provision of services to their people (Muriu, 2013). The county governments were obliged to mobilize revenue from other sources such as taxes on property and entertainment in order to further fund their operations and promote service delivery.

Under Article 216 of Kenya's 2010 Constitution, Kenya's Commission on Revenue Allocation (CRA) is the body obliged to recommend to the National Assembly the basis for equitable sharing of revenues raised nationally. The CRA is particularly obliged to make decisions on revenue sharing between the central government and the county governments and the amount of revenue that each county government is to receive. According to the laid down sharing frameworks, the national government receives 84.5% of the revenues while the county governments receive 15%. The remaining 0.5% is designated as an equalization fund. The CRA is therefore charged with the task of determining the proportion of the 15% each county will get and how the 15% is to be distributed in a fair and equitable manner (Commission on Revenue Allocation, 2017).

In line with the resource allocation formula, county governments are entitled to varying proportions of revenue in accordance with their population size, poverty rate and the size of their land area. Some 25% of the revenues are to be distributed equally among all counties since they all have some fixed costs of running their local governments (Commission on Revenue Allocation, 2017). Another 2% of revenue is offered as an incentive for fiscal responsibility and initially distributed equally among all the county governments (Commission on Revenue Allocation, 2017). Under the fiscal responsibility system, the counties that ensure that their resources are effectively mobilized and well managed are to be rewarded by winning a greater portion of the resources.

This system of the allocation of resources is simple and fosters transparency, ensures equitable sharing according to the measure of poverty and the costs of delivering services, and allocates equal shares to counties to cover the fixed costs of operating the county governments (Kandie, 2016). So far, this form of governance has ensured that a substantial portion of the national budget has been allocated to the county governments.

However, the suitability of this resource allocation formula is highly questionable. In transferring resources and assigning responsibilities to the county governments, it is necessary to evaluate the cost of the services and the capacity of the county governments to provide the services.

One of the key provisions of devolution was to foster accountability in governance and to create platforms for the public to participate in decision making in matters affecting them. According to the Article 174 of the Constitution, the main aim of the devolved form of governance is to promote the democratic process and accountability in the exercise of power and to foster public participation in the exercise of the State powers. This system of governance is equally important in promoting and protecting the rights and interests of the marginalized communities and in ensuring equitable allocation and sharing of resources.

In the spirit of devolution, it is worth pointing out that good governance is determined by the existence of a sound democratic constitution that helps the government to effectively manage its affairs, while at the same time empowering the citizens to partake in the economic, social, and political processes. With the setting up of this form of government, it was expected that it would avail equal chances to all the people through creation of conditions that would promote incorporation of their views in the governance and development matters. It was also expected that devolution would foster effective decentralization of political power to the grassroots, therefore reinforcing the legislative and administrative institutions in the country.

Public participation is very crucial in every democratic process as stipulated in Section VIII of the County Government Act. The Act offers for public participation which includes but not limited to protection and promotion of the rights of the marginalized groups and communities and their access to relevant information. To further promote citizen participation, Article 52 of the same Act provides for the establishment of the office of village administrators who are obliged to ensure and coordinate the inclusivity of the village unit in governance and development matters and to help the village unit to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level and national development. This unit forms lowest level of administration for public inclusion on the design of development matters in their areas (Bienen, 2015).

Apart from promoting public inclusivity in public matters, devolution has the capacity to empower the people to hold civic officers accountable for their decisions and conduct. Therefore, the public gets a good platform to play a watchdog role which in turn can ensure effective management of the public sector, stable and viable economic policies, and effective mobilization and utilization of public resources.

The county governments have a key role to play in the sharing of benefits in Kenya. This is partly because for this to be a success, people must benefit both individually and communally. For communal benefits such as building of infrastructure and hospitals, a well-established body is required to be in charge of such projects. In the opinion of this present study, the best-placed institution is the county since it is the administrative unit closest to the communities (Lubale, 2012). Therefore, the county governments create an important link in the transfer of benefits to the local communities. In doing so, the counties act as trustees.

Unfortunately, the county government being a political unit may be prone to political manipulations in the use of the funds meant to benefit the intended beneficiaries and misapply the monies to projects that may be picked for political expediency. If the above scenario manifests, then the gains of benefits sharing will be lost. Of importance then is to ensure that the money is spent in the way it was intended to be used. One of the ways to ensure this is by having in place a mechanism to ensure that all the projects picked by the county units reflect the immediate needs of the community. The best way to ensure that this happens, in our view, is to have in place consultative meetings between the county and the community. Section 28 of the Draft Natural Resources (Benefit Sharing) Bill 2014 establishes a County Benefit Sharing Committee. This Committee comprises the County Executive Committee Member in charge of Finance, the Chairperson of the County Assembly Committee responsible for natural resources and five persons elected by the local community representing the diversity of the local community.

This Committee is mandated to negotiate with an affected organization or organizations, monitor the implementation of projects undertaken by the County under the Benefit Sharing Agreement; determine the amount of money to be allocated to each local community from sums devolved under this Bill; convene public forums to facilitate discussions on proposed County Benefit Sharing Agreements before they are signed; convene public forums to initiate discussions on

community projects to be supported from county earnings under this Bill and to advise the County Government on projects to be supported using sums received under this Bill.

Section 31 of the Bill further establishes a Local Community Benefit Sharing Forum that comprises of five people directly elected by the community in a public gathering of the local community. The function of this forum is to negotiate with the County Benefit Sharing Committee, a local community benefit sharing agreement; identify local community projects to be funded by the money allocated to the Community by the County Benefit Sharing Committee under this Act, and to supervise the execution of projects undertaken at the local community using money devolved under this Bill.

For Turkana County, the county government has put in place various frameworks for the management of oil resources. A good example is the creation of a Ministry of Environment and Energy which is expected to assist in the development of a policy on petroleum extraction (Epuu, 2015). The Turkana County government is the custodian of communal land in the county and is charged with the responsibility of utilizing and controlling this resource on behalf of the community. A concern that the study established is that the county's predecessor (The Turkana County Council) was not engaged formally in the discussions between the oil exploration companies and central government (the Ministry of Energy) and was bypassed in the investment agreement. The Petroleum Bill (2015) has given the county government the responsibility for the management of the 20% and 5% shares of royalties to benefit the county and local people respectively

The study however established that the county government has not fulfilled its obligation as the people expected. In the disputes between the community and the companies, the county seems not to be playing its role at present, despite their mandate in development issues and their legal role as holders of community land in trust for the communities.

### **10.3 Devolution and Its Impact in the Turkana Context**

The people of Turkana have remained marginalized in the country's development process for a long period of time. As a result, their access to employment and basic services is limited (Opiyo, Wasonga, & Nyangito, 2014). With the advent of devolution, the Turkana people had high

expectations that this form of government would bring development and raise them from poverty. This form of governance was thus received with much appreciation and perceived as a blessing due to its direct benefits for the people. Based on the findings of this study, the community expected the new form of government to enhance citizen participation in development activities, and foster the achievement of social justice, inclusiveness, equity, fairness and respect for diversity in serving the people of Turkana County. The people also expected devolution to help ensure equitable sharing of national and local resources. Through this, the people at the grassroots would be in a position to effectively monitor service delivery and would also be in a position to control their sources of revenue and monitor their development effectively.

Under the previous form of government, the Turkana had suffered from increased neglect for decades whereby decisions were made at the national level, where not much was done to engage with the local people in decision-making processes which led to the formulation of policies which overlooked the needs of the people. Therefore, devolution was received with a sigh of relief by the people with so much anticipations of full engagement in development matters (Agade, 2017).

It was also expected that devolution would foster gender equality. The constitution advocates for the inclusion of both genders in government whereby the county assembly and the county executive are not supposed to constitute more than two-thirds members of the same gender (Ndereba, 2017). This provision created a good platform for women in Turkana to be included in leadership positions either through competitive processes or through appointments. This was a big boost to the women in Turkana bearing in mind that this community is culturally male-dominated with women commonly relegated to taking care of the family. The inclusion of women would thus be a big boost to opportunities for all.

Based on the findings of this study, devolution has facilitated the provision of services. The sectors the process has touched on include education, health, and public participation in development and governance. Devolution has also benefitted from the oil exploration with the major area of focus being on benefits sharing by the national government, the county government, and the host community.

### **10.3.1 Impact of Devolution on Education**

Communities in the marginalized regions in Kenya have been characterized by low literacy levels, low retention and transition rates, and limited access to basic, secondary and tertiary education. However, with the coming of the devolved form of governance, approximately four years down the line, it is apparent that this is working well despite experiencing some challenges as far as education provision is concerned. According to the respondents in this study, in Turkana, devolution was a big boost to education attainment.

“After the county government came, it brought more schools to our children in almost all the wards. Most of our children can now go to school”. (FGD participant 2, Lokichar, 2015)

“After devolution, we can get more bursaries. Our children can now easily access education as compared to the years before devolution” (FGD participant 5, Akisen Women Group, 2015)

Based on the observation of this study, there have been notable changes in pre-primary and vocational education, the two sectors that were previously neglected by the national government. Since the county government came into place, there have been remarkable infrastructural and human resource developments which have seen a number of Early Childhood Development and Education (ECDE) centers and Polytechnics being constructed. These initiatives are important because they reduce the burden on poor parents who were previously unable to raise school fees for early childhood education and polytechnics.

Notable improvements have been seen in the provision of education facilities and human resource development. Consequently, based on the current situation in the education sector, it can be concluded that such infrastructural and human resource developments in education have contributed to improved enrolment of children to pre-primary schools and hence transition to primary, secondary and tertiary levels. For instance, according to the Ministry of Education (2015), there was a massive increase in primary school enrollment from 64,456 in 2010 to 411,164 in 2014. A significant upward trend has also been observed in secondary school enrollment, a trend Turkana County had not experienced before and thus should strive to maintain and improve in order to improve the lives of and opportunities for young people.

However, regardless of the great efforts by the Turkana County government, there is still much to be done regarding education improvement. This is because Turkana County still remains among the worst performing counties in the national examinations. The key blocks according to the community members who took part in this study are poor leadership, increased corruption and misappropriation of public resources. The respondents reported that greedy leaders fiddled away resources meant for provision of education thus interfering with efforts for providing education to disadvantaged people.

“There are cases whereby opportunistic leaders do not discharge their responsibility but just engage in corruption. We the Turkana people will never be equal to the people in Nairobi and other parts of Kenya if we are ruled by these leaders”. (FGD participant 6, Akisen Women Group, 2015)

From the foregoing, it is apparent that if devolution is well managed, it can play a great role in promoting education in Turkana County and other marginalized areas.

### **10.3.2 Impact of Devolution on Health**

Section 4 of Chapter 2 of Kenya’s Constitution provides for equal access to the highest quality of healthcare available, as well as ensuring that the state is the primary duty bearer for sustained delivery (Kenyan Constitution, 2013). However, Turkana County has experienced decades of marginalization and has had one of the poorest sets of health facilities in the country. Therefore, the establishment of the decentralized form of government meant that the county government was mandated to distribute supplies and build infrastructure in ways that are most relevant to the community’s needs. To address the health needs of the communities in Turkana, the county government has ordered and has been utilizing mobile health units to act as health facilities and provide healthcare to various localities within the county during pre-scheduled time periods. These health programmes ensure health access to multiple parts of the County without the need for immediate construction of infrastructure.

According to the findings of this study, in general, Turkana County has recorded an increase in health facilities and infrastructure and in health personnel, as well as improvements in the quality of healthcare. Indicators related to resources and service provision, such as child immunizations,

births delivered at health facilities, and HIV testing have all increased after devolution was put in place, an indication that resources have been utilized to improve access to and distribution of these services (Ministry of Health, 2015). In addition, cases of treatable and preventable diseases, such as mother-child HIV transmission, malaria, and TB prevalence have also decreased. With regard to the presence of health personnel and facilities, these have also increased since decentralization was implemented (Ministry of Health, 2015). A good instance is the increased number of health facilities constructed through the Constituency Development Fund (CDF).

In general, the community members have a feeling that since the devolved form of government came in place, the quality of services in Turkana has improved. However, dissatisfaction was registered among the people, with the majority reporting that what they got was insufficient and they deserved maximum benefits from the funds allocated for health provision. They also lamented the lack of clean water which has been a problem for decades. Just as in education, they mainly blamed poor leadership and corruption as the major blocks in the provision of health services.

“We agree the County government is trying and doing a lot to provide health but not much has been achieved. We also need clean and safe water. You cannot have good health if you don’t have clean water. “(FGD participant 3, Lokichar, 2015)

The general outcry was that significant portion of the resources allocated for the provision of basic amenities including the provision of clean water ended up in the hands of a few greedy individuals who misappropriated the funds at the expense of providing services to the people. The community accused the national government of neglectful policies and the local government and politicians of more harmful intentions linked to corruption that directly affected the people. According to the respondents, with the devolved form of governance, they expected to benefit from the funds allocated to the county, but to their disappointment, nothing worthwhile has so far been done to alleviate their poverty.

“Why should live in so much poverty while our leaders have been given money to initiate? develop our county like other areas in the country? Where do they take the money? They only promise us huge projects only to realize such projects do not exist or they do not meet standards” (FGD Participant 6, Lokichar, Turkana 2015)

“If the devolution really gives money to the county and the county uses the money well, that would be good for Turkana. And for the educated and non-educated Turkana alike, there will be jobs from the oil project and the other projects” (FGD participant 2, Lokichar, 2015)

Poor management of funds meant for service delivery was among the key factors cited by the respondents as the main reason for underdevelopment and marginalization in the county. But regardless of how much the people would wish their county to develop, this has over a long time remained a stumbling block. Further, there was an outcry among the community members that the projects that have been implemented did not reflect the funds expended on them.

“We want our villages to change and develop but we do not have essential facilities like basic health facilities, yet the government gave out the money. It is our greedy leaders who do not put the funds to good use” (FGD participant 8, Turkana County, 2015).

“They promise huge projects but what we later see is not what we expected. Some projects we see are not worth the amount of money that we are told has been spent on them. This is robbery and highly unacceptable. We cannot continue to suffer like this in poverty while a few people enrich themselves”. (FGD Participant 6, Lokichar, 2015)

Based on the findings of the study, it was apparent that communities wanted to be better informed on the way the funds disbursed for development were utilized and to make sure that this was done properly. They called for education to be provided to the community particularly on good governance, responsible citizenship, decentralized funds, project identification, prioritization, monitoring and evaluation, and ways to participate in social auditing and public expenditure tracking.

“They take advantage of our low literacy levels and lack of information. We want to be informed. It is only the power of knowledge that will free our community from poverty. We want to know so that we can take the right action”. (FGD participant 8, Arimatoi Welfare Group)

Since the onset of the devolved form of governance, more than Sh50 billion has been disbursed to the county. The key argument based on the findings from the field was how it was such a large amount of money was disbursed, and yet, according to the Turkana people, only petty projects have been carried out. According to the respondents, a huge portion of the funds ended up in the hands of the corrupt individuals.

“We pay taxes and we are always willing to pay. We expect projects to be done for us and our future generations but nothing worth is done. We are tired of paying taxes when other people eat and mismanage our money”. (FGD participant 3, Turkana, 2015).

Such comments are an indication that corruption and misappropriation of funds meant for development are key issues that need to be addressed to see Turkana County progress.

However, there are positive moves, as the study documented that would certainly help the community members exercise checks on the functions of their leaders. Efforts are being made to sensitize the community in order for them to play a watchdog role and ensure that the county funds are well utilized. Through training programmes provided by Caritas, a group of social auditors was trained on how to monitor how public budget is utilized. The social auditors push for the completion of unfinished projects particularly schools and health centers. This initiative has emerged as a model for demands for accountability for other initiatives. The auditors also push the government contractors to provide projects that are up to standard and to complete the ones left uncompleted. Through a community leader, this initiative pushes for distribution of funds in the community in a more equitable manner to ensure service delivery.

### **10.3.3 Community Consultative Forums**

As documented in this study, the county government has created more participatory frameworks but the people are not always willing to participate. This is because they do not see public participation as worthwhile and fear that even if they participate in development and governance forums, their views will still be disregarded when policies are being formulated.

“Even after saying much in each forum, they do nothing. They only promise us heaven but we see nothing being done. How can I leave my job to attend the meetings? Will they give

me money or food so I won't go to sleep hungry at night?"(FGD Participant 4, Turkana, 2015).

Some NGOs provide food or transport money for attendance at meetings and this raises expectations that are not met at other meetings called by government bodies. Overall it is apparent that public inclusion and participation is still an issue that needs to be addressed. Apart from the people being given participatory platforms, there is a need for the leaders to incorporate their views during formulation of policies as this would motivate them to participate in development activities in future.

#### **10.3.4 Devolution and the Unchanged Position of Women**

As in most development issues, the position of women is essential in the discussion of oil resources. Traditionally, women are denied access to and control of financial benefits intended for the household. Payment of royalties and compensation is often given to men since they are considered as the heads of the families. This disempowers women and exacerbates the existing gender-related disparities in the county. In addition, the households headed by women do not receive royalties and compensation since it is a requirement according to the customs here that such families should have a male representative in order to benefit. This is a clear indication of the way women are disregarded and marginalized in Turkana.

The women in Turkana have not been given any chances to own land or make any decision pertaining to land ownership (Omolo, 2010). Rights linked to land ownership and utilization of other resources are still predominantly owned by men. Due to these limitations, women are denied the opportunities to attain optimal production and socio-political advancement (Omolo, 2010). The marginalization of women is further extended by the influence of cultural foundations among the communities which are determined by a local social order and traditional beliefs and practices that are purely male-controlled (Krätli, 2001). Women have no recourse against the injustices resulting from this traditional system. Though they can raise complaints to the customary elders, in practice, this occurs very rarely and there are no recorded cases of women seeking inclusion, involvement or participation in this system. All this is still persisting in this era of devolution and despite the 2010 Constitution which guarantees political rights for women.

### **10.3.5 Devolution and Oil Resources**

The 2010 Constitution requires that services are devolved and both the national and county governments ensure reasonable access to its services so far as it is appropriate (Article 6, Constitution of Kenya, 2010). Ideally, according to the United Nations Declaration on the Right of Indigenous Peoples (2007), local communities should be allowed to access natural resources for them to be able to uphold their responsibilities for future generations. If natural resources are accessed and well managed, they provide for agriculturalists' and herders' family livelihoods and the raw materials which are then processed to make products that are sold and thereby generate income without which families cannot survive in Kenya today.

Allowing communities to access and manage the natural resources in their localities would undoubtedly foster sustainable development. However, criticisms of fiscal decentralization focus on the weak capacity of the devolved governance to manage intrinsic volatility in revenue flows, and limited know-how about public financial management, planning and investments, and the fragility of financial control systems. They also point with considerable justification to the poor accountability of local authorities and widespread corruption. In addition, complete decentralization of resource rents could deny the national government the funds necessary for providing national functions and could create geographical disparity and conflict (International Finance Corporation, 2015).

In contrast, proponents argue that devolution enhances efficiency in the allocation of resources, as devolved governance can more accurately determine needs and find suitable solutions. Despite the foregoing arguments, it is vital to utilize the decentralized form of governance to empower communities and build capacity by investing accrued benefits in sustainable development projects which will last beyond the lifespan of the oil exploration and exploitation and at the same time improve the living standards of the host communities. The county governments are in a better position to identify the most viable and sustainable projects.

The principles that govern natural resource management have been enshrined in the 2010 Constitution of Kenya. Public participation allows individuals to express their views on key governmental policies and laws concerning conditions in their communities. With devolution

being implemented under the Constitution, the participation of the people in governance should make the State, its organs and institutions accountable, thus making the country more progressive and stable. The role of the courts, whose judicial authority is derived from the people of Kenya, enshrines indestructible fidelity to the value and principle of public participation. The realization of the pillars of good governance would become weak and subject to the manipulation by the forces of the status quo if the participation of the people was excluded.

In Turkana, these key participation provisions of the constitution are yet to be actualized. Long after oil was discovered, there is still an outcry among the communities of not enjoying the benefits of oil and exclusion from decision-making processes. Bad politics and poor leadership are the key reasons behind this. Of late, the issue of oil has been highly politicized especially between the leaders of the ruling coalition and the opposition movement. The oil issue was one of the campaign items that leaders used when seeking positions in the just completed general elections.

The issue that sparked mixed reactions and misunderstandings between the ruling coalition and the opposition leaders is the refusal by the President to sign into law the Petroleum Bill passed by the Parliament. According to this benefit sharing model as passed, the national government would take 70% of the oil proceeds; the county government would be allocated 20% while the host community would enjoy 10% of the oil revenues. The refusal to sign the Bill was not appealing to the people of Turkana and it was highly criticized by the opposition leaders who pledged to allocate 30% of the revenues to the County. The key argument by the opposition was that the President has not been sincere about sharing oil proceeds because he does not want Turkana to develop like other counties.

In rejecting the Bill, the President proposed drastic changes to the benefit sharing formula that had been proposed by Parliament. One of the amendments the President wanted is a reduction in the proportion of revenues to be allocated to the host community from 10% to 5%. At the same time, the President also wanted to reduce the share to be allocated to the County government from 20% to an ambiguous figure that would be determined by the National Government purportedly to cater for what he termed as an equitable share of taxes. This was not appealing to the opposition who criticized the government for attempting to place the rightful entitlements of the host communities and the County Governments at the mercy of the executive arm of the National Government. The

rejection of the Bill by the President came as a slap on the face of Turkana communities who had finally seen a realistic chance to pull themselves out from under the impact of decades of State-sanctioned marginalization and poverty.

To garner support from the Turkana people, the opposition leaders pledged that as soon as they were in office they would sign the law which would allow more county funds and better earnings from oil. When the President refused to sign the proposed bill into law, the opposition accused him, saying that the ruling coalition is only interested in the oil and has no development agenda for the people of Turkana. The move by the President was termed by the opposition as a disregard for the legislation that has been the product of negotiations and which was passed as a result of an agreement by both legislative houses. It was also referred to as an attempt to steal from communities and counties through illegitimate executive orders.

The move to cut the percentage of oil proceeds for the host community was also highly criticized by the Turkana Governor who was among the leaders campaigning for the opposition movement. The standoff between the Governor and the ruling coalition was manifested in an angry reaction by the President after the Governor criticized him as having plans to amend the Petroleum Exploration and Production Bill to deny the host communities 10% of oil revenues as earlier proposed. This accusation was not appealing to the Jubilee leaders who fired back and accused the Governor of misappropriation of over Sh40 billions of devolved funds that have been disbursed since the onset of devolution.

The refusal by the President to sign the Bill was also criticized by the Council of Governors. The Council termed the proposed amendments as a violation of the rights of the host community and the county government with regard to the equitable share of the benefits from the natural resources. According to the Council of Governors, the apportionment of the benefits accrued from the oil sector should be done in an equitable manner between the host community, the county government and the national government as it is only through this that armed insurrections can be avoided.

The oil sector suffered yet another big blow as a result of temporary halting of the Early Oil Pilot Scheme (EOPS) which was supposedly aimed at testing the market and providing early lessons for the development of Kenya's oil sector. Increased insecurity characterized by many cases of

banditry, in conjunction with other challenges such as poor infrastructure, poor planning and lack of clear and effective regulatory support is the reason for halting the scheme that was highly criticized by the opposition leaders (Kenya Civil Society Platform on Oil and Gas, 2017). This was a huge setback to the sector and to the economic progress of the nation as it was named as a key strategic project under the Vision 2030 blueprint. The scheme is set to await the enactment of the Petroleum (Exploration, Development, and Production) Bill. The commissioning of the scheme was deferred in order for the incoming parliament to address issues raised in the Presidential Memorandum on the Petroleum Bill, 2016.

This came as a big blow to the development of the petroleum sector. The commissioning is even to wait longer since the Petroleum Bill must await the formation of a new parliament, the constituting of the Energy Committee, and then it has to undergo the legislative process. The halting of the scheme is expected to lead to huge losses. For instance, the government may be faced with compensation claims resulting from a breach of contracts with companies that had been given contracts to transport crude oil from Turkana County to Mombasa. The companies that had been contracted are Oilfield Movers, Multiple Hauliers, and Prime Fuels Kenya. These companies had already made all the arrangements and they already had trucks and tankers in the oil fields ready to commence transporting of oil to Mombasa. It is unfortunate that compensating these firms would drain public funds and leave the host community poorer.

The move was also highly criticized by the Kenya Civil Society Platform on Oil and Gas (KCSPOG) based on claims that it is not economically viable and that it would see the government lose up to Sh4 billion. According to KCSPOG, poor infrastructure, high unmet anticipations from the host communities and the likelihood of election violence are some of challenges and uncertainties facing the oil sector (Kenya Civil Society Platform on Oil and Gas, 2017).

In their report, the lobby group urged the government to finalize the Petroleum Bill in a process that would foster effective public participation and to disclose any production sharing contracts related to full field development and the EOPS. The society also urged the government to reconsider the EOPS following a well-deliberated cost-benefit analysis that takes into consideration the targeted production levels and the oil price. According to the group, the signing

of the EOPs was an irresponsible move by the government that would cost the taxpayers a lot of funds.

One of the major findings of this study is that the issue of devolution and oil benefits sharing was the key issue highlighted by the respondents. According to the respondents, they are entitled to maximum benefits from the oil and other resources in the county. They expressed a strong desire for vocal leaders who would lobby for their rights as far as oil and natural resources are concerned. They believed that their wishes can be actualized if the leaders fulfilled their promises regarding oil and natural resources in Turkana. This is because the issue of oil was among the key agenda items for those aspiring for various political positions who promised to advocate for fair benefits in the sharing of oil revenues to ensure the people of Turkana benefit from the oil.

“The County and her resources belong to all of citizens here and together we have a responsibility to preserve, protect and ensure that the same resources are destined for the common good and are sparingly utilized in consideration for future generations”(Rhoda Loyer, 2015).

“Upon election as a senator, I will advocate for fair sharing of the oil revenue to ensure that my people benefit fully from the oil proceeds. I also urge the politicians to stop politicizing this matter and put the interests of the people first”. (Kaituko, Turkana County Assembly Speaker, 2016).

#### **10.4 Conclusion**

In conclusion, these study findings indicate that devolution has to some extent improved service delivery in Turkana County as there has been an increase in fiscal spending, infrastructure, and resources. As a result of devolution, the people of Turkana have been able to enjoy better health facilities, improved education, and participation in decision making. However, key challenges which have hampered development under the devolved form of governance have to be curbed for a full realization of the benefits. These challenges include poor leadership and corruption. The study has also shown that huge amounts of public resources have been lost through poor leadership and corruption and this should thus be curbed.

The issue of devolution and oil exploration was another focus area. Based on the findings of this study, the host community registered despair as to whether this resource from which they had so many expectations will ever benefit them. The study concludes that bad politics and greed are indeed factors that may for a long time hinder realization of benefits from the oil sector. This is evidenced by the high politicization of the oil issue during the elections. It can be concluded that it is only through good leadership and proper formulation of policies that the people of Turkana can benefit from this valuable resource.

## **CHAPTER ELEVEN**

### **ROLES OF NATIONAL, BILATERAL, AND MULTILATERAL AGENCIES**

#### **IN THE MANAGEMENT OF THE OIL SECTOR IN TURKANA**

##### **11.1 Introduction**

This section gives an overview of the role of the Government of Kenya and its agencies in the oil resource management in Turkana County. It then discusses the roles of bilateral and multilateral agencies supporting the sector.

##### **11.2 The National Government of Kenya (GoK) and Its Agencies**

###### **11.2.1 The Executive, the Legislative, and the Judiciary**

Each of the three arms of government has a part to play at the macro level of the extractive industry. The national government is primarily in charge of mineral resources.

The Government of Kenya is putting in place various measures to create an enabling environment for oil extraction in Turkana (Kabiru, 2013). The government is also partnering with civil society, the local communities, the oil exploration companies, and other investors to come up with all-inclusive security frameworks that are in line with the UN's guidelines on business, voluntary principles, human rights and security.

###### **11.2.2 Ministry of Energy and Petroleum**

Through the Ministry of Energy and Petroleum and other stakeholders such as the World Bank and the International Monetary Fund (IMF), the government is working to fast-track the Energy Bill and its policies to ensure there is improved natural resource management. The Ministry of Energy and Petroleum also licenses land acquisition by oil exploration companies and other oil-related activities and negotiations as guided by the National Fuels Advisory Committee. The Ministry of Energy and Petroleum also formulates policies relating to petroleum and advises the cabinet on general matters related to petroleum. It also regulates structures and technical personnel.

### **11.2.3 Ministry of Environment, Water and Natural Resources**

Through the Ministry of Environment, Water and Natural Resources, the central government facilitates good and transparent governance in the protection, conservation, restoration, and management of the environment and natural resources to make sure there is equitable and sustainable development. The Ministry has established policies, legislative and integrated planning functions which include the petroleum sector.

### **11.2.4 National Environment Management Authority (NEMA)**

The National Environmental Management Authority (NEMA) was established by the Environment Management and Coordination Act of 1999 and is charged with the responsibility for implementing policies related to the environment in Kenya. NEMA also has a duty to review environmental impact assessments in the oil extraction sector. NEMA conducts monitoring and assessments of all activities conducted by various investors and development agencies to ensure that these activities do not degrade the environment. This body also reviews environmental impact assessments in the oil extraction sector to curb pollution caused by hazardous substances and toxic wastes (GOK, 2013).

## **11.3 The World Bank Group**

### **11.3.1 The World Bank's Extractive Industry Technical Advisory Facility (EI-TAF)**

The involvement of the World Bank in Kenya's extractive sector started in 2012 by means of its Extractive Industry Technical Advisory Facility (EI-TAF). Within the EI-TAF, the World Bank provided technical assistance to the Government of Kenya (GoK) with regard to the development of terms for exploration and production contracts, identification of gaps in the current petroleum regulatory framework, and negotiation of deals that maximize the Government take from future revenues (EI-TAF, 2012). The general goal of the EI-TAF is, indeed, to assist resource-rich developing countries to set up the right institutions from the outset, particularly during licensing phases. Contract negotiation, capacity building for members of countries' negotiation teams, and technical assistance on how to implement licensing rounds are the main activities carried out under the project (EI-TAF, 2012).

### **11.3.2 The World Bank's Kenya Extractive Industries Technical Assistance Project (KEPTAP)**

In July 2014, the World Bank announced that it had approved \$50 million support funds to the Kenyan government to be used in the management of oil and gas sectors (World Bank Group, 2014). The project, called the Kenya Extractive Industries Technical Assistance Project (KEPTAP) aimed to support effective management of the oil and gas sector by the government through technical assistance, capacity building, training programs, and the creation of a legal and institutional framework (Ministry of Energy and Petroleum, 2016). According to the KEPTAP proponents, transparency and good governance in the oil sector can be safeguarded through proper cooperation between the county government, the state government where oil exploration occurs, the civil society groups, the private sector, and the host communities.

Initially, the project was designed to comprise three components (World Bank Group, 2014). One of the components is the petroleum sector reforms and capacity building. This aims at supporting the government in the implementation of a regulatory and institutional framework for the sector, and in the negotiation of petroleum deals with oil companies. The other component is the revenue and investment management reforms and capacity building. This aims at supporting the design of a fiscal framework to improve taxation of the sector and to address transparency across the value chain by assisting Kenya to become compliant with the Extractive Industries Transparency Initiative (EITI). The third component of KEPTAT is the sustainable impact of the oil and gas industry (World Bank Group, 2014). This aims at strengthening upward and backward linkages of the oil industry, in order to support local procurement of goods and services with particular attention to the inclusion of women and building knowledge and skills among Kenyans that can meet the demands of the oil industry. The World Bank Group is also one of the main supporters of the Extractive Industries Transparency Initiative and provides assistance to more than 50 countries throughout the implementation of the EITI. It also provides direct support to civil society organizations to strengthen their capacity to participate in the EITI process (World Bank Group, 2014).

The Kenya Extractive Industries Technical Assistance Project is set to end in the beginning of 2021 (KEPTAT, 2014). By then, the World Bank expects to achieve a series of targets, including

the formulation and approval of petroleum policy and legal acts, training of a number of sector institutions, the establishment of a Sovereign Wealth Fund, the development of a fiscal policy for the industry revenues, the establishment of a new regulatory body, the restructuring of NOCK, the conduction of a gender assessment, and design of a local content policy. The project has so far managed to draft the Petroleum Bill, Energy Bill, the Sovereign Wealth Fund Bill, and the formulation of a multi-year budget (Ministry of Energy and Petroleum, 2016). But as discussed above, the President refused to sign the Petroleum Bill into law even though it had been passed by both Houses of the Parliament

#### **11.4 UK Department for International Development (DFID)**

Another international organization that has played a key role in addressing issues in Turkana is the Department for International Development (DFID). In 2012 it commissioned Adam Smith International to conduct a scoping study of Kenya's extractive sector (Institute for Human Rights and Business, 2016). The objective of DFID was to support all stakeholders, including the national government and development partners, to devise an effective programme of development of Kenya's extractives sector for the benefit of all Kenyans, now and in the future. After completion of the scoping study, in September 2013, DFID launched the Kenya Extractive Industries Development Programme (KEIDP) with the key aim of supporting efforts to develop a stable, transparent and sustainable extractive industry covering oil, gas and the general mining industry that delivers inclusive benefits to Kenyan citizens (DFID, 2014).

The project team managed to support the Ministry of Mining in the formulation of the new Mining Bill, and the Ministry of Energy and Petroleum in the drafting of the proposed sector legislation, including the Petroleum Bill and particularly Local Content Regulations. The establishment of the Information Center for the Extractive Sector (ICES) was also facilitated through the project (DFID, 2014). In December 2014, DFID signed an agreement with the Turkana County Government to implement a community engagement platform, as part of the KEIDP Community Engagement Pilot Project. However, the pilot took much longer to start, due to coordination hitches and financial problems. At the end of April 2015, a kick-off meeting was finally held in Lodwar. The pilot was coordinated by Adam Smith International (ASI) and implemented by a consortium of three international NGOs, namely the Danish Demining Group (DDG) Kenya, Cordaid, and

Oxfam International. A Turkana community-based organization known as the Alemun Pastoralists Empowerment Initiative (APEI) was selected as the local implementing partner of KEIDP Turkana Community Engagement Pilot Project.

### **11.5 United Nations Development Programme (UNDP)**

The other organization that has played a notable role in Turkana is the United Nations Development Programme (UNDP). In 2014, the UNDP launched the Extractive Industries for Sustainable Development in Kenya project (UNDP Kenya, 2014). This was a two-year project whose key focus was to address three key areas of the extractive industry in the country. The main areas to be addressed by the program were: Inclusive Sustainable Growth and Human Development, Transformative Governance, and Risks and Impacts of Conflicts, Violence, and Disasters Reduced and Managed at National and County Levels. The key activities of the project included the collection and dissemination of information regarding the sector; supply chain analysis to promote the inclusion of small and medium-size national enterprises as suppliers to the industry; the development of corruption risk mitigation systems; the delivery of training to civil society organizations to promote them as industry watchdogs, and the undertaking of capacity assessments of key governance institutions in the sector, focusing on transparency and accountability (UNDP Kenya, 2014). UNDP has financed the Turkana Resource and Public Engagement Project with the aim of increasing public awareness and participation in the governance of the extractive industries in Turkana County.

### **11.6 UN Trust Fund for Human Security**

Another initiative of the United Nations is UN Trust Fund for Human Security. This is a project that seeks to foster human security in Turkana (Kumssa, 2016). The purpose of this project is to address the human security concerns of the pastoral communities that live in extreme hardship and that are vulnerable to various threats in Turkana County. The project is conducted in the UN inter-agency coordination context and the organizations that implement it include WHO, UNDP, FAO, UNICEF, ILO, and IOM. These organizations partner with local community-based organizations, local governments, the Governmental National Drought Management Authority, and peace committees (Kumssa, 2016). The project is based on assessment and consultation in the context of

the Security in Mobility initiative which promotes integrated and comprehensive interventions that link relief to development in pastoralists' communities. The main focus of this project is to strengthen the resilience of the dominant livelihoods of the communities living in Turkana and the general ASAL region in the face of the myriad natural adversities and other shocks, while providing the people there with substitute mechanisms of coping with these strategies via coordinated, sustainable interventions in the livelihoods, education, food security, and health sectors. The project is gaining ground and is providing opportunities for peaceful interactions among the communities living in this region (Kumssa, 2016).

### **11.7 UNICEF, WHO, and International Labour Organizations (ILO).**

There are other initiatives that are working towards maintenance of peace and improvement of livelihoods in Turkana and other regions in the ASALs. They include the United Nations Children's Fund (UNICEF), World Health Organization (WHO), and the International Labour Organization (ILO). The main focus of UNICEF and the ILO is increasing access to education for pre-school and school-age children from the pastoralist communities (ILO, 2013). They achieve this by implementing mobile schools and community mobilization, provision of supplies to the government's low-cost boarding schools, and improving life condition of children by addressing concerns pertaining to child labour. The WHO focuses on making sure there is access to basic healthcare for the communities in the ASALs with their main focus being on those who are the most vulnerable (ILO, 2014).

### **11.8 International Organization for Migration (IOM)**

The International Organization for Migration (IOM) is another organization that is working closely with the county government of Turkana, the local NGOs and community leaders with the main focus being the expansion of people's livelihood choices, support for diversification of livelihoods, and the improvement of human security for the people vulnerable to hardships in Turkana County and the neighboring communities in the ASALs (IOM, 2016). The organization also works towards the promotion of peace and prevention of repeated conflict cases among the targeted communities. The organization does this by providing early warning information and peace building activities. This project has managed to improve access to education, health care, and water for the susceptible

people. It has also achieved much in creating awareness of issues pertaining to child labour, safe migration, and health education (IOM, 2016). Through advocating for peaceful coexistence among the people in these regions, cases of gun injuries have reduced significantly and there is remarkable improvement of security in the areas (IOM, 2016). There has also been an increase in household income as a result of diversification of livelihoods.

## CHAPTER TWELVE

### SOCIAL SERVICES, PEACE AND ADVOCACY WORK OF CIVIL SOCIETY ORGANIZATIONS IN TURKANA COUNTY

#### 12.1 Introduction

This chapter reviews the roles of Civil Society Organizations (CSOs) in Turkana Country. Those that are in broad social services, peace, and general advocacy work are first discussed, followed by the ones that deal more specifically with issues relating to oil and other extractive resources.

Civil Society Organizations (CSOs) comprise various actors including all alliances independent from the state that interact with people (World Bank, 2006). As postulated by Paffenholz and Spurk (2010), CSOs engage in voluntary actions that are distinct from those of the state, formal political, private and economic spheres. CSOs have lately gained significance and are acting as watchdogs and think tanks across the globe. They have crucial tools that they utilize to check the excessive use of power by governments and to prevent potential interference with the enjoyment of people's rights and freedoms (Ho-Won Jeong, 2005; World Bank, 2006).

Civil Society Organizations play a crucial role in ensuring accountability in the management of revenues obtained from the natural resources. According to the World Bank (2016), CSOs have emerged as crucial actors in advocating for social services delivery and in the implementation of other development programs particularly in areas with weak government presence. The significance of civil society organizations is also emphasized by Ban Ki-moon (2009) who stated that modern times demand new and better forms of leadership, and new constellations of international collaborations, civil society, and the private sector to work together for the collective global good.

An efficient and effective civil society community is particularly vital for holding governments to principles of accountability, especially in the mining sector. The presence of a strong capable and coordinated civil society and its ability to participate in conversations regarding resource extraction are crucial factors in ensuring good governance of the extractive sector (EITI, 2014).

Calls for good governance in the mining sector have brought about an upsurge in the number of civil society groups that are concerned with extractives that operate at global, national and local levels.

The presence of a strong, capable and coordinated civil society and its ability to participate in conversations regarding resource extraction are crucially important factors in ensuring good governance in a sector that has been veiled in secrecy and exclusively managed by political elites and large corporations (Bracking, 2009). The key objective of the civil society is to hold the government accountable for the management of extractive resources (McFerson, 2010).

## **12.2 Organizations Serving in Social Services, and in Peace and General Advocacy**

There are several international organizations involved in promoting social well-being in Turkana County. They include Oxfam International, Caritas International, and the Catholic Organization for Relief and Development Aid (CORDAID), International Organization for Migration (IOM), United Nations High Commission for Refugees (UNHCR) and UNDP (is this what you meant, the UN as such does not work in countries?)

### **12.2.1 Oxfam**

Oxfam is one the non-governmental organizations actively involved in promoting the livelihoods of people in Turkana County. Oxfam is a global confederation comprising 19 organizations that work as partners with other organizations and local communities in over 90 countries worldwide. The primary objective of Oxfam is the mobilization of the power of people against poverty (Oxfam, 2017). Oxfam works across the world to help people get practical, innovative means of lifting themselves out of poverty. The organization also works hand in hand with other humanitarian organizations alongside local women and men to end the injustices that cause poverty.

Oxfam has extensive operations in Kenya. It has been actively involved in advocating for good governance and accountability. In Turkana County, Oxfam partners with Lotus Kenya Action for Development organization (LOKADO) to strengthen the knowledge of civil society representatives and enhance their professional skills in advocacy. The two organizations provide

a skills-based training programme on the promotion of democratic and accountable leadership. They also educate citizens on their constitutional powers of self-governance, legal frameworks requiring citizen participation in all aspects of county development plans, as stipulated in Kenya's 2010 Constitution and on their roles and responsibilities in democratic governance (Oxfam, 2015)

Oxfam has also been actively involved in strengthening community land rights. It applies an innovative legal empowerment technique to enable community members in Turkana to protect their land, resources, and rights while mitigating conflict. In partnership with the Kenya Land Alliance (KLA), Oxfam has been supporting the community members to attain legal protection over their land and natural resources through training and advocacy activities. Through its campaigns, about 2000 community members have been engaged in the land rights projects and have shown commitment and continuous engagement (Oxfam, 2015).

Oxfam, as a member of the Kenya Civil Society Organizations (KCSORG), has been advocating against moves by the government to restrict civil society operations in Kenya, particularly amendments to the Public Benefits Organization Act 2013. This is a progressive Act that provides for the creation and promotion of a conducive environment for civil society operations in the country. Among the activities, Oxfam has been involved in is the mobilization of county civil society participants to take part in government consultations on the proposed amendments, as well as support the documentation of the impact of CSOs on the Kenyan economy.

As became evident during fieldwork, generally Oxfam's capacity building projects have brought significant transformation to the local communities in Turkana County. The projects have also been a unifying factor within the County and have helped narrow the gap between the government and the community by offering platforms for the people to participate in governance issues.

“Oxfam has empowered us to demand our rights. We now know ways to demand inclusion in all stages of decision making and project management. We will not be intimidated by anyone anymore.” (Community elder interviewee, Lokichar, 2015)

The impact of Oxfam projects was also acknowledged by government officials. Through the training programmes conducted by Oxfam, government officials are now adopting effective

planning as to how to distribute funds disbursed by the central government and how to include the community in decision making.

“Through the training, our perspectives were changed. Currently, when funds are disbursed by the national government, we discuss the way forward on how to spend the money. At the start, we did not consult with other actors and the community on the amount of funds allocated. I can, therefore, say that the training was an eye-opener to us”. (District Development Officer, Turkana Central, 2015)

### **12.2.2 Caritas International**

Caritas International is a global union of more than 160 members whose main purpose is to support marginalized and poor communities across the world. Its headquarters are based in Rome and it is inspired by the Catholic faith to offer a helping hand and reach out to the poor, vulnerable and excluded people irrespective of race or religious affiliation. In Turkana County, Catholic Relief Services (CRS), a global humanitarian organization from the United States and a member of Caritas, has been implementing various projects to better the lives of the local communities (Caritas, 2017). For instance, the organization supports borehole projects in Lolupe in an emergency initiative to solve the hunger crisis through its contribution of \$100,000 (Caritas, 2017). The funds were used to purchase materials, cover shipping costs and recruitment of technicians, engineers, and other workers. Part of the funds was also utilized to restock the animals lost to prolonged drought.

CRS also undertakes initiatives to assist the local communities to manage what little water they have. Due to lack of troughs, the locals often open spigots and let water flow onto the ground for their livestock to drink. To solve this, CRS and diocese of Lodwar are providing troughs in Lolupe and other areas to conserve and manage water usage (Caritas, 2017). CRS in partnership with Lodwar Water and Sanitation Company, the county government and Sweet Sense Inc., an Oregon-based organization, is also digging boreholes across the County in order to increase the water supply to the local communities (Caritas, 2017).

### **12.2.3 Catholic Organisation for Relief and Development Aid (CORDAID)**

Catholic Organization for Relief and Development Aid (CORDAID) is among the largest global relief organizations with a network of about 1,000 partner organizations in Latin America, Africa, and Asia. CORDAID is a member of Caritas International and its headquarters are based in the Netherlands. The organization has expertise and experience providing aid during emergencies and in implementing development projects, partnering with state and local relief organizations and working directly with communities in addressing challenges facing them (CORDAID, 2016).

CORDAID has been implementing various projects in Turkana to ensure that the local communities are not affected by oil exploration activities and to ensure that they reap the benefits of oil. The organization has been undertaking initiatives to enhance community consultation and participation in the oil extractive sector. CORDAID implemented a six-month project to promote effective community inclusion in matters linked to oil exploration (Cordaid, 2015). This project was implemented in partnership with the Danish Demining Group (DDG) and Oxfam International and helped to promote community understanding, consultation and engagement in the extractive sector.

CORDAID also engages in community and civil society capacity building for constructive oil and gas management dialogue in Turkana (CORDAID, 2015). The initiative aims to reinforce the capacities of the local communities and the civil society organizations in order for them to participate in dialogue and call for inclusive governance and sustainable sharing of the benefits of oil. The organization also promotes community-based social assessment as a requisite for informed engagement in order to prevent the resource curse phenomenon. Through its projects, CORDAID conducts assessments to have a better understanding of the oil exploration context, livelihood systems and the effects of mining operations on the local communities in Turkana. The information gathered through the assessments creates a basis for constructive dialogue among the various stakeholders involved in the oil sector and the local communities (CORDAID, 2014).

CORDAID has also been advocating for fair benefit sharing of the oil revenues. In 2014, the organization in collaboration with a union of civil society organizations based in Turkana County conducted a baseline study with the aim of acquiring a better understanding of the expected

community effects and benefits of oil and associated stakeholder dynamics (CORDAID, 2015). Using a participatory methodology, the project marked the starting point of the organization's engagement with various stakeholders in the oil sector, the local communities, civil society organizations, the county government of Turkana, and the oil companies. In this baseline assessment, the findings indicated that a more systematic, constructive and inclusive engagement among all the stakeholders and the locals is a key necessity in order to prevent further social tensions and corruption, and also to contribute to sustainable development of the county (CORDAID, 2016).

#### **12.2.4 The International Organization for Migration (IOM)**

The International Organization for Migration (IOM) is a high-level inter-governmental union which collaborates with governmental, intergovernmental and non-governmental organizations to promote humane migration through the provision of services and advice to migrants and governments. The organization helps to promote the orderly management of migration, to foster global cooperation on issues pertaining to migration, to help get practical resolutions to migration-related concerns, and to give humanitarian aid to migrants, refugees and the internally displaced people (IOM, 2017). IOM is active in Turkana because the Kakuma Refugee Camp with some 170,000 refugees is based in Turkana County and there are continued conflicts between these refugees and their very poor hosts.

IOM has therefore extended its operations in Turkana County. In partnership with five UN agencies, the county government, local NGOs and local community leaders, IOM implemented a project worth US\$6.1 million to foster the human security of vulnerable communities in Turkana County and the neighboring communities (IOM, 2016). The project was based on assessment and consultation to foster collective and comprehensive intermediations in pastoralist communities in the context of security. The key focus of the project was reinforcing the resilience of the livelihoods of the communities of Turkana and other areas on the ASALs who are vulnerable to natural disasters and other calamities while offering other survival strategies. This was done via sustainable mediation strategies in the livelihoods, food security, education, child safety and health (IOM, 2016). Based on the pastoralist lifestyle of communities in these areas, the project was also aimed at offering opportunities for nonviolent interactions among the communities.

In addition, the project was targeted at improving human security in Loima and Turkana Central sub-counties by improving food security, livelihoods, health, education, peace building, and protection. Through this project, the communities have benefited from increased access to water, education, basic health care, increased awareness of child rights, safe migration and health education (IOM, 2016). The campaigns have also led to a reduction in gun injuries and an increase in households' income as a result of livelihood diversification.

#### **12.2.5 United Nations High Commission for Refugees (UNHCR)**

This is an international organization that is committed to protecting the lives of refugees (UNHCR, 2017). UNHCR has been implementing various projects in Turkana. The UNHCR, in partnership with the government and other humanitarian organizations, seeks to promote the independence of the refugees by assisting them to develop their individual capabilities with skills development and the establishment and development of small businesses ventures.

The organization teaches the refugees the various ways of promoting an environment that fosters access to opportunities and sustained advocacy initiatives to ensure reforms that encourage integration between the refugees and the local communities. In a bid to promote food security, UNHCR trains the refugees on ways to adopt modern technologies in agriculture such as adoption of optimal water irrigation systems that would help them increase crop production. The organization also fosters access to information and communication technologies, provides training opportunities in vocational and technical skills and improves access to entrepreneurship (UNHCR, 2017).

In 2015, UNHCR in collaboration with implementing associates helped the refugees start over 76 new business ventures. The organizations also helped in the establishment of vocational and technical training institutes. In total, around 8,300 refugees in Kakuma camp benefited from various livelihoods opportunities provided by the organization. UNHCR has also been enhancing market-driven and sustainable initiatives (UNHCR, 2017). In partnership with other charitable groups and movements, the organization carries out evaluations and supports monitoring and assessment of activities. These initiatives embrace innovation strategies in agriculture, business

development, information and communication that enable the refugees to have competitiveness in food production and also to venture into new local, regional and international markets.

Another initiative undertaken by UNHCR focuses on scaling up business development opportunities. For instance, the initiative aims at educating the people on effective financial management table banking, village saving, and lending associations through an initiative implemented in collaboration with Action Africa Help International (AAH-I) and Equity Bank. UNHCR also introduces e-Entrepreneurship opportunities with the aim to create employment opportunities for youth through creating access to online jobs and marketing of local products particularly those produced at Kakuma.

UNHCR also continues to finance and support community-based projects that aim at improving the living standards of the refugees. The organization funds projects that support education, provision of water, sanitation and health. Significantly, this initiative apart from covering Kakuma Camp also covers the administrative wards of Kalobeyei, Songot, Oropoi, Letea, and Nanam. In collaboration with Lotus Kenya Action for Development organization (LOKADO), UNHCR has managed to build a livestock sale yard, dormitories, solar-powered boreholes for the local communities. UNHCR also fosters peaceful coexistence among the refugees and the host communities.

#### **12.2.6 The United Nations Development Program (UNDP)**

This is another organization involved in improving livelihoods in Turkana County. In 2014, the UNDP in partnership with the Turkana county government carried out a rapid evaluation of development projects in Turkana County (UNDP, 2015). The key aim of this project was to address food security issues, water availability, and sanitation, among other concern. The UNDP is working hand in hand with the Turkana County government and it is assisting in the implementation of the County Integrated Development Plan (CIDP).

The UNDP Turkana County Joint Programme is in line with the Turkana CIDP and Vision 2030 Medium Term Plan II. The key aim of the project is to help the County in its development efforts in order to transform it into a thriving, peaceful, and just County where the residents will enjoy equal opportunities and where the County will be in a good position to utilize its natural and human

resources in a sustainable manner to promote high standards of living for all generations. The project mainly focuses on transformational governance, development of human capital, inclusive and viable economic progress, land management, human security, environmental concerns among other issues (UNDP, 2015).

Transformative governance is among the key areas addressed by the joint project. The project lobbies for good leadership that promotes respect for human rights and full access to justice. The project seeks to assist the county government of Turkana to design a policy and institutional framework to promote devolution, democratic involvement of the communities in development matters, and foster transparency and accountability in the county's governance (UNDP, 2015).

### **12.2.7 Friends of Lake Turkana**

Among the civil society organizations that operate in Turkana County seeking to promote the well-being of the communities living in the county is the Friends of Lake Turkana. This is a grassroots organization that was formed in 2009 with the primary objective of promoting social, economic, and environmental justice in the Lake Turkana Basin, across Kenya and Ethiopia (Friends of Lake Turkana, 2017). This organization was formed as a result of concern that the Gibe III dam in Ethiopia was being constructed on the Omo River which is shared by Kenya and Ethiopia. The concern came about as a result of the general belief that the project would endanger the indigenous economies, interfere with the ecosystem and intensify conflicts among communities (Friends of Turkana, 2017).

Friends of Lake Turkana work closely with the people of Lake Turkana and advocates on their behalf. This organization tries to attain its objectives by safeguarding and conserving Lake Turkana and its environs by promoting the rights of the communities living around Lake Turkana Basin and through fostering community participation in environmental protection policy formulation, sustainable management and wise utilization of natural resources (Friends of Lake Turkana, 2017). The organization protects the ecosystems, advocates for responsible exploration and production of oil, and strengthens inclusion of the local communities in the management of oil resources (Friends of Lake Turkana, 2017). It works closely with the communities living on the western side of Lake Turkana and helps them to understand the probable benefits,

opportunities, and threats of oil exploration and exploitation on the environment and on the livelihoods of the local communities.

The organization also conducts training sessions and creates awareness among the communities in the County. Specifically, the local communities are trained in ways to monitor and respond to the potential effects of oil exploration and exploitation on biodiversity and the environment (Friends of Lake Turkana, 2017). The organization engages various stakeholders from the Lake Turkana basin in dialogue with regard to the current status of oil exploration and production, dam construction and other key infrastructural developments in the region and on the impacts of the various development projects on the land rights, environment and culture of the local communities.

#### **12.2.8 Kituo Cha Sheria (KCS)**

Another civil society organization that is actively involved in tackling issues facing the communities in Turkana County is Kituo Cha Sheria (KCS). This is a non-governmental human rights organization that is committed to assisting the underprivileged and the impoverished people in Kenya to access justice (Kituo Cha Sheria, 2016). The organization is largely backed by development partners but it also gets support from volunteers and other advocates from different parts of the country. It was formed in 1973 by advocates who were dedicated to assisting the poor who could not afford to pay for legal services. Apart from helping the needy access justice, KCS also engages in community mobilization and organization (Kituo Cha Sheria, 2016).

In Turkana, KCS conducts fact-finding activities (Kituo Cha Sheria, 2017). The key focus of these activities is to seek an approach for addressing the insecurity issues and human injustices in the county. KCS has established the M-Haki service for the residents in order to promote access to legal information. This service uses short message service (SMS) technology to spread legal information to the residents. KCS also conducts legal aid clinics to give free legal advice to the residents in Lokichar, Kainuk, and Lodwar.

KCS also conducts advocacy work based on the Community Land Act 2016 which forms the basis of the organization's engagement with the members of local communities. This is conducted through public forums and talk-shows on a community-based radio station in Lodwar known as Radio Akicha (Kituo Cha Sheria, 2016). The Community Land Act initiated in September 2016

covers the recognition, safeguarding, and registration of community land rights and the administration and management of community land. The Act is particularly suitable for the community in Turkana, and while it offers the basis for the legal awareness and education forums, the discussions draw sharp reactions from the residents the organization interacts with in all the locations (Kituo Cha Sheria, 2016).

The organization has also been implementing projects geared towards safeguarding the environment. Working hand in hand with the MacArthur Foundation, KCS has been implementing a project that seeks to protect the local communities and the environment from the adverse effects of oil operations in Turkana County (Kituo Cha Sheria, 2017). The finding of a study conducted by the organization indicated serious human rights and environmental concerns in the oil production sector that necessitate keen consideration. Now the project focuses on issues linked to land, labor, and the environment in order to empower the local people to call for accountability and transparency in relation to oil operations in the county.

KCS also conducts paralegal training for Turkana residents. For instance, training was conducted in Lokichar in March 2015 when the sessions touched on human rights concerns, sources of the law in Kenya, the duties of Community Paralegals, the background of the Kenya's mining sector emphasizing on oil exploration and exploitation, National Energy Policy and analysis of the Petroleum Act (Kituo Cha Sheria, 2016). The paralegals were trained in drafting demand letters and the significance of such letters. The residents who attended the training were also trained in the existing laws governing land ownership in the country.

### **12.2.9 Turkana Development Organizations Forum**

Another organization actively involved in bettering the livelihoods of the people of Turkana is the Turkana Development Organizations Forum. This is a community-based organization founded in 2001 which is devoted to fostering the enjoyment of human rights and fighting for representative governance among the communities in Turkana County.

### **12.2.10 Turkana Pastoralist Development Organization (TUPADO)**

Another organization involved in the transformation of the people of Turkana is Turkana Pastoralist Development Organization (TUPADO). This is a non-governmental organization that is involved in addressing issues related to natural resource management, food security, and livelihoods improvements. To promote its goals, the organization harvests rainwater and trains the locals in contemporary dryland farming techniques. It also trains the people in reproductive health, animal health, marketing and value adding of hides and skins, and rainwater harvesting stores. The organization also resettles internally displaced people, supports disabled persons and trains the locals on HIV/AIDS behavior change communication, targeting the most at-risk populations and training communities on participatory development approaches (Turkana Pastoralist Development Organization, 2017).

### **12.2.11 Lokichogio Kakuma Development Organization (LOKADO)**

Another civil society organization actively involved in the improvement of livelihoods in Turkana is the Lokichogio Kakuma Development Organization (LOKADO). LOKADO is a community-based organization that was founded in 2003 by members from Kakuma, Oropoi, and Lokichoggio. The primary objective of this organization is to help address cross-border violent conflicts experienced among communities living in Turkana and their neighbors from Southern Sudan and Uganda. The organization has functioned as a CBO since 2007 (Lotus Kenya Action for Development Organization, 2017).

### **12.2.12 St. Peters Community Network (SAPCONE)**

St. Peters Community Network (SAPCONE) is an organization that exists to fight poverty, hunger, diseases, and illiteracy in Northern Kenya. SAPCONE has programs that address the need for rapid development with the recent discovery of oil reserves in the area.

### **12.2.13 Mass Media**

The mass media has the role of facilitating public awareness and assisting in addressing exclusion which results from a lack of information. The mass media in Kenya is not rated highly with regard to communication of information about the extractive sector. Its work is said to be characterized by the skewness of the information provided about the extractive sector (Media Council of Kenya, 2015). The stories in the media mass mostly center on the government and the mining companies and not much emphasis has been made to the local communities. Among the few articles that focused on the communities, 12% of them focused on Corporate Social Responsibility (CSR) by the multinational companies while only 6% concentrated on the conflicts involving the people (Media Council of Kenya, 2015). This indicates that the communities have the least media coverage and are poorly informed. Failure to disclosure information effectively is likely to cause tensions in Kenya are likely to be deteriorated by issues such as illegal financial flows, land grabbing, pollution, and community distrust among other concerns (MCK, 2015).

## **12.3 NGOs Specializing in Extractive Minerals Issues**

There are several organizations committed to extractive mineral matters, some of which are highlighted below.

### **12.3.1 The Kenya Civil Society Platform on Oil and Gas (KCSPOG)**

As Kenya emerges as an oil producing nation, there is a concern at the haste with which the nation is developing regulatory frameworks for the sector that is still in its early stages. There is also unease about the low level of public engagement, the likelihood for private interests to be embedded in the frameworks, and the potential for oil to create divisions among previously cohesive communities. There are also concerns regarding the threats that oil may pose to the

livelihoods of local communities, to the environment, and to security. To safeguard the interests of the citizens, the discovery of oil was accompanied by the emergence of a vibrant civil society sector working on issues of natural resource revenue management.

In Kenya, there are two civil society organization (CSO) networks that address issues linked to the extractive sector. These networks are the Kenya Civil Society Platform on Oil and Gas (KCSPOG) and Kenya Oil and Gas Working Group (KOGWG). These CSOs have worked together in pushing for policy and regulatory frameworks that uphold human rights standards and protect and promote community rights.

The Kenya Civil Society Platform on Oil and Gas (KCSPOG) was formed in February 2013. Its mission is to work towards ensuring equitable and sustainable development through the efficient and transparent management of the oil and gas extractive sector (KCSPOG, 2014). The current membership of KCSPOG is composed of 13 entities. These include international and national non-governmental organizations (NGOs), media organizations, and community-based organizations (CBOs) from two oil and gas extractive regions (KCSPOG, 2017).

The main objective of KCSPOG is to build a collective voice among the civil society, in order to increase its advocacy power in matters concerning the extractive sector. The organization engages in the formulation of policies on institutional frameworks, management of petroleum revenue, transparency and accountability, local content, land and environmental rights. The group also works towards capacity building of CSOs both at national and county levels, in the form of training in areas such as petroleum economics and general understanding of the oil and gas industry, and in facilitation of field visits for communities

As one of its achievements, KCSPOG managed to set up the Agenda for the Development of Kenya's Oil and Gas Report (KCSPOG, 2014). The report presents the Kenyan civil society's perspective on how the extractive industries should be managed in order to contribute to sustainable development in the country. According to the KCSPOG coordinator, the undertakings of the coalition have been successful since some of the issues highlighted in its report are being addressed. These include transparency, local content, and land regulations (KCSPOG, 2014).

### **12.3.2 The Kenya Oil and Gas Working Group (KOGWG)**

Another national civil society organization is the Kenya Oil and Gas Working Group (KOGWG). This is a public interest network that promotes sustainable development, transparency and accountability in the management of the oil and gas sector in Kenya (Kenya Oil and Gas Working Group, 2017). It was founded in 2009, before the oil discoveries, as an initiative of the Community Action for Nature Conservation (CANCO), in order to provide an avenue for effective stakeholder and community inclusivity and to facilitate knowledge management in oil and gas development.

The network has over forty active members drawn from community-based organizations (CBOs), civil society organizations, institutions, groups and individuals. KOGWG gets technical and financial backing from the World Wildlife Fund (WWF). So far, the KOGWG has organized various national civil society stakeholder meetings on oil and gas and established community oil and gas network nodes. KOGWG also conducts workshops and training, aimed at enhancing the capacity of civil society and the media to engage with the extractives industries. The group acts as a vehicle for sharing information at the national, county and community levels, organizing seminars, sensitization sessions, and distributing fact sheets (Kenya Oil and Gas Working Group, 2017).

### **12.3.3 The Natural Resource Governance Institute (NRGI)**

There are various global organizations that are concerned with the governance of the extractive sectors. One such organization is the Natural Resource Governance Institute (NRGI). This is an NGO that helps the local communities to realize the benefits of the extractive sectors in their nations (Natural Resource Governance Institute, 2017). NRGI seeks to ensure more efficient and transparent management of natural resources. The organization partners with government ministries, civil society organizations, legislative arms of governments, the media, and the international institutions to call for accountability and transparent governance of the extractive sectors.

The primary objective of NRGI is to improve the management of the mining industry and to foster sustainable and inclusive development (Natural Resource Governance Institute, 2017). The organization requires all countries to improve accountability and transparency in the management

of their extractive sectors in order for all people to benefit from the revenue accrued. At the global level, NRGi contributes to natural resource management through the promotion of salient governance and policies (Natural Resource Governance Institute, 2017). At the national level, NRGi focuses on domestic laws and systems and helps in capacity building in institutions for their implementation, supporting civil society organizations and other oversight institutions to come up with policy ideas, to participate in informed dialogue and hold governments accountable.

As a result of NRGi, leaders have become well equipped to make sound economic decisions that are guided by international experience and citizens' opinions, and the public benefits from more inclusive approaches to development and greater political empowerment. That leaders know what they should do, does not of course guarantee that they will avoid the temptations of corruption and avoid incitements to create laws and policies that are biased in favor of the oil and gas companies. NRGi helps in forging new and stronger alliances with the citizens and with the governments to instigate innovative mechanisms of utilizing wealth collected from natural resources to improve the livelihoods of the citizens (Natural Resource Governance Institute, 2017). Additionally, NRGi tackles huge challenges and probes deeper into strategies for fighting and curbing corruption in the extractive sector, a vice that has over a long time derailed development.

#### **12.3.4 Revenue Watch**

Another global civil society organization engaged in promoting good governance of the natural resources sector is Revenue Watch. This is a non-profit policy institute and grantmaking organization that fosters effectiveness, accountability, and transparency in the management of natural resources for the public good (Revenue Watch, 2010). The institute helps nations to realize the development benefits of the wealth accrued from natural resources through capacity building, technical support, research, financial help, and advocacy. In collaboration with other organizations such as Transparency International, Revenue Watch has focused on fostering revenue transparency in the extractive sectors since 2007 (Revenue Watch, 2010). The key objective of the organization is the promotion of good control and management of the extractive sectors through awareness creation among governments, private and state-owned corporations, and activists on the significance of revenue transparency in nations where natural resources, particularly oil and gas, contribute significantly to the economy of the nation.

The projects undertaken by the Revenue Watch include many campaigns carried out by civil society groups that seek to help resource endowed nations to realize the benefits of their natural resources and also to minimize the potentially undesirable impacts of the mining sector. Revenue Watch is a key resource for activists and policy-makers and guides their efforts to attain high levels of accountability and transparency. The organization is also a key tool used by the people, the policymakers, civil society groups and the mass media to work to gain higher standards of transparency and access to information from governments (Revenue Watch, 2010).

### **12.3.5 The Extractive Industries Transparency Initiative (EITI)**

This is an international organization that aims at promoting accountability and transparency in the management of the mining sectors in various nations (EITI, 2017). The key focus of EITI is to empower civil society groups to hold government accountable for the management of the mining industries and addresses the major governance issues in the mining sectors. It calls for information dissemination on the management of natural resources and on how benefits gained from the mining sector are shared and distributed to make sure that the citizen's benefit.

EITI also seeks to reinforce government and company systems, inform public debates and foster understanding among the people on issues pertaining to extractive sectors. It also calls for advocacy in licensing operations (EITI, 2017). In most countries with resource abundance, the governments usually enter into contracts in secrecy without informing the public. This creates a conducive environment for corruption and other fraudulent activities. EITI advocates for the release of the information linked to contracts and licenses for oil exploration and also a disclosure of the process through which licenses are awarded and transferred (EITI, 2017).

Contract transparency is crucial as it enables the public to hold the governments accountable for protecting the interests of the public. It also helps the people to hold the government and companies accountable to the terms and conditions of the contracts they sign (Resource Governance, 2010). Through this disclosure, the citizens make sure that payments approved are paid, that the environment is safeguarded and that all the obligations to the local people are met (Resource Governance, 2010). The citizens also get a suitable platform to engage in consultations with the governments and companies in an effective manner. In the absence of contract transparency, it is

very difficult for the citizens to engage in dialogue with the governments and companies on matters of concern, given the resultant lack of balance in access to information.

EITI also calls for revenue transparency in the extractive sector. In oil producing nations, considerable revenue is collected from the mining companies, including licenses fees, royalties, dividends, taxes, and, in some instances, in-kind payments. A crucial mechanism for making sure that there is transparency is through the EITI standard, which is implemented by forty-one oil producing nations. EITI advocates for the publication of company payments and government revenues accrued from the mining sector. EITI obliges member states to observe the transparency requirements of the initiative, appoint a senior representative to lead the EITI in the country, create a multi-stakeholder group consisting of representatives from the state government, industry and civil society, and to produce a yearly report prepared by a sovereign third-party, which reconciles the company payments and government revenues obtained from the mining sector.

The governments that abide by the transparency standards of EITI become EITI compliant nations. EITI gives space to monitor revenue transparency by the government, industry and civil society and fosters information flow to the public regarding revenue collection. The EITI initiative can bring noteworthy financial benefits to the countries that implement its standards. For instance, in Nigeria, EITI helped in the recovery of about US\$442 million which was part of the US\$2.6 billion owed to the government by companies involved in oil mining between 1999 and 2008 (EITI, 2016). Kenya has not yet become a member but is considering joining. This move will be a big boost for the nation in ensuring that there is transparency in the oil sector.

#### **12.3.6 Publish What You Pay (PWYP)**

Another civil society organization that is actively involved in ensuring good governance of the extractive sector is Publish What You Pay (PWYP). This is a global union of civil society organizations that advocate for accountability and transparency in the oil, gas and general mining sectors. As argued above, transparency is a vital requisite for curbing corruption and poor management of natural resources, all of which can inhibit a nation from reaping the benefits accumulated from the exploitation of natural resources (Publish What You Pay, 2017). PWYP was established in 2002 in reaction to publicity around cases of corruption and poor management of

natural resources. The coalition seeks to promote an environment where the revenues obtained from natural resources are utilized to improve the livelihoods of women, men, and youth in all resource-rich nations.

PWYP is run by a Global Steering Committee (GSC) of ten persons who are elected for three year terms at the International Coalition Strategy meeting. This committee is composed of regional representatives and donor organizations. It draws its membership from various leading international organizations that campaign for transparency in the management of natural resources (Publish What You Pay, 2017). These organizations include Natural Resource Governance Institute (NRGI), Global Witness, One Campaign, and Oxfam America. The key aim of PWYP is to ensure that the people in resource-rich nations enjoy the benefits accrued from their extractive sectors. PWYP gets most of its funds from the Hewlett Foundation and the Open Society Foundations (Publish What You Pay, 2017). It also gets financial backing from various civil society organizations and other donor institutions.

### **12.3.7 The Institute for Human Rights and Business (IHRB)**

The Institute for Human Rights and Business (IHRB) is one of the civil society organizations that contribute a lot to the management of natural resources management and improvement of the lives of the people. It was founded in partnership with the Kenya National Commission on Human Rights that engages businesses, government and civil society groups to collaboratively address key human rights issues in the East African mining industry and purposes to embed human rights and accountability through application of international and regional standards (Institute for Human Rights and Business, 2016).

The Institute for Human Rights and Business has managed to bring together businesses and civil society organizations to deliberate on human rights concerns. IHRB's policies involve consistent policy and legal analysis of the evolving legal and regulatory framework to engage the government in consolidating the integration of international and regional human rights standards. Its operations also incorporate capacity building for East Africa national human rights institutions and civil society organizations to better engage businesses and governments in attaining corporate accountability.

### **12.3.8 The Institute of Economic Affairs Kenya (IEA)**

The Institute of Economic Affairs Kenya (IEA) is a national civil society organization that offers an avenue for informed consultations and discussion in order to affect public policy making in the country (Institute of Economic Affairs, 2017). The organization was founded in 1994 with its headquarters based in Nairobi. The organization seeks to foster diversity of ideas via transparent and informed discussions on public policy issues. IEA conducts research and civic education on crucial economic and topical matters of public concerns in the country and the region and utilizes the research results to inform policy decision making (Institute of Economic Affairs, 2017).

IEA works in partnership with the World Bank, the Kenya National Commission on Human Rights, the Hans Seidel Foundation, the Kenya Institute of Policy Analysis and Research, and the Institute of Civic Affairs and Development to facilitate increased decentralization of public expenditure and to build the capacity of local governments to manage public resources effectively. These are key actions that are geared towards ensuring that public funds are appropriately utilized to benefit the citizens including those at the grassroots (Institute of Economic Affairs, 2017). To further foster civil society involvement in devising the national budget, the IEA has been releasing Citizens Alternative Budget annually for the past decade. These budgets advocate for budgetary allocations that incorporate the opinions of various citizen groups and have emerged as a popular means for involvement of various constituencies.

### **12.4 Challenges Facing CSOs in the Extractive Industry**

The ability of citizens and civil society organizations to air their opinions and participate in matters affecting them is guaranteed in the Kenyan Constitution (2010). Civil groups offer a suitable platform for policy and institutional advocacy. The civil society organizations are present in many important sectors of society such as education, health, conservation of the environment, nutrition and agriculture. Unfortunately, the civil society and lobby groups are not liked by the government or by the individuals having vested financial interests in matters affecting the citizens as they perceive these organizations as threats. Thus there are various challenges facing civil society organizations Kenya. Noticeably, there have been moves and proposals to restrict the civil society organizations access to foreign funding.

Another challenge facing civil society groups is non-inclusion in decision making. For instance, the national government has been most reluctant to involve such groups in the governance process of the oil sector. This challenge is partly as a result of a perception by the national government that the civil society organizations are against oil exploitation, and thus they do not take their recommendations seriously. Specifically, with regard to the policy and regulatory framework, the government does not seem to be concerned to receive inputs from the civil society organizations. The government does not involve the CSOs when coming up with policies and draft bills and the CSOs are only engaged at the end when decisions have been already made (Runchi, 2015). Moreover, engagement with the government seems to be largely dependent on personal relationships between members of the civic groups and the government officials. To be directly involved, contacts within ministries and the parliament are required. However, the situation is gradually improving as a result of external influence. For instance, the World Bank is really pushing the government to involve the CSOs in policy making through the government is still most reluctant.

Another issue linked to the civil society organizations in Turkana is their limited interactions with Tullow. Although NGOs have been able to interact with Tullow on various occasions, again contacts seem to be based on personal relationships between some NGOs and Tullow camps thus not allowing them to meet the company as such. The lack of an engagement platform was also admitted by Tullow representatives. As an NGO representative reported:

“We are not involved. They (Tullow) are excluding us, so that they can cooperate with politicians, and take advantage of the community” (Eliud Emeri, Bio Aloe Organization, 2015).

“Tullow has been involving community members in Turkana and other regions especially in community health where we are engaged with the Kenyan communities in the construction of the Laisamis District Hospital and the supply of piped water to Laisamis Hospital. Tullow Oil is also involved in education and skill development where we have been providing scholarships to Ministry of Energy and Petroleum and National Oil Corporation to attend training at PETRAD. In addition, we have not come up with a well-

established community engagement structure, but we have been laying out a framework for that “(Denise Okore, Tullow Oil, 2015)

Other challenges faced by the NGOs relate to information gathering and accessibility issues. Civil society organizations experience difficulties in collecting information and establishing their presence among the communities in Turkana. These challenges mostly occur due to lack of transportation, and the high cost of hiring vehicles. Moreover, the vastness of the territory and high levels of insecurity in some areas make access to communities very difficult for many organizations.

## **12.5 Conclusion**

Advocacy for transparency and accountability in the management of natural resources encourages the government and the various stakeholders in charge to foster transparency and open dialogue. Yet in most countries, particularly in Africa, including Kenya, open discussions on the extractive sector especially in relation to oil is presented as a taboo or is otherwise rejected by those who are profiting or who hope to profit from hidden deals. Often, citizens and civil society organizations pursuing transparency and accountability in the oil and the extractive sectors have risked their lives by opposing the powerful individuals and the government officials who have vested interest in the resources. In most instances, civil society and other institutions that call for transparency in the extractive sector and governance are hindered from playing their watchdog roles effectively.

However, regardless of the challenges faced by the civil society groups, it can be argued that the civil society movement in Kenya is strong and vibrant and will not easily let the government violate the rights and freedoms confirmed by the Constitution of Kenya. At least for the foreseeable future, it is hoped that the Constitution (2010) of Kenya and the judicial system will continue protecting and strengthening civil societies in Kenya. Chapter Four of the Kenyan Constitution gives strength and power to the civil society in Kenya and with judicial reforms, civil societies will continue to be a strong player in the Kenyan society.

Interfering with the operations of the civil society would pose serious challenges to the national government. Firstly, the Government of Kenya would have serious problems to find alternative employment for the thousands of Kenyans that are employed by the civil society sector, let alone

find solutions to economic challenges that would come with limiting foreign funding for NGOs. Secondly, Kenya is keen to keep foreign investment coming from Western countries and institutions for various infrastructural projects set out in its Vision 2030. Some of that foreign investment may stop coming if the government continues interfering with the work of the civil society groups devoted to transparency.

## **CHAPTER THIRTEEN**

### **CONCLUSIONS AND POLICY RECOMMENDATIONS**

#### **13.1 Introduction**

This section presents the summary of the research findings, the conclusions of the study, and policy recommendations. It begins with highlights from the major findings of the study, followed by conclusions drawn from the study that provides the main arguments developed. The recommendations are then provided towards mitigating the challenges that the study identified in oil resource management in Turkana County.

#### **13.2 Summary of the Findings**

The study sought to assess the role of community participation in natural resources management with a focus on Turkana crude oil. Oil exploration projects are supposed to be supported by the state for the economic development of the nation and the region endowed with such deposits. The oil exploration activities in Turkana have provided employment and business opportunities though mainly for non-locals, and, to a limited extent, has delivered some schools, health facilities, and wells to remote and previously impoverished areas. However, despite these benefits, there are a number of challenges associated with the oil exploration operations, some of which have resulted in repeated instances of conflict.

This study reviewed the natural resource-based conflicts in Turkana distinguishing between that antecedent to the oil discovery and the freshly emerging ones, as well as the extent to which the ongoing oil exploration has worsened the pre-existing conflicts. The study gave particular attention to whether, to what extent, and how the Turkana communities have been involved in oil exploitation management. Issues of benefit sharing and the legal framework governing natural resource management were explored. Concerns of the community members were identified as well as measures for addressing the current conflicts threatening progress in the oil exploration activities, as well as other factors that were identified as hindering the people of Turkana County from optimally benefiting from the oil resource.

### **13.2.1 Natural Resource-Based Conflicts in Turkana**

The researcher sought to establish the forms and causes of natural resource-based conflicts in Turkana County. It was noted that the County has had a long history of natural resource-based conflicts. The study identified that traditional pastoralist values and practices have played a key role in fueling acts such as cattle rustling between the Turkana and their neighbors. The sociocultural practice of cattle raiding has degenerated to a commercial activity as syndicates have emerged running murderous cartels, carrying out cross-border cattle rustling where looted animals are sold across the border, and involving small arms often purchased across the border in South Sudan, Ethiopia, and Uganda. The low presence of security forces in the region has given free range to banditry and the proliferation of small arms and light weapons.

The researcher established that the situation has been aggravated by frequent droughts, depletion of pastures and water points leading to fierce competition for the limited resources. The communities are being forced to travel far and wide in search of water and pastures, and in most cases, they come into confrontations with one another. The communities the Turkana mostly get into conflict with include the Toposa from South Sudan, the Merille from Ethiopia, the Karamoja cluster communities from Uganda, and the Pokot and the Samburu from Kenya. These conflicts have been characterized by the use of firearms resulting in multiple deaths.

The researcher identified that, among the mentioned communities, the Pokot had the most persistent conflict with the Turkana. The two communities have a long history of conflict over grazing rights which has increased the enmity between them. The enmity between the two communities has fueled raids and retaliatory attacks resulting in loss of human lives, loss of animals and destruction of property. The researcher also established that in recent years politicians on various occasions have incited their communities against their neighbors. This has particularly occurred between the Turkana and the Pokot.

All these factors have put this marginalized, underserved people into a vicious cycle of poverty. The news about the discovery of oil in Turkana was therefore received as good news and the people of Turkana County had high expectations that this oil discovery would transform their lives and lead to the provision of essential services. However, the researcher established that the community

is already deeply concerned that the trends on the ground do not suggest that their hopes in the oil exploitation and management will be realized.

As reported by the respondents, among the issues that have emerged as a result of oil exploration are displacement of communities from their land without compensation; exploration-caused environmental degradation; land grabbing by speculators; and a high influx of outsiders who being mostly better educated are more readily employable in the oil companies than the locals. Their mounting anger and bitterness is deepened by the meagerness of consultations with the community by both the county and the national governments. The respondents had voiced a general belief that the county government, the national government, and Tullow Oil, the company undertaking the exploration, have disregarded them and do not care about their welfare. The level of community participation in the ongoing Turkana oil resource management is the main issue.

Tullow Oil has been taking some measures towards creating a good relationship with the community, but its efforts have not proved effective. The majority of participants reported that the presence of Tullow Oil and oil exploration has made their lives even harder. The agitations, as the researcher established, have resulted in a number of demonstrations with the locals demanding active participation. These riots have in various instances disrupted the oil exploration activities leading to the closure of the oil sites for a short duration (Tullow, 2014).

One of the key issues raised by the community members is the lack of employment opportunities for the local communities particularly the youth. The respondents lamented that the only positions in the Tullow Oil Company that they have been given to locals are those of security officers. Being turned down in bids for supply of goods and services is also mentioned. The researcher established that the locals were left out in bids due to a lack of capacity to meet the technical, environmental, health and safety standards required in the oil industry (Tullow, 2014a:23).

Land ownership and seizure were other factors reported as triggers of the emergent conflicts in Turkana County. There is the bitterness over the mass displacement of people from government alienated lands. On the other hand, there are widespread internal squabbles over the trend towards individualization of communal lands. Traditionally, land in Turkana is communally owned. However, with the increase in sedentary lifestyles, the land has started being subdivided and

allocated to individuals for settlement. This has caused conflict among the people and if not addressed, it is likely to develop into widespread intra-community violence. Additionally, there were accusations among the community members linked to the sale of community land whereby the elders accused the young of colluding with the outsiders who are land speculators, flocking into the County. The elites and the political class were deeply implicated in this.

Another factor identified by the researcher as a trigger for the emerging forms of conflict in Turkana County is environmental degradation. The respondents reported that there has been emission of poisonous flaring gases at the oil exploration sites. According to them, these gases have caused health problems to people and to their animals. Another issue linked to environmental degradation is the contamination of underground water. During extraction, removal of underground water, which is mixed with the oil, requires safe discharge. The cumulative effect of such contaminated water may be very harmful to biodiversity.

The respondents also had an outcry against the rate of deforestation during the seismic surveys conducted by Tullow Oil and associated road construction. The community members termed this to be destruction of land which is a source of their livelihood. For instance, the trees and vegetation were sources of shade, food for the livestock, firewood, and charcoal and therefore, deforestation and clearing of vegetation meant destruction of their sources of livelihood. This caused resentment towards Tullow Oil. Furthermore, the respondents reported that during drilling activities, the resultant vibrations scared their animals. They also reported that their animals particularly the small ones were being injured by the wires erected in the field by Tullow Oil.

Still, on environmental concerns, the respondents reported that the community people had very little information regarding the environmental effects to expect from the oil exploration and any plans for mitigating such inevitable adverse effects. They also expressed doubt as to the reliability of the statutory environmental impact assessments, in deep suspicion that the officials conducting them have most probably been compromised by the oil companies.

Apart from the scramble for pastures and water points, the researcher also identified some controversies between the Pokot and the Turkana communities over the ownership of some oil blocks. One instance cited by the community members was a violent boundary dispute between

the two communities in 2015 during which about 100 lives were lost in Kainuk and Kaputir, along with the border of West Pokot and Turkana South. The local communities reported that they live in fear of more attacks from the Pokot communities who cited colonial maps and other documentation that they claimed confirmed that the oil blocks are deep within their territory. The age-old rivalry between these two communities has further been fueled by political incitements occasioned by the new issue of the oil resource. Politicians from the two communities have been mentioned as making inflammatory statements regarding the ownership of oil fields along shared borders. This, if not well addressed, is likely to lead to serious and violent confrontations.

A few cases of intra-community conflicts were also reported among the community members in Turkana South and those from the rest of the County. The participants reported that politicians from Turkana South claimed that their people should reap more benefits from oil than their counterparts from other areas of the County. These allegations are likely to trigger and fuel conflicts in the County.

### **13.2.2 Community Participation in Crude Oil Management**

Historically, Kenya has been relying on agriculture, tourism, manufacturing, and service industries as key sources of economic growth. The contribution of the extractive sector to the country's economy has been marginal, being only 0.8% of the Gross Domestic Product (GDP). However, with the discovery of oil, the contribution of the sector to the economic growth and development of the country is expected to increase significantly.

Nevertheless, many within the local communities now perceive the discovery of oil as a curse rather than a blessing. Their discontent and deep bitterness seem to stem from grossly inadequate community participation. Article 10(2) of the Kenyan Constitution stresses that citizen participation is a national value and a principle of good governance. The Constitution provides that the citizens should be involved actively in the legislative process and in projects and programs that touch their lives. This, according to the Turkana residents, is lacking in the management of the ongoing oil exploration. They reported that the Community Liaison Officers, the ad hoc committees, the provincial administrators, and the elected leaders have completely failed to

represent the interests of the community. The people believed that these officers only followed the guidelines of Tullow Oil for selfish reasons.

The respondents lamented that while Tullow Oil has a very effective engagement platform with the county government, the national government and the line ministry: the Ministry of Energy and Petroleum, the exploration company has been very poor in engaging the community. Its approaches to the people have been widely described as patronizing.

The respondents further mentioned that they highly suspected that the community representatives had been bribed by the officials of both the company and the government to stifle community expression of views and curtail the community's legitimate demands. They reported that the leaders serving as their representatives and their link to the oil company have failed in their duties to convey the grievances and opinions of the people to the company and that they did not share with the community at large the actual information they got from the company.

The researcher identified the manner in which Tullow Oil and the government has engaged with the community as being far from meeting international standards. The local communities raised complaints of a lack of consultation prior to the initial granting and subsequent periodic renewals of oil licenses to oil companies and on all oil-related contractual negotiations. This has curtailed their ability to advocate for terms that would improve their welfare (Vasquez, 2013). Embittered by this opaque approach, some community groups have turned to using aggressive means to force dialogue and defend their rights for inclusion. In this regard, best practices from Botswana on multi-faceted engagement with the community would offer useful insights for domestic adoption in the Turkana County context. Most stories in the mass media on the ongoing oil exploration focused on the oil companies and the government, with little being said about what the local communities in the mining areas were going through.

The researcher also identified issues with benefit sharing. Essentially, it is the right of the communities in Turkana to have a share of the benefits accrued from the oil. However, there have been issues revolving around unequal distribution of benefits and lack of transparency (Nyamwaya, 2013, p. 32). Measures for ensuring equitable sharing of the benefits obtained from oil are outlined in the Petroleum Bill. The Bill stipulates the various percentages of revenue

accrued from oil proceeds to be shared among the National government, the County government and the local community at 70%, 20%, and 10% respectively. However, the Executive has proposed amendments to the Petroleum Bill to slash the proportion of benefits meant for the community from 10% down to 5%, and the share for the County from 20% to 15%. This has caused dissatisfaction among the Turkana people and is a potential trigger for conflict since the local communities perceive the move as a scheme to rob them of what is constitutionally theirs.

Apart from the controversially proposed slashing of the community share, this researcher observed a gap in the benefit-sharing model presented in the Bill. While the proportion of 10% prescribed for the community is a fair share, the Bill does not specify to whom the share for the local community should be disbursed. This omission, according to the community members, is a loophole for corruption. They explained that, in a context such as this, where the political elites do not display a sense of accountability to the people, if the County government is given the role to manage the funds meant for the community, there are high chances that the community's share would not reach its destination.

With regard to local content, the researcher identified a number of challenges to its development and implementation in the County. One key obstacle to the development and implementation of local content was that the high-level technical expertise needed in the oil and gas sector is often not available in Kenya (Murunga, 2015). The extractive sector needs highly specialized labor which mainly comes from abroad. The institutional and educational preconditions for local content that oil-rich Norway and Chile have are not present in many developing countries endowed with mineral resources (Havro & Santiso, 2008). Also, the installations, both physical and technological, that are needed in the extractive sector are lacking in the host nations and are usually imported from abroad (Dougherty, 2011). For example, in Botswana, as part of corporate strategy, there are certain services that the mining companies reserve for citizen contractors, such as drilling and supply chains. However, in Kenya, most of the local companies do not have the capacity to provide drilling services to meet local content requirements.

Of immediate concern is the current low employability of the people of the local communities for even semi-skilled work in the oil industry. Virtually all the oil and gas reserves in Kenya have been discovered in the semi-arid marginalized areas where the local communities have had little

access to formal education and hence no relevant qualifications for accessing job opportunities in the oil sector. This indicates a need for mass programmes of technical capacity building through specific natural resource funds (NRFs) in two dimensions, one being a special affirmative-action technical education scheme for the locals in the mining areas, and the other for Kenyan nationals in general to cater for the technical expertise required to work at the higher levels of the oil and gas industry. The cases of educational investment funds in Nigeria provide ideas of possible routes that may be followed (Okebukola, 2011).

Another challenge to local content is information asymmetry. There exists an information gap in the Kenyan market regarding the foreign investor's needs and the goods and services available in the country (Murunga, 2015). This leaves both the local and international investors groping in the dark and spending large amounts of time and resources trying to understand the sector and the market (Macharia, 2015). As the situation stands, investors can only access information available from the World Bank Business Index and Report and the Africa Development Bank Information Centre for the Extractives Sector (ICES) launched in December 2013. Regrettably, ICES does not specifically analyze the goods and services available in Kenya.

### **13.2.3 Addressing Causes and Triggers of Turkana Resource Related Conflicts**

Incidents of violent conflicts from the side of the communities in the operational areas are the most immediate and most serious threats to oil exploration and production in Turkana County. Prior to oil discovery in 2012, inter-community conflicts were rampant in the County in the form of traditional cattle rustling among pastoralist communities, these have in recent times become more ferocious with the involvement of guns. Of particular note is that the traditional age-old rivalry between the Turkana and the immediate neighbor, the Pokot, has grown deeper. Also before the discovery of oil, the subject of individualization of land rights was a topic of debate in the pastoralist communities with respect to communal land and was growing into heated intra-community disputes, especially between the youths, the elites and the political class on the one side and the elders on the other. The ongoing oil exploration has worsened these old conflicts and has even brought new forms, as has been detailed in the foregoing sections. The study has also noted the efforts being made to curb these conflicts.

Peacebuilding and conflict resolution efforts have been intensified by the government-established District Peace Committees and by CBOs (e.g. Turkana Development Organizations Forum, Turkana Pastoralists Development Organization, Kukichogio-Kakuma Development Organization, and St Peter's Community Network), national NGOs (such as Kituo cha Sheria), international NGOs (e.g. Oxfam, Caritas, CORDAID, and IOM), and multilateral organizations (such as UNHCR, and UNDP).

Each of these organizations has taken on oil justice advocacy issues and community capacity building towards effective participation in the oil resource management. Additionally, there are some oil-justice specialized national and international NGOs who have come to serve in the County since the oil discovery. These include Kenya Civil Society Platform on Oil and Gas (KCSPOG), Kenya Oil and Gas Working Group (KOGWG), Natural Resource Governance Institute (NRGI), Revenue Watch, Publish What You Pay (PWYP), Institute for Human Rights and Business (IHRB), and Institute of Economic Affairs – Kenya (IEA-K). As noted by McFerson (2010), the key aim of these groups is to hold the government accountable for the management of extractive resources. In achievements so far, the researcher found that they have been actively involved in ensuring adherence to the institutional frameworks for petroleum revenue management, accountability, transparency and local content, land and environmental rights.

The National Government exercises statutory governance in the management of oil resources, as it does for other mineral resources, mostly through the Ministry of Environment and Energy. It works to fast-track the Energy Bill and its policies to ensure there is improved natural resource management. It is being supported by bilateral and multilateral organizations such as the World Bank Group, the International Monetary Fund (IMF), and Britain's Department for International Development (DFID).

A certain amount of control is devolved to the county government. The Turkana County Government has three key roles with regard to oil resource management. Firstly, since it took over the custodianship of the communal land from the Council of Elders, it bears direct responsibility for preventing, managing and mitigating land-related conflicts. It has the obligation of ensuring that community's interests and rights in land are safeguarded. The key concern that the researcher established was that the County authorities have sidelined the Council of Elders who have the trust

and goodwill of the people. Functionaries of the County Government are primarily politicians who are perceived to be serving the interest of the elites and the political class; hence they have been ineffective in stemming the tide of conflicts.

Secondly, the county government is the agent of the Ministry of Environment and Energy in safeguarding public interests in the locality of the site operations of the oil companies. The researcher established that the county government has not effectively fulfilled its obligation to the expectation of the people and during disputes between the communities and Tullow Oil; the county government seemed to be playing no role in mitigating the problem.

Thirdly, the Petroleum Bill (2015) has also given the county government the responsibility for the management of the 20% and 10% shares of royalties to benefit the county and local people respectively.

The Tullow Oil Company is widely perceived as the stakeholder that bears the most immediate and most crucial role in mitigating oil-related conflicts in Turkana County. The researchers observed that Tullow has taken many important measures towards improving its relationship with the communities and strengthening its operational systems for enhanced compliance with international standards. It has also undertaken steps towards addressing specific complaints raised by the people. However, the company needs to be seen to be responsive in addressing such matters on an ongoing basis.

### **13.3 Recommendations and Implications for Practice**

Based on the research findings, the following recommendations are made:

### **13.3.1 More Effective Measures for Improved Communication with the Local Communities**

#### **(a) Involving the Turkana Council of Elders**

Both the national and the county governments should ensure there are good and operational communication channels for the local communities in order for them to air their views and grievances in a better, nonviolent manner. Effective community-based strategies should be adopted for ongoing dialogue with the communities, including placing the traditional Council of Elders in the frontline in the management of natural resources and in solving natural resources- based conflicts. The community people indicated that they had much trust in the Council of Elders and would want to see them have a formal role in the community linkages with Tullow Oil Company. The County Government should make provision for this, as an urgent matter. On the other hand, means should also be found for addressing the low level of trust in formal representatives.

#### **(b) Community Enlightenment on Demands of Exploration Operations**

It is recommended that Tullow Oil keep the community well informed about such particular oil exploration operations as would arouse legitimate community concerns. This would also help the company get feedback from the community and also to know the appropriate way of managing their expectations.

### **13.3.2 Avoiding Livelihoods-Disrupting Exploration Works Approaches**

Tullow Oil should ensure that its oil exploration activities are managed in a manner that does not interfere with the prevailing livelihoods of the people. In particular, when planning and implementing construction works for roads, pipelines, and other LAPSSSET projects, due sensitivity should be accorded to prevailing community migration routes and pasture lands.

### **13.3.3 Immediate Affirmative-Action Training of Locals for Company Semi-Skilled Jobs**

As an immediate undertaking, Tullow Oil Company should establish avenues for youths in the local communities to get trained for at least semi-skilled support services in the company.

### **13.3.4 Elaboration of Benefit Sharing Mechanisms**

#### **(a) Rejection of the Proposed Reduction of Shares of the Community and the County**

Discontent was widely expressed about the amendments to the Petroleum Bill 2016 proposed by the Executive stating that the share for the local community be reduced from 10% to 5% and that for the County Government be reduced from 30% to 20%. It is recommended that this strongly expressed objection be considered by the Legislature.

Based on the findings, the researchers stand is that the people of Turkana really deserve to benefit from the oil discovered in their county. They have suffered from decades of marginalization and poverty and the discovery of this valuable resource was supposed to be a blessing to them. In the researcher's view, the proportions of the benefits meant for the community and the county should not be slashed. The government should ensure that the people there get what they really deserve and to make sure that the revenues are well managed to benefit the people of Turkana. In addition, the government should allocate more funds to the county in a bid to lift the county lift the Turkana people out of poverty.

#### **(b) Establishment of Development Intervention Funds**

The Legislature should establish specific development investment funds, to be seeded and replenished from the oil revenues. In particular, there should be Education Development Funds for developing local technical staff to provide human resources local content in the oil industry, both specifically for affirmative-action, middle-level technical training of indigenes of the local communities, and for the higher technical oil-industry-specific training of nationals in general.

### **13.3.5 Addressing the Issue of Water Shortage**

#### **(a) Water-Development Interventions by Tullow Oil**

Tullow Oil Company should upscale the water-development interventions that it has been undertaking. The people indicated that the company would need to adopt more transparent approaches to these activities and also to spread the wells more equitably.

### **(b) Prioritize the Aquifers Water Development Projects along with Petroleum Mining**

The national government should treat as of topmost priority quality testing and the appropriate exploitation of the large aquifers discovered in Turkana County in order to accelerate and improve water availability and access to the people.

### **13.3.6 Establishment and Enforcement of Environmental Protection Regulations**

The national government should put in place strong environmental regulations and ensure strict compliance to prevent environmental pollution resulting from oil spills and flaring gases.

### **13.3.7 Ensuring of Land Justice**

The government should address the issue of land rights to prevent the local communities from losing their land and to ensure there is proper compensation in case of loss of land. Local communities should be protected from exploitative land grabs by outsiders

### **13.3.8 Intensifying Ongoing Peace Building Interventions**

#### **(a) Community Conscientization on Inter- and Intra-Community Conflicts**

Peace advocacy civil society organizations should intensify community conscientization activities, raising awareness and understanding of how to employ effective non-violent means of expressing views and airing grievances.

#### **(b) Intensifying of Ongoing Dialogues between the Turkana and the Pokot**

To boost security and to promote peaceful coexistence, the government should facilitate regular inter-communal peace meetings, particularly between the Turkana and the Pokot.

#### **(c) Scaling Up Government Security Services in the County**

The national government should increase security posts and beef up the presence of security agents in the County. Great care should be taken in the selection and training of security staff to ensure

their honesty and minimal use of violence to ensure that their presence does not aggravate the situation.

If all the stakeholders take these recommendations seriously, it is expected that the oil sector will considerably benefit the people of Turkana County and the whole country at large.

## References

- Abel, N., & Blaikie, P. (1986). Elephants, people, parks and development: the case of the Luangwa Valley, Zambia. *Environmental Management*, 10(6), 735-751.
- Abraham, K. S. O. (2012). *Kenya at 50: Unrealized rights of minorities and indigenous peoples*. Minority Rights Group International Report. Retrieved from [http:// www.refworld.org/docid/525fc0ce4.html](http://www.refworld.org/docid/525fc0ce4.html)
- Africorp. (2016). *2015:When the going gets tough....* Retrieved from AFRICA OIL CORP: [http://www.africaoilcorp.com/i/pdf/2016-03\\_AOICP.pdf](http://www.africaoilcorp.com/i/pdf/2016-03_AOICP.pdf)
- Agade, K. M. (2017). Oil and emerging conflict dynamics in the Ateker Cluster: The case of Turkana, Kenya. *Nomadic Peoples*, 21(1), 34-62.
- Agrawal, A. (2001). Common property institutions and sustainable governance of resources. *World Development*, 29(10), 1649-1672.
- Agustina, C. D., Arze del Granado, J., Bulman, T., Fengler, W., & Ikhsan, M. (2008, September) *Blackhole or black gold: The impact of oil and gas prices on Indonesia's public finances*, Policy Research Working Paper 4718. Washington, DC: World Bank..
- Akumu, W. (2013). Tullow Oil's woes in Turkana expose the soft underbelly of EA. *The East Africa*, p. 9.
- Alao, A. (2007). *Natural resources and conflict in Africa: The tragedy of endowment* (Vol. 29). Rochester, USA: University of Rochester Press.
- Al-Salem, W., Herricks, J. R., & Hotez, P. J. (2016). A review of visceral leishmaniasis during the conflict in South Sudan and the consequences for East African countries. *Parasites & vectors*, 9(1), 460.
- Alexander, J., & McGregor, J. (2000). Wildlife and politics: Campfire in Zimbabwe. *Development and Change*, 31(3), 605-627.

- Allen, C. (1999). Warfare, endemic violence & state collapse in Africa. *Review of African Political Economy*, 26(81), 367-384.
- Anastasiadou, S. (2011). Reliability and validity testing of a new scale for monitoring attitudes toward learning statistics with technology. *Accta Didactica Napocensia*, 4(1), 1-10.
- Anastasiadou, S., & Anastasiadis, L. (2011a). Reliability and validity testing of a new scale for monitoring attitudes toward electronics and electrical constructions subject. *International Journal of Applied Science and Technology*, 1-10.
- Anastasiadou, S., & Karakos, A. (2011b). The beliefs of electrical and computer engineering students regarding computer programming. *The International Journal of Technology, Knowledge and Society*, 7(1), 37-52.
- Annegret, M., Miriam, S., & George, S. (2011). *Conflict prevention through natural resource management? A comparative study*. German Institute of Global and Asian Studies, Working Paper no. 158. Retrieved from [www.gigahumburg.de/workingpapers](http://www.gigahumburg.de/workingpapers).
- Aredo, D., & Anne, A. (2004). The root causes of conflict among the Southern pastoral communities of Ethiopia. A case study of Borana and Degodia. OSSREA.
- Aresti, M. (2016). *Oil and gas revenue sharing in Bolivia*. New York: Natural Resource Governance Institute.
- Armitage, D. (2005). Adaptive capacity and community-based natural resource management. *Environmental Management*, 35(6), 703-715.
- Aukot, E. (2003). "It is better to be a refugee than a Turkana in Kakuma": Revisiting the relationship between hosts and refugees in Kenya. *Refuge: Canada's Journal on Refugees*, 21(3).
- Aulenbach, D. B. (1967). Water--Our Second Most Important Natural Resource. *BC Indus. & Com. L. Rev.*, 9, 535.

- Auty, R. (1993). Sustaining development. In Birdsall & F. Jasperson (EDs.), *Pathways to mineral economies: The resource curse growth: Comparing East Asia and Latin Thesis*. London: Routledge.
- Ballet, J., Kouamékan, J. M. K., & Komona, K. B. (2009). Co-management of natural resources in developing countries: The importance of context. *Économie Internationale*, 4, 53-76.
- Bannon, I., & Collier, P. (2003). Natural resources and conflict: What we can do. *Natural Resources and Violent Conflict*, 1-16.
- Bannon, I., & Collier, P. (2003). *Natural resources and violent conflict: Options and actions*. Washington, DC: World Bank.
- Barrett, C. B., Lee, D. R., & McPeak, J. G. (2005). Institutional arrangements for rural poverty reduction and resource conservation. *World Development*, 33(2), 193-197.
- Basedau, M., & Lay, J. (2009). Resource curse or rentier peace? The ambiguous effects of oil wealth and oil dependence on violent conflict. *Journal of Peace Research*, 46(6), 757-776.
- Basedau, M., & Lay, J. (2009). Resource curse or rentier peace? The ambiguous effects of oil wealth and oil dependence on violent conflict. *Journal of Peace Research*, 46(6), 757-776.
- BBC. (2013). *Kenya aquifers discovered in dry Turkana region*. Retrieved from BBC News: <http://www.bbc.com/news/science-environment-24049800>
- Bellows, J., & Miguel, E. (2009). War and local collective action in Sierra Leone. *Journal of Public Economics*, 93(11), 1144-1157.
- Béné, C., Belal, E., Baba, M. O., Ovie, S., Raji, A., Malasha, I., ... Neiland, A. (2009). Power struggle, dispute and alliance over local resources: Analyzing 'democratic' decentralization of natural resources through the lenses of Africa inland fisheries. *World Development*, 37(12), 1935-1950.

- Bennett, J. (2002). Multinational corporations, social responsibility and conflict. *Journal of International Affairs*, 393-410.
- Binningsbø, H. M., & Rustad, S. A. (2010). Sharing the wealth: A pathway to peace or a blind Alley. Unpublished paper.
- Blackstock, K. (2005) A critical look at community based tourism. *Community Development Journal* 40(1), 39–49.
- Blaikie, P. (2006). Is small really beautiful? Community-based natural resource management in Malawi and Botswana. *World Development*, 34(11), 1942-1957.
- Boamah-Gyau, K. (2008). *The socio-cultural and economic impact of refugees on the host indigenous communities in West Africa: A case study of Liberian refugees at Buduburam community in Ghana* (Unpublished master's thesis). Universitetet i Tromsø, Tromsø.
- Borrini-Feyerabend, G., Farvar, M. T., Renard, Y., Pimbert, M. P., & Kothari, A. (2013). *Sharing power: A global guide to collaborative management of natural resources*. Routledge.
- Boschini, A. D., Pettersson, J., & Roine, J. (2007). Resource curse or not: A question of appropriability. *The Scandinavian Journal of Economics*, 109(3), 593-617.
- Brauch, H. G., Spring, Ú. O., Mesjasz, C., Grin, J., Dunay, P., Behera, N. C., ... & Liotta, P. H. (2008). *Globalization and environmental challenges: Reconceptualizing security in the 21st Century (Hexagon Series on Human and Environmental Security and Peace, Band 3)*. Berlin: Heidelberg.
- Breytenbach, B. (2007). *Imagine Africa. What are the chances for democracy?* (pp. 374-384). Nomos Verlagsgesellschaft mbH & Co. KG.
- Breytenbach, W. J. (2002). Is there an easy explanation for the continent's resource wars'? Rulers, rebels and mercantilists. *Africa Insight*, 32(2), 1-3.

- Bryant, R. L., & Jarosz, L. (2004). Ethics in political ecology: A special issue of political geography: introduction: Thinking about ethics in political ecology.
- Buckles, D. (Ed.). (1999). *Cultivating peace: Conflict and collaboration in natural resource management*. IDRC.
- Burton, L. (2004). *Mathematicians as enquirers: Learning about learning mathematics*. 8New York: Springer.
- Business Daily. (2014). *Turkana locals take lion's share of Tullow jobs*. Retrieved from Business Daily: <http://www.businessdailyafrica.com/Turkana-locals-take-lion-s-share-of-Tullow-jobs/-/539552/2469114/-/4fynp0/-/index.html>
- Butler, C. K., & Gates, S. (2010). 'African range wars'. Royal Norwegian Society of Sciences and Letters 250th Anniversary Conference, Trondheim, Norway, 21-24.
- Cahn, M. (2002). Sustainable livelihoods approach: concept and practice. *Massey University*, 20-12.
- CARITAS. (2017). *Overcoming drought in Kenya*. Retrieved from CARITAS: <http://www.caritas.org/2017/06/overcoming-drought-in-kenya/>
- Chandran, E. (2004). Research methods: A quantitative approach with illustrations from Christian ministries. Nairobi: Daystar University.
- Chevalier, J. M., & Buckles, D. (1999). *Conflict management: A heterocultural perspective*. *Cultivating peace: Conflict and collaboration in natural resource management*. International Development Research Centre, Ottawa, Canada, 13-41.
- Child, B., & Barnes, G. (2010). The conceptual evolution and practice of community-based natural resource management in southern Africa: Past, present and future. *Environmental Conservation*, 37(3), 283-295.

- Cogan, A., & Sharpe, S. (1986). The theory of citizen involvement. *Planning analysis: The theory of citizen participation*.
- Collier, P. (2000). Doing well out of war: An economic perspective in greed and grievance: Economic agendas in civil wars. Berdal, M & Malone, M. International Peace Acad.
- Collier, P., & Hoeffler, A. (1998). On economic causes of civil war. *Oxford Economic Papers*, 50(4), 563-573.
- Collier, P., & Hoeffler, A. (2001). Data issues in the study of conflict. *Identifying Wars: Systematic Conflict Research and Its Utility in Conflict Resolution and Prevention*, Uppsala, Sweden, 8(9).
- Collier, P., & Hoeffler, A. (2004). Greed and grievance in civil war. *Oxford Economic Papers*, 56(4), 563-595.
- Collier, P., & Hoeffler, A. (2005). Resource rents, governance, and conflict. *Journal of Conflict resolution*, 49(4), 625-633.
- Collomb, J. G. E., Mupeta, P., Barnes, G., & Child, B. (2010). Integrating governance and socioeconomic indicators to assess the performance of community-based natural resources management in Caprivi (Namibia). *Environmental Conservation*, 37(3), 303-309.
- Constantaras, E. (2014). *After oil drilling started, environmental impact is still a mystery*. <http://landquest.internewskenya.org/environmental-impact-of-oil-drilling-a-mystery-to-citizens-and-civilsociety/#!/loc=2.3806171999999974,35.64977699999999,17> accessed 16 May 2015
- Cooper, D. R., & Schindler, S. P. (2006). *Business research methods* (9th ed.) New Delhi: McGraw-Hill Publishing Co. Ltd.
- CORDAID. (2014). *The impact of oil*. Retrieved from <https://www.cordaid.org/en/news/impact-oil/>

- CORDAID. (2015). *Annual report 2014: Working on flourishing communities*. The Hague: Author..
- CORDAID. (2016). *Annual report 2015: Global goals, local solutions*. The Hague: Author.
- Corson, C., & MacDonald, K. I. (2012). Enclosing the global commons: The convention on biological diversity and green grabbing. *Journal of Peasant Studies*, 39(2), 263-283.
- Coser, L. A. (1957). Social conflict and the theory of social change. *The British Journal of Sociology*, 8(3), 197-207.
- Courson, E. (2009). *Movement for the emancipation of the Niger Delta (MEND): political marginalization, repression and petro-insurgency in the Niger Delta*. Nordiska Afrikainstitutet.
- Creswell, J. (2003). *Research design: Qualitative, quantitative and mixed methods approaches* (2nd ed.). Thousand Oaks, CA: Sage.
- Creswell, J. W. (2005). *Educational research: Planning, conducting, and evaluating quantitative and qualitative research* (2nd ed.). Upper Saddle River, NJ: Pearson Education.
- Creswell, J. W., & Clark, V. L. (2007). *Designing and conducting: Mixed methods research*. London: Sage.
- Cronin, A. A., Shrestha, D., Cornier, N., Abdalla, F., Ezard, N., & Aramburu, C. (2008). A review of water and sanitation provision in refugee camps in association with selected health and nutrition indicators: The need for integrated service provision. *Journal of water and health*, 6(1), 1-13.
- Cunningham, D. E. (2010). Blocking resolution: How external states can prolong civil wars. *Journal of Peace Research*, 47(2), 115-127.

- D'Arcy, M., & Cornell, A. (2016). Devolution and corruption in Kenya: Everyone's turn to eat? *African Affairs*, 115(459), 246-273.
- De Soysa, I. (2000). The resource curse: Are civil wars driven by rapacity or paucity?
- De Soysa, I. (2002). Ecoviolence: Shrinking pie, or honey pot? *Global Environmental Politics*, 2(4), 1-34.
- De Soysa, I. (2002). Paradise is a bazaar? Greed, creed, and governance in civil war, 1989-99. *Journal of Peace Research*, 39(4), 395-416.
- Dean, J., Dimas, S., Spring, Ú. O., van Ginkel, H., Shiva, V., Töpfer, K., & Serra, N. (2008). *Globalization and environmental challenges: reconceptualizing security in the 21st century* (Vol. 3). Springer Science & Business Media.
- Dean, J., Dimas, S., Spring, Ú. O., van Ginkel, H., Shiva, V., Töpfer, K., & Serra, N. (2008). *Globalization and environmental challenges: Reconceptualizing security in the 21st century* (Vol. 3). Springer Science & Business Media.
- DeSario, J., & Langton, S. (1987). Citizen participation in public decision making.
- DeSario, J., & Langton, S. (1999). Citizen participation and technocracy. *The Science of Public Policy: Essential Readings in Policy Sciences*, 1 (2), 396-407.
- Devas, N., & Grant, U. (2003). Local government decision-making: Citizen participation and local accountability: Some evidence from Kenya and Uganda. *Public Administration and Development*, 23(4), 307-316.
- Devers, K. J., & Frankel, R. M. (2000). Study design in qualitative research 2: Sampling and data collection strategies. *Education for Health: Change in Learning & Practice* (Taylor & Francis Ltd), 13(2), 263-271. doi:10.1080/13576280050074543
- DFID. (2007). Sustainable livelihoods guidance sheets. London: UK Department for International Development.

- Djimtoingar, N., & Avocksouma, D. A. (2005). The economics of civil conflict in Africa: The case of Chad. In *Post-Conflict Economies in Africa* (pp. 109-121). UK: Palgrave Macmillan.
- Donohue, W. A. & Kolt, R. (1992). *Managing interpersonal conflict*. Newbury Calif: Sage Publishers.
- Draulans, D., & Van Krunkelsven, E. (2002). The impact of war on forest areas in the Democratic Republic of Congo. *Oryx*, 36(1), 35-40.
- Dressler, W., Büscher, B., Schoon, M., Brockington, D. A. N., Hayes, T., Kull, C. A., ... Shrestha, K. (2010). From hope to crisis and back again? A critical history of the global CBNRM narrative. *Environmental Conservation*, 37(1), 5-15.
- Duffy, R. (2006). Non-governmental organisations and governance states: the impact of transnational environmental management networks in Madagascar. *Environmental Politics*, 15(5), 731-749.
- Duquet, N. (2006). Angola's Rise to Regional Power: A Theoretical Approach on Oil and Conflict in Central-Africa. *St Antony's International Review*, 2(1), 96-112.
- EITI, E. (2014). Countries.
- Ekal, S., & Ameripus, M. (2016, February 28). Evidence of weather variability and climate change. (& C. V. H. Okongo, Interviewer)
- Ellis, S. (1998). Liberia's warlord insurgency.
- Ellis, S. (2004). Violence and history: A response to Thandika Mkandawire. *Journal of Modern African Studies*, 44(3),
- Ellman, M. (2015). Privatization and Transition in Russia in the Early 1990s.

- Enns, C., & Bersaglio, B. (2016). Pastoralism in the time of oil: Youth perspectives on the oil industry and the future of pastoralism in Turkana, Kenya. *The Extractive Industries and Society*, 3(1), 160-170.
- Fabricius, C. (2004). The fundamentals of community-based natural resource management. *Rights, resources and rural development: Community-based natural resource management in Southern Africa*, 3-43.
- Fabricius, C., & Collins, S. (2007). Community-based natural resource management: governing the commons. *Water Policy*, 9(S2), 83-97.
- Fabricius, C., Koch, E., Turner, S., & Magome, H. (Eds.). (2013). *Rights resources and rural development: Community-based natural resource management in Southern Africa*. Routledge.
- Fearon, D., & Laitin, D. (2003) Ethnicity, insurgency, and civil war. *American Political Science Review*, 97(1), 75–90.
- Field, A. (2009). *Discovering statistics using SPSS*. Sage: London.
- Florin, P., & Wandersman, A. (1990). An introduction to citizen participation, voluntary organizations, and community development: Insights for empowerment through research. *American Journal of Community Psychology*, 18(1), 41-54.
- Flyvbjerg, B. (2011). Case study. In N. K. Denzin & Y. S. Lincoln (Eds.), *The Sage handbook of qualitative research* (4th ed., pp. 301-316). Thousand Oaks, CA: Sage.
- Folarin, B. (1998). *Theories of mass communication: An introductory text*. Ibadan: StirlingHorden Publishers.
- Folarin, B. (1998). *Theories of mass communication: An introductory text*. Ibadan: StirlingHorden Publishers.

- Food and Agriculture Organization (2000). *Conflict and natural resource management*. Retrieved from <http://www.fao.org/forestry/21572-0d9d4b43a56ac49880557f4ebaa3534e3.pdf>
- Frank, C., & Guesnet, L. (2009). *We were promised development and all we got is misery: The influence of petroleum on conflict dynamics in Chad*. BICC.
- Franke, V., Hampel-Milagrosa, A., & Schure, J. (2007, December). In control of natural wealth? Governing the resource-conflict dynamic. *Research Paper*. Bonn: BICC.
- Gakuria, A. R. (2013). *Natural resource-based conflict among pastoralist communities in Kenya* (Unpublished master's thesis). University of Nairobi, Nairobi.
- Gay, L. R. (1987). *Educational research: Competencies for analysis and application* (3rd ed.). Columbus, OH: Merrill.
- Gelb, A. (2010). Economic diversification in resource rich countries. In *Documento preparado para el IMF high-level seminar: Natural resources, finance and development*. Argel, noviembre (pp. 4-5).
- Gibbons, S. (2014). *Draft discussion brief: Towards peace and security in dryland Kenya: The demand for a new approach*. Pastoralist Parliamentary Group and Drylands Learning and Capacity Building Initiative for Improved Policy and Practice in the Horn of Africa. [http://www.fao.org/fileadmin/user\\_upload/drought/docs/DRAFT\\_Peace%20and%20security%20brief\\_26%20Nov%202014.pdf](http://www.fao.org/fileadmin/user_upload/drought/docs/DRAFT_Peace%20and%20security%20brief_26%20Nov%202014.pdf)
- Gilmore, E., Gleditsch, N. P., Lujala, P., & Ketil, R. J. (2005). Conflict diamonds: A new dataset. *Conflict Management and Peace Science*, 22(3), 257-272.
- Glavovic, B. C., & Boonzaier, S. (2007). Confronting coastal poverty: Building sustainable coastal livelihoods in South Africa. *Ocean & Coastal Management*, 50(1), 1-23.

- GoK. (2013). *Comprehensive public expenditure review 2013: Eye on budget*. Ministry of Devolution and Planning. vii-viii.
- Golafshani, N. (2003). Understanding reliability and validity in qualitative research. *The Qualitative Report*, 8(4), 597-606.
- Goodwin, H. J. (2002). Local community involvement in tourism around national parks: Opportunities and constraints. *Current Issues in Tourism*, 5(3-4), 338-360.
- Gubrium, J. F., & Holstein, J. A. (Eds.). (2002). *Handbook of interview research: Context and method*. Sage.
- Guesnet, L. (2013). *Oil, conflict and military expenditure: The Chad example*. Proceedings of the 2013 Annual International Conference on Economics and Security SIPRI, Stockholm, Sweden (Vol. 1415, p. 120).
- Hathaway, T., & Pottinger, L (2009). The greatest hydro-rush: The privatisation of Africa's rivers. In D. McDonald (Ed.), *Electric capitalism* (p. 151). HSRC Press.
- Havermans, H. (1999). Congo-Brazzaville: A democratic process scourged by violence. In M. Mekenkamp, P. Van Tongeren, & H. van de Venn (Eds.), *Searching for peace in African: An overview of conflict prevention and management activities The Netherlands: European Platform for Conflict Prevention and Transformation/European Centre for Conflict Prevention*
- Havro, G. B., & Santiso, J. (2008). To benefit from plenty: Lessons from Chile and Norway.
- Hegre, H., & Sambanis, N. (2006). Sensitivity analysis of empirical results on civil war onset. *Journal of Conflict Resolution*, 50(4), 508-535.
- Herbert, S., Dukhan, N., & Debos, M. (2013). State fragility in the Central African Republic: What prompted the 2013 coup? *Rapid Literature Review*.

- Hesselbein, G. (2007). The rise and decline of the Congolese State: An analytical narrative on state-making.
- Human Rights Watch. (2009). *Democratic Republic of Congo (DRC): Events of 2009*. Retrieved from Human Rights Watch: <https://www.hrw.org/world-report/2010/country-chapters/democratic-republic-congo>
- Humphreys, M. (2005). Natural resources, conflict, and conflict resolution. *Journal of Conflict Resolution*, 49(4), 508-537.
- Ikelegbe, A. (2005). The economy of conflict in the oil rich Niger Delta region of Nigeria. *Nordic Journal of African Studies*, 14(2), 208-234.
- Ilovi, F. (2013). *Aquifer discovery in Turkana, Kenya: Governing to the last drop*. Retrieved from projourno: <http://projourno.org/2013/11/aquifer-discovery-in-turkana-kenya-governing-to-the-last-drop/>
- Imana, D. K., & Mmbali, O. S. (2016). Envisioning incentives for inclusivity in natural resource management: A case study of oil extraction in Northwest Kenya. *Open Science Publishers*, 1(2),
- Institute of Natural Resources. (2017). *2017 Natural Resource Governance Institute Training Courses*. Retrieved from Natural Resource Governance Institute: [https:// resourcegovernance.org/blog/2017-natural-resource-governance-institute-training-courses](https://resourcegovernance.org/blog/2017-natural-resource-governance-institute-training-courses)
- IOM. (2016). *Resilience building project in Turkana, Kenya, wraps up*. Retrieved from IOM: <https://www.iom.int/news/resilience-building-project-turkana-kenya-wraps>
- Ite, A. E., Ibok, U. J., Ite, M. U., & Petters, S. W. (2013). Petroleum exploration and production: past and present environmental issues in the Nigeria's Niger Delta. *American Journal of Environmental Protection*, 1(4), 78-90.
- Iwegbue, C. M. (2013). Chemical fractionation and mobility of heavy metals in soils in the vicinity of Asphalt plants in Delta State, Nigeria. *Environmental Forensics*, 14(3), 248-259.

- Jebet, D. (2017). *Turkana have right to oil spoils*. Retrieved from [https://www.the-star.co.ke/news/2017/03/24/turkana-have-right-to-oil-spoils\\_c1530171](https://www.the-star.co.ke/news/2017/03/24/turkana-have-right-to-oil-spoils_c1530171)
- Johannes, E. M., Zulu, L. C., & Kalipeni, E. (2015). Oil discovery in Turkana County, Kenya: A source of conflict or development? *African Geographical Review*, 34(2), 142-164.
- Johnson, D. H. (2011). *The root causes of Sudan's civil wars: Peace or truce*. Boydell & Brewer Ltd
- Johnson, C. A. (1997). Rules, norms and the pursuit of sustainable livelihoods
- Jupp, V. (2006). *The Sage dictionary of social research methods*. Sage.
- Kabonesa, C., & Kindi, F. I. (2013). Effects of climate change and variability on pastoral communities: Coping and adaptive strategies for women and men in Uganda. *Impacts of Climate Change and Variability on Pastoralist Women in Sub-Saharan Africa*, 223.
- Kah, H. K. (2014). History, external influence and political volatility in the Central African Republic (CAR). *Journal for the Advancement of Developing Economies*, 3(1).
- Kakonge, J. O. Maximizing the benefits of oil and water discoveries in Turkana, Kenya.
- Karl, T.L. (2007). Oil-led development: social, political, and economic consequences. *Encyclopedia of energy*, 4, 661-672.
- Kazeem, A. (2009). Agba (elder) as arbitrator: A Yoruba socio-political model for conflict resolution: A review of Lawrence O. Bamikole. *Journal of Law and Conflict Resolution*, 1(3), 060-067.
- KCSPOG. (2014). *Setting the agenda for the development of Kenya's oil and gas resources: The perspectives of civil society*. Retrieved from kcs pog: [http://kcs pog.org/wp-content/uploads/2014/08/KCSPOG\\_Agenda\\_Setting\\_Report.pdf](http://kcs pog.org/wp-content/uploads/2014/08/KCSPOG_Agenda_Setting_Report.pdf)
- Keen, D. (2003). Greedy Elites, Dwindling Resources, Alienated Youths. The Anatomy of Protracted Violence in Sierra Leone. *International Politics and Societ*

- Keen, D. (2003). Greedy elites, dwindling resources, alienated youths the anatomy of protracted violence in Sierra Leone. *Internationale Politik und Gesellschaft*, 2, 67-94. Kenya. *Friedrich Ebert Stiftung*.
- Kerridge, I., Lowe, M., & McPhee, J. (2005). *Ethics and law for the health professions*. Sydney: The Federation Press.
- Kimenyi, M. S., & Ndung'u, N. S. (2005). Sporadic ethnic violence: Why has Kenya not experienced a full-blown civil war?" In P. Collier & N. Sambanis (Eds.), *Understanding civil war (Vol. 1: Africa)*, Washington, DC: World Bank.
- Kimenyi, M., & Lewis, Z. (2015). *Managing natural resources for development in East Africa: Examining key issues with the region's oil and natural gas discoveries*. Retrieved from Brooking: <https://www.brookings.edu/wp-content/uploads/2016/07/Managing-Natural-Resources-for-Development-in-East-Africa.pdf>
- Kiprotich, D., & Njoroge, L. (2014). Analysis of the ways in which community participation influence sustainability of government-funded water projects in semi-arid areas: A case study of Nzambani area in Kitui County in Kenya. *International Journal of Academic Research in Business and Social Sciences*, 4(5), 302 to?.
- Kituochasheria. (2017). *Upholding the rule of law*. Retrieved from Kituo Cha Sheria: <http://kituochasheria.or.ke/>
- KNBS. (2017). *Census 2009*. Retrieved from KNBS: <https://www.knbs.or.ke/census-2009/>
- Kombo, D. K., & Tromp, D. A. (2006). *Proposal and thesis writing: An introduction* (2nd reprint). Nairobi, Kenya: Pauline Publication Africa. [www.wagner.nyu.edu/.../what is research.php](http://www.wagner.nyu.edu/.../what_is_research.php) Accessed 18/5/2011.
- Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Delhi New Age International.

- Kothari, C. R. (2008). *Research methodology: Methods and techniques* (2nd ed.). New Delhi: Washua Prakasha Publishers.
- Kramon, E., & Posner, D. N. (2011). Kenya's new constitution. *Journal of Democracy*, 22(2), 89-103.
- Kyle, S. (2005). *The Politics of Oil and the Aftermath of Civil War in Angola*. Ithaca, NY.
- Lane, P. R., & Tornell, A. (1996). Power, growth, and the voracity effect. *Journal of Economic Growth*, 1(2), 213-241.
- Langat, A. (2016). *Oil fuels illegal land rush in Kenya's north*. Retrieved from <http://www.thisisafricaonline.com/News/Oil-fuels-illegal-land-rush-in-Kenya-s-north?ct=true>
- Le Billon, P. (2001). The political ecology of war: Natural resources and armed conflicts. *Political Geography*, 20(5), 561-584.
- Le Billon, P. (2008). Diamond wars? Conflict diamonds and geographies of resource wars. *Annals of the Association of American Geographers*, 98(2), 345-372.
- Lemarchand, R. (2009). *The dynamics of violence in Central Africa*. Philadelphia: University of Pennsylvania Press
- Litvack, J. I., & Seddon, J. (Eds.). (1999). *Decentralization briefing notes*. Washington, DC: World Bank Institute.
- Lubale, G. (2012). *An introduction to the County Governments of Kenya*.
- Lujala, P., Gleditsch, N. P., & Gilmore, E. (2005). A diamond curses? Civil war and a lootable resource. *Journal of Conflict Resolution*, 49(4), 538-562.
- Luong, P. J., & Weinthal, E. (2006). Rethinking the resource curse: Ownership structure, institutional capacity, and domestic constraints. *Annu. Rev. Polit. Sci.*, 9, 241-263.

- Lutta, S. (2014). Oil firm sets aside Sh50m for projects. *Daily Nation*. [http:// www.nation.co.ke/counties/Oil-firm-sets-aside-Sh50m-for-projects/-/1107872/2263512/-/14cwpd9/-/index.html](http://www.nation.co.ke/counties/Oil-firm-sets-aside-Sh50m-for-projects/-/1107872/2263512/-/14cwpd9/-/index.html) (accessed on 14 November 2016).
- Luvaga, L. (2015). *Tests show Kenya's Turkana water unfit for consumption*. Retrieved from <https://www.voanews.com/a/kenya-turkana-water-unfit-for-human-consumption/2674350.html>
- Macharia, J. (2015). Abacus Limited Global Enterprise Summit.
- Macpherson, C. B. (2010). The political theory of possessive individualism: Hobbes to Locke.
- Mair, S. (2003). The new world of privatized violence. *International Politik und Gesellschaft*, 1(2).
- Marshall, C., & Rossman, G. B. (2011). *Primary data collection methods: Designing qualitative research* (pp. 137-177). Los Angeles, CA: SAGE
- Marx, K. (1973). *Karl Marx on Society and Social Change: With Selections by Friedrich Engels*. University of Chicago Press.
- Marzuki, A. (2015). Challenges in the public participation and the decision making process. *Sociologija i prostor*, 53(1 (201)), 21-39.
- Mason, J. (2007). Re-using qualitative data on the merits of an investigative epistemology. *Sociological Research Online*, 12(3), 3 to.
- Massey, S., & May, R. (2005). Dallas to Doba: Oil and Chad: External controls and internal politics. *Journal of Contemporary African Studies*, 23(2), 253-276.
- Matiku, S. M. (2013). *Socio-cultural and economic factors influencing women involvement in the production and supply of cultural tourism products: A case of Katangi women basket weavers in Yatta-Machakos, Kenya* (Unpublished doctoral dissertation). Moi University, Eldoret, Kenya.
- Mayall, J. (1976). Oil and Nigerian foreign policy. *African Affairs*, 75(300), 317-330.

- Maystadt, J. F., & Verwimp, P. (2009). *Households in conflict network (Working Paper 60): Winners and losers among a refugee-hosting population*. The Institute of Development Studies—at the University of Sussex—Falmer—Brighton. UNHCRs global Strategic and objectives. Working Paper 60.
- Maystadt, J. F., & Verwimp, P. (2009). *Winners and losers among a refugee-hosting population* (pp. 2-32). CORE.
- Maystadt, J. F., De Luca, G., Sekeris, P. G., & Ulimwengu, J. (2014). Mineral resources and conflicts in DRC: a case of ecological fallacy? *Oxford Economic Papers*, 66(3), 721-749.
- Maystadt, J. F., De Luca, G., Sekeris, P. G., & Ulimwengu, J. (2014). Mineral resources and conflicts in DRC: A case of ecological fallacy? *Oxford Economic Papers*, 66(3), 721-749.
- Mbugua, J. K. (2013). *Drivers of insecurity in Somalia: mapping contours of violence*. International Peace Support Training Centre.
- Mdunyelwa L. (2008). *Public participation in local government: It's impact on service delivery*. Conference Proceedings. International Research Group Programme (GDRI), South Africa
- Measham, T. G. & Lumbasi, J. A. (2013). Success factors for community-based natural resource management (CBNRM): Lessons from Kenya and Australia. *Environ. Manage*, 52, 649–659
- Media Council of Kenya. (2015). *Media coverage of the extractive industry in Kenya: Exploring the coverage, challenges, effects and lessons for newsroom reflection*. Retrieved from <http://www.mediacouncil.or.ke/en/mck/jdownloads/MEDIA%20MONITORING%20REPORTS/Media%20Coverage%20of%20the%20Extractive%20industry.pdf>
- Megevand, C. (2013). *Deforestation trends in the Congo Basin: reconciling economic growth and forest protection*. World Bank Publications.
- Mehlman, P., Kernan, C., & Bonilla, J. C. (2006). *Conservation International CARPE USAID Final Technical Report. Monte Alen Segmet, Equatorial Guinea, Monte Alen—Monts de*

*Cristal Landscape (1) ad Maiko Tayna Kahuzi-Biega Landscape (10) Democratic Republic of Congo.*

Mehlum, H., Moene, K., & Torvik, R. (2006). Cursed by resources or institutions? *The World Economy*, 29(8), 1117-1131.

Mehlum, H., Moene, K., & Torvik, R. (2006). Institutions and the resource curse. *The Economic Journal*, 116(508), 1-20.

Meier, P., Bond, D., & Bond, J. (2007). Environmental influences on pastoral conflict in the Horn of Africa. *Political Geography*, 26, 716 -735. Elsevier. Available at: <http://www.scribd.com/cybear62/d/6521399-Environmental-inuences-on-pastoralconict-in-the-Horn-of-Africa>.

Minji, D. (2009). Ethical practices for effective leadership: Fact or fallacy? A case of Kenya. *KCA Journal of Business Management*, 2, 1-14

Mitchell, B. (2013). *Resource & environmental management*. Routledge.

Mkutu A., K. (2014). 'Ungoverned space'and the oil find in Turkana, Kenya. *The Round Table*, 103(5), 497-515.

Montague, D. (2002). Stolen goods: Coltan and conflict in the Democratic Republic of Congo. *Sais Review*, 22(1), 103-118.

Mugenda, A. G. (2008). *Social science research: Theory and principles*. Nairobi: ARTS Press.

Mugenda, O. M., & Mugenda, A. G. (2003). *Research methods: Quantitative and qualitative approaches*. Nairobi: ACT.

Muigua, K. (2014). Natural resources and conflict management in East Africa \_. *1st NCMG East African ADR Summit*.

Muigua, K. (2014). Towards meaningful public participation in natural resource management in Kenya.

- Murungi, N. (2015). *Introducing local content regulation in Kenya's economy: A case study of Kenya's energy, oil and gas sector*. Retrieved from [http://erepository.uonbi.ac.ke/bitstream/handle/11295/93039/Murungi\\_Introducing%20Local%20Content%20Regulation%20In%20Kenya%20S%20Economy%20A%20Case%20Study%20Of%20Kenya%20S%20Energy,%20Oil%20And%20Gas%20Sector.pdf?sequence=4](http://erepository.uonbi.ac.ke/bitstream/handle/11295/93039/Murungi_Introducing%20Local%20Content%20Regulation%20In%20Kenya%20S%20Economy%20A%20Case%20Study%20Of%20Kenya%20S%20Energy,%20Oil%20And%20Gas%20Sector.pdf?sequence=4)
- Mwanasali, M. (2000). The view from below. In M. Berdal & D.M. Malone (Eds.), *Greed and grievance: Economic agendas in civil wars* (pp. 137-153).. Boulder: Lynne Rienner Publishers.
- Mwenda, A., & Kibutu, T. N. (2012). Implications of the new constitution on environmental management in Kenya. *Law Env't & Dev. J.*, 8, 76.
- Naidoo, S. (2000). *The role of war economic in understanding contemporary conflicts*. Johannesburg: Institute of Global Dialogue.
- Naniuzeyi, E. M. (2007). Resolving the conflict in the Great Lakes Region: The role of the International Community. *Governance, Conflict Analysis and Conflict Resolution*, 286.
- Nation,D.(2016). *Kenya to lose regional fuel market*. Retrieved from <http://www.nation.co.ke/news/Kenya-to-lose-regional-fuel-market/1056-3385446-format-xhtml-12j37d9/index.html>
- Nation. (2015). *Varsities warned on rush for new degree courses*. Retrieved from <http://www.nation.co.ke/news/Varsities-warned-on-rush-for-new-degree-courses/1056-2939162-52uenjz/index.html>
- National Geographic Society. (2017). *Meet the Native Americans on the front lines of a historic protest*. Retrieved from <http://news.nationalgeographic.com/2016/09/portraits-from-dakota-access-pipeline-protest/>
- Ng'asike, J. T. (2011). Turkana children's rights to education and indigenous knowledge in science teaching in Kenya. *New Zealand Journal of Teachers' Work*, 8(1), 55-67.

- Ngechu, M. (2004). *Understanding the research process and methods: An introduction to research methods*. Nairobi: ACTS Press.
- Nigeria, U. N. D. P. (2006). *Niger Delta human development report*. Abuja: United Nations Development Programme.
- Nkosi, Z. (1999). Spirituality, land and land reform in South Africa. *Land and Spirituality in Africa Series*.
- Nowatzki, M. (2016). *Pipeline foes take fight to Bismarck, Washington D.C.* Retrieved from <http://www.inforum.com/news/4099585-pipeline-foes-take-fight-bismarck-washington-dc>
- Nyamwaya, C. (2013). *Benefits sharing on extractive natural resources with society in Kenya*. Nairobi, Kenya: Kenya Human Rights Commission, Research for and on Behalf of Friedrich Ebert Stiftung.
- Nytimes. (1999). *The business of war in Africa*. Retrieved from <http://www.nytimes.com/1999/08/08/opinion/the-business-of-war-in-africa.html?mcubz=0>
- Odote, C. (2013). The dawn of Uhuru? Implications of constitutional recognition of communal land rights in pastoral areas of Kenya. *Nomadic Peoples*, 17(1), 87-105.
- Okoth, J. (2012). Kenya: A fair share of oil revenue for the Turkana. *Pambazuka News*, 587.
- Okumu, W. (2013). The role of youth in trans-local peace building among pastoralist communities in Northwestern Kenya. *Youth and Peaceful Elections in Kenya*, 1, 148- to.
- Omolo, N. A. (2010). Gender and climate change-induced conflict in pastoral communities: Case study of Turkana in northwestern Kenya. *African Journal on Conflict Resolution*, 10(2).
- Opiyo, F. E., Wasonga, O. V., & Nyangito, M. M. (2014). Measuring household vulnerability to climate-induced stresses in pastoral rangelands of Kenya: Implications for resilience programming. *Pastoralism*, 4(1), 10 to.

- Opukri, C. O., & Ibaba, I. S. (2008). Oil induced environmental degradation and internal population displacement in the Nigeria's Niger Delta. *Journal of Sustainable Development in Africa*, 10(1), 173-193.
- Osaghae, E. E. (1998). *Crippled giant: Nigeria since independence*. Indiana: Indiana University Press.
- Otite, O. (2001, February 5 & 6). The challenge of ethnicity. *Vanguard*, pp. 33-34.
- OXFAM. (2017). *Oil and community rights*. Retrieved from OXFAM: [https://kenya.oxfam.org/policy\\_paper/oil-and-community-rights](https://kenya.oxfam.org/policy_paper/oil-and-community-rights)
- Padilla, E. (2002). Intergenerational equity and sustainability. *Ecological Economics*, 41(1), 69-83.
- Paffenholz, T., Spurk, C., Belloni, R., Kurtenbach, S., & Orjuela, C. (2010). Enabling and disabling factors for civil society peacebuilding. *Civil Society and Peacebuilding: A Critical Assessment*, 405-424.
- Parkins, J. R., & Mitchell, R. E. (2005). Public participation as public debate: a deliberative turn in natural resource management. *Society and Natural Resources*, 18(6), 529-540.
- Pereira, A. W. (1994). The neglected tragedy: the return to war in Angola, 1992-3. *The Journal of Modern African Studies*, 32(1), 1-28.
- Peters, G. B. (2005). The problem of policy problems. *Journal of Comparative Policy Analysis*, 7(4), 349-370.
- Polgreen, L., & Tavernise, S. (2010). Water dispute increases India-Pakistan tension. *The New York Times*, p. 20.
- Polterovich, V., Popov, V., & Tonis, A. (2010). Resource abundance: A curse or blessing? Available at SSRN: <https://ssrn.com/abstract=1814382>

- Prunier, G. (2008). *Africa's world war: Congo, the Rwandan genocide, and the making of a continental catastrophe*. Oxford University Press.
- Publishwhatyoupay. (2017). *Who publishes extractives contracts?* Retrieved from <http://www.publishwhatyoupay.org/>
- Pyagbara, L. S. (2007, August). The adverse impacts of oil pollution on the environment and wellbeing of a local indigenous community: The experience of the Ogoni people of Nigeria. In *International expert group meeting on indigenous people and protection of environment. Khabarovsk, Russian Federation. PFII/WS, 3(6)*,
- Ramsbotham, O., Miall, H., & Woodhouse, T. (2011). *Contemporary conflict resolution*. Polity.
- Reed, M. S., Graves, A., Dandy, N., Posthumus, H., Hubacek, K., Morris, J., ... Stringer, L. C. (2009). Who's in and why? A typology of stakeholder analysis methods for natural resource management. *Journal of Environmental Management, 90(5)*, 1933-1949.
- Rennekamp, R. A., & Nall, M A. (2003). *Using focus groups in program development and evaluation*. London: University of Kentucky.
- Reno, W. (1993). Foreign firms and financing of Charles Taylor's NPFL. *Liberian Studies Journal, 18(92)*.
- Reno, W. (1996) The business of war in Liberia. *Current History, 95(601)*.
- Reno, W. (1997). *Humanitarian emergencies and warlord economies in Liberia and Sierra Leone* (No. 140). Helsinki, Finland: UNU World Institute for Development Economics Research (UNU/WIDER).
- Reno, W. (2003). Political networks in a failing stage the roots and future of violent conflict in Sierra Leone. *Internationale Politik und Gesellschaft, 2*, 44-66.

- Revenue Watch. (2010). Transparency: Governments and the oil, gas and mining industries. *Revenue Watch Institute*. Online: <http://www.revenuewatch.org/rwindex2010/index.html> [accessed 22 May 2015].
- Ribot, J. C. (2002). *Democratic decentralization of natural resources*. Washington, DC: World Resources Institute.
- Ritchie, J., Lewis, J., & Elam, R. G. (2013). Selecting samples. *Qualitative research practice: A guide for social science students and researchers*, 111.
- Robinson, C., & Taylor, B. (2009). *Contested country: Local and regional natural resources management in Australia*. Csiro Publishing.
- Robinson, J. A., & Torvik, R. (2005). White elephants. *Journal of Public Economics*, 89(2), 197-210.
- Robinson, J. A., Torvik, R., & Verdier, T. (2006). Political foundations of the resource curse. *Journal of development Economics*, 79(2), 447-468.
- Ron, E. Z., & Rosenberg, E. (2014). Enhanced bioremediation of oil spills in the sea. *Current Opinion in Biotechnology*, 27, 191-194.
- Rone, J. (2003). Sudan: Oil & War. *Review of African Political Economy*, 30(97), 478-510.
- Rosener, J. B. (1978). Citizen participation: can we measure its effectiveness? *Public Administration Review*, 457-463.
- Ross, M. (2002). *Natural resources and civil war: An overview with some policy options*. Governance of natural resources conference, World Bank and Agence Francaise du Developpement, Paris, December (pp. 9-10).
- Ross, M. (2012) *The oil curse: How petroleum wealth shapes the development of nations*. Princeton: Princeton University Press.
- Ross, M. L. (2001). Does oil hinder democracy? *World Politics*, 53(3), 325-361.

- Ross, M. L. (2004). How do natural resources influence civil war? Evidence from thirteen cases. *International Organization*, 58(1), 35-67.
- Ross, M. L. (2004). What do we know about natural resources and civil war? *Journal of Peace Research*, 41(3), 337-356.
- Runci, A. (2015). *Resource governance dynamics in extractive frontiers: The case of the "new" oil in Turkana County, Kenya* (Unpublished master's thesis).
- Sachs, J. D., & Warner, A. M. (1995). *Natural resource abundance and economic growth* (No. w5398). National Bureau of Economic Research.
- Sambu, D. K., & Tarhule, A. (2013). Institutional water reforms in Kenya: an analytical review. *Water Policy*, 15(5), 777-793.
- Sandole, D. J. (1993). Paradigms, theories, and metaphors in conflict and conflict resolution: Coherence or confusion?
- Sandole, D. J., & Van der Merwe, H. (Eds.). (1993). *Conflict resolution theory and practice: Integration and application*. Manchester: Manchester University Press.
- Saunders, M., Lewis, P., & Thornhill, A. (2009). *Research methods for business students*. Harlow: Financial Times Prentice Hall.
- Scherr, S. J. (2000). A downward spiral? Research evidence on the relationship between poverty and natural resource degradation. *Food policy*, 25(4), 479-498.
- Schilling, J., Locham, R., Weinzierl, T., Vivekananda, J., & Scheffran, J. (2015). The nexus of oil, conflict, and climate change vulnerability of pastoral communities in northwest Kenya. *Earth System Dynamics*, 6(2), 703.
- Scott, W. R. (2001). *Institutions and organizations*. Thousand Oakes: Sage.
- Scott, W. R. (2005). Institutional theory: Contributing to a theoretical research program. *Great Minds in Management: The Process of Theory Development*, 37, 460-484.

- Senelwa, K. (2016) Kenya to go it alone in oil pipeline project. *The Eastern Africa*, <http://allafrica.com/stories/201603060004.html> (accessed on 14 November 2016).
- Sharamo, R. (2014). The Politics of Pastoral Violence: A Case Study of Isiolo County, Northern Kenya. *Working Paper-Future Agricultures*, (95).
- Shenghverzy, N. J. (2003). *Statistics for people in statistics* (2nd ed.). Sage Publication.
- Silberfein, M. (2004). The geopolitics of conflict and diamonds in Sierra Leone. *Geopolitics*, 9(1), 213-241.
- Sindiga, I. (1995). Wildlife based tourism in Kenya: Land use conflicts and government compensation policies over protected areas. *Journal of Tourism Studies*, 6(2), 45.
- Smil, V. (1998). Future of oil: Trends and surprises. *OPEC Energy Review*, 22(4), 253-276.
- Smith, B. (2004). Oil wealth and regime survival in the developing world, 1960–1999. *American Journal of Political Science*, 48(2), 232-246.
- Standard. (2014). *Lokichoggio, the town that lost its glory* . Retrieved from <https://www.standardmedia.co.ke/article/2000104732/lokichoggio-the-town-that-lost-its-glory>
- Stevens, P., & Mitchell, J. V. (2008, June). *Resource depletion, Dependence and development: Can theory help?* Chatham House
- Stiles, D. (2011). *Elephant meat trade in Central Africa: Summary report*. IUCN.
- Strauss, A., & Corbin, J. (1998). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (2nd ed.). Thousand Oaks, London, New Delhi: Sage Publications.
- Switzer, J. (2002). Oil and violence in Sudan. *International Institute for Sustainable Development & IUCN-World Conservation Union, Commission on Environmental, Economic, and Social Policy*, 1-19.

- Theisen, O. M. (2010). *Scarcity and organized violence in Kenya, 1989- 2004: A 'fitting' or a 'mis-fitting' case of environmental security theory?* Paper presented at conference Climate Change and Security, 21-24 June 2010, Trondheim.
- Tordo, S., Warner, M., Manzano, O., & Anouti, Y. (2013). *Local content policies in the oil and gas sector*. World Bank Publications.
- Tshitereke, C. (2003). On the origins of war in Africa. *African Security Studies*, 12(2), 81-90.
- Tullow. (2016). *2016 Annual report*. Retrieved from <https://www.tulloil.com/investors/2016-annual-report>
- Tullow. (2016). *Responsible operations*. Retrieved from [http://www.tulloil.com/Media/docs/default-source/5\\_sustainability/2014-tullow-cr-report---responsible-operations.pdf?sfvrsn=2](http://www.tulloil.com/Media/docs/default-source/5_sustainability/2014-tullow-cr-report---responsible-operations.pdf?sfvrsn=2)
- Turnbull, S. (2017). Grounding a theory of firms in the natural sciences. *Humanistic Management Journal*, 1(2), 159-186.
- UNHCR. (2009). *2008 Global trends: Refugees, asylum-seekers, returnees, internally displaced and stateless persons*. Geneva: Author.
- United States Institute of Peace (2007). *Natural Resources, Conflict, and Conflict Resolution*. Washington DC.
- Varin, C., & Abubakar, D. (Eds.). (2017). *Violent Non-State Actors in Africa: Terrorists, Rebels and Warlords*. Springer.
- Vasquez, P. I. (2013). Kenya at a crossroads: Hopes and Fears concerning the development of oil and gas reserves. *International Development Policy/ Revue Internationale de Politique de Development*, 4(3).

- Vernooy, R., & Ashby, J. A. (1999). Matagalpa, Nicaragua: New paths for participatory management in the Calico River watershed. *Cultivating Peace: Conflict and Collaboration in Natural Resource Management*, 251.
- Vroom, R., & Vlassenroot, K. (2001). Violent culture or a culture of violence? Militia formation in Eastern Congo. In F. Columbus (Ed.), *Politics and economics of Africa*, Vol. 1(pages?). Huntington, NY: Nova Publisher Inc.
- Wessells, M. G., & Monteiro, C. (2000). Healing wounds of war in Angola. *Addressing childhood adversity*, 176-201.
- Williams, P., & Brooks, D. (1999, Winter). Captured criminal and contested states: Organized crime and Africa in the 21st Century. *South African Journal of International Affairs*, 6(2).
- Witsenburg, K. M., & Adano, W. R. (2009). Of rain and raids: Violent livestock raiding in northern Kenya. *Civil Wars*, 11(4), 514-538.
- World Bank. (2012). *Extractive Industries Technical Advisory Facility (EI-TAF) annual report 2012*. Retrieved from <http://documents.worldbank.org/curated/en/211791468333263121/Extractive-Industries-Technical-Advisory-Facility-EI-TAF-annual-report-2012>
- World Bank. (2017). *Civil society*. Retrieved from [http:// www.worldbank.org /en/ about/ partners/civil-society](http://www.worldbank.org/en/about/partners/civil-society)
- World Health Organization. (2015). *Progress on sanitation and drinking water: 2015 update and MDG assessment*. Author.
- Yager, T. R. (2015). The mineral industry of Kenya. *Minerals Yearbook: Area Reports: International Review 2012 Africa and the Middle East*, 3, 20.
- Zartman, I. W. (1991). Conflict and resolution: Contest, cost, and change. *The Annals of the American Academy of Political and Social Science*, 518(1), 11-22.

**APPENDICES**

**Appendix I: Questionnaire**

This questionnaire consists of two parts; kindly answer all the questions by ticking in the appropriate box or filling in the spaces provided.

**SECTION A: GENERAL INFORMATION**

1. Gender.....

2. Age bracket (Tick Whichever Appropriate)

- |               |                          |               |                          |
|---------------|--------------------------|---------------|--------------------------|
| 18 – 30 Years | <input type="checkbox"/> | 31 - 40 Years | <input type="checkbox"/> |
| 41 – 50 years | <input type="checkbox"/> | Over 51 years | <input type="checkbox"/> |

3. What is your education level? (Tick as applicable)

- |                     |                          |         |                          |
|---------------------|--------------------------|---------|--------------------------|
| Secondary           | <input type="checkbox"/> | College | <input type="checkbox"/> |
| Bachelors’ degree   | <input type="checkbox"/> | Masters | <input type="checkbox"/> |
| Others-specify..... |                          |         |                          |

4. How long have you been in the Turkana County (Tick as applicable)

- |                  |                          |               |                          |
|------------------|--------------------------|---------------|--------------------------|
| Less than 1 year | <input type="checkbox"/> | 6-10 years    | <input type="checkbox"/> |
| 1-5 years        | <input type="checkbox"/> | Over 10 years | <input type="checkbox"/> |

**Section B: Socioeconomic Factors**

5. Are there socioeconomic factors that can cause resource-based conflict over oil management in Turkana County, Kenya?

Yes

No

6. To what extent does the pre-existing socioeconomic factors can lead to resource based conflict over oil management in Turkana County, Kenya?

Very great extent

Great extent

Moderate extent

Little extent

Not at all

7. Indicate your level of agreement with the following statements relating to socioeconomic factors that cause resource based conflict over oil management in Turkana County, Kenya?

<b>Statements</b>	<b>1=Strongly Disagree</b>	<b>2=Disagree</b>	<b>3=Neutral</b>	<b>4=Agree</b>	<b>5=Strongly Agree</b>
Marginalization of the Turkana community can lead to conflict over oil management in Turkana County					
Scarcity of resource in Turkana County play a key role in triggering and sustaining conflicts					
The surrounding society present a challenges given the underlying political and historical reasons for the conflicts					
Increasing demand from growing populations and inequalities in the distribution of natural resources can ultimately lead to resource based conflict					

Management of natural resources is one of the most critical challenges facing marginalized areas like Turkana region					
Natural resource in the region is key to conflict prevention that could unlock the economic potential of building peace in fragile societies					
The region lack the essential capacity and/or the will to fulfill four critical government responsibilities					
Lack of infrastructure and social amenities in the region can lead to conflict over oil management in Turkana County					
Natural resources are a source of political contention within and between nation					

8. How else socioeconomic factors that cause resource do based conflict over oil management in Turkana County, Kenya?

.....  
.....  
.....

**Section C: Natural Resources Management Strategies**

9. Are there strategies that have been put in place to manage natural resources such as oil in Turkana County, Kenya?

Yes [ ]

No [ ]

10. To what extent have there been strategies in managing natural resources such as oil in Turkana County, Kenya?

Very great extent [ ]

Great extent [ ]

Moderate extent [ ]

Little extent [ ]

Not at all [ ]

11. Indicate your level of agreement with the following statements relating to effectiveness of strategies put in place to manage natural resources such as oil in Turkana County, Kenya?

<b>Statements</b>	<b>1=Strongly Disagree</b>	<b>2=Disagree</b>	<b>3=Neutral</b>	<b>4=Agree</b>	<b>5=Strongly Agree</b>
Then improving governance over natural resources could reduce the likelihood of conflict over resource					
Natural resource management through local community participation can effectively prevent conflict					
Compliance with laid down laws and enhancing institutional transparency may lead to conflict prevention					
Proper governance practices such as incorporating stakeholder input and financing strategies could both prevent and resolve conflicts					
Effective participation in decision-making processes and policy development on natural resources can reduce natural resource conflicts					
Effective participation of civil society in policy processes and decision-making related to natural resources is seen as an					

essential component of progressive and representative policymaking					
--	--	--	--	--	--

12. Suggest other strategies that can be put in place to manage natural resources such as oil in Turkana County, Kenya?

.....  
.....  
.....

**Section C: Community Participation Management Approach**

13. Can community participation approach be used to effectively manage the oil discovery in Turkana County, Kenya?

Yes [ ]

No [ ]

14. To what extent can community participation approach be effective in managing the oil discovery in Turkana County, Kenya?

Very great extent [ ]

Great extent [ ]

Moderate extent [ ]

Little extent [ ]

Not at all [ ]

15. Indicate your level of agreement with the following statements relating to community participation approach in managing the oil discovery in Turkana County, Kenya?

Statements	1=Strongly Disagree	2=Disagree	3=Neutral	4=Agree	5=Strongly Agree
Engaging local community can act as a key component in sustainability natural resource management initiatives for it allows local people participate in their own development.					
CBRNM as method brings equity in management of natural resources					
Local community should be involved in the various stages of the natural resource management initiatives					
Local community role and interaction determines the effectiveness of natural resource management initiatives.					
A good CBRNM enable those who are interested in, or affected by a decision, have an opportunity to influence the outcome.					
Satisfying the key local community requirements is central to achieving a sustainable management of natural resources.					

16. Suggest ways through which community participation approach can be used to effectively manage the oil discovery in Turkana County, Kenya?

.....

.....

.....

**Thank you**

## Appendix II: Interview Guide

1. What is the possible cause of conflict in Turkana County region?

.....  
.....

2. Are there some pre-existing socioeconomic factors that can cause resource based conflict over oil management in Turkana County, Kenya?

.....  
.....

3. To what extent does the pre-existing socioeconomic factors can lead to resource based conflict over oil management in Turkana County, Kenya?

.....  
.....

4. How does the following factors contribute to resource-based conflict over oil management in Turkana County, Kenya?

Marginalization

.....  
.....

Scarcity of resource

.....  
.....

Increase in population

.....  
.....

Political reasons

.....  
.....

Management of natural resource

.....  
.....

5. How else socioeconomic factors that cause resource do based conflict over oil management in Turkana County, Kenya?

.....  
.....

6. What are the strategies that have been put in place to manage natural resources such as oil in Turkana County, Kenya?

.....  
.....

7. Do you think the strategies that have been put in place to manage natural resources such as oil in Turkana County, Kenya are effective? Please explain the answer

.....  
.....

8. To what extent have there been strategies in managing natural resources such as oil in Turkana County, Kenya?

.....  
.....

9. How can the following strategies help in in managing natural resources such as oil in Turkana County, Kenya?

Governance

.....  
.....

Natural resource management

.....  
.....

Compliance with laid down laws

.....  
.....

Effective participation in decision-making

.....  
.....

Community participation

.....  
.....

10. What other strategies that can be put in place to manage natural resources such as oil in Turkana County, Kenya?

.....  
.....

11. Can community participation approach be used to effectively manage the oil discovery in Turkana County, Kenya?

.....  
.....

12. To what extent can community participation approach be effective in managing the oil discovery in Turkana County, Kenya?

.....  
.....

13. Suggest ways through which community participation approach can be used to effectively manage the oil discovery in Turkana County, Kenya?

.....  
.....

**Thank you**

### Appendix III: Focus Group Discussion

1. What is the possible cause of conflict in Turkana County region?
2. Are there some pre-existing socioeconomic factors that can cause resource based conflict over oil management in Turkana County, Kenya?
3. To what extent does the pre-existing socioeconomic factors can lead to resource based conflict over oil management in Turkana County, Kenya?
4. How does the following factors contribute to resource-based conflict over oil management in Turkana County, Kenya?

Marginalization

Scarcity of resource

Increase in population

Political reasons

Management of natural resource

5. How else socioeconomic factors that cause resource do based conflict over oil management in Turkana County, Kenya?
6. What are the strategies that have been put in place to manage natural resources such as oil in Turkana County, Kenya?
7. Do you think the strategies that have been put in place to manage natural resources such as oil in Turkana County, Kenya are effective? Please explain the answer
8. To what extent have there been strategies in managing natural resources such as oil in Turkana County, Kenya?
9. How can the following strategies help in in managing natural resources such as oil in Turkana County, Kenya?

Governance

Natural resource management

Compliance with laid down laws

Effective participation in decision-making

Community participation

10. What other strategies that can be put in place to manage natural resources such as oil in Turkana County, Kenya?
11. Can community participation approach be used to effectively manage the oil discovery in Turkana County, Kenya?
12. To what extent can community participation approach be effective in managing the oil discovery in Turkana County, Kenya?
13. Suggest ways through which community participation approach can be used to effectively manage the oil discovery in Turkana County, Kenya?

**Thank you**