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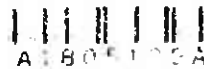
INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

MA RESEARCH PROJECT

**THE ROLE OF NON-STATE ACTORS IN RESOLVING
ENVIRONMENTAL CONFLICTS IN THE HORN OF AFRICA: A CASE
STUDY OF OLPOSMORU FOREST IN THE MAU COMPLEX KENYA**

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REG NO: R51/87685/2016**

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**A research project submitted in partial fulfilment for the award of a Degree of
Master of Arts in Diplomacy at the Institute of Diplomacy and international
studies, University of Nairobi.**

November 2018

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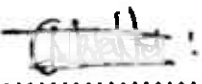
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DECLARATION

This research project is my original work and has not been submitted to any university for examination purposes.

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This research project has been submitted for examination purpose with my approval as University Supervisor.

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DEDICATION

I dedicate this project to my beloved husband Jeff and my children Kate, Kellyn, Kevin and Konrad for their love and support, friends and all those who contributed to its success.

ACKNOWLEDGEMENTS

I take this opportunity to acknowledge the professional support of my supervisor Dr. Shazia Chaudhry whose guidance and direction made it easier for me to complete this project. I will not forget to acknowledge the University of Nairobi for providing a great environment. I wish to extend my special gratitude to my dear family for giving me moral support and co-operation all through. Finally, I would like to thank all those who contributed to make this research project a success.

ABSTRACT

This study is set to establish the role of non-state actors in resolving environmental conflicts in the horn of Africa and specifically Olposmoru area of the Mau complex. It is anchored on three objectives; to establish the role of non-state actors in resolving environmental conflicts in the Horn of Africa, to establish whether they have been useful in resolving environmental conflicts in Olposmoru area of the Mau forest, and lastly to establish the major challenges faced by non-state actors in reducing conflict in Olposmoru forest in the Mau complex, Kenya. This research aligns to Paul Collier and Hoeffler's greed and grievance theory, it tries to analyze the relationship between greed and grievance and the outbreak of violent conflict between the communities living in the area. It argues that conflicts reflect elite competition over valuable natural resources. This is well depicted by what is happening in Olposmoru where communities are led by greed to fight over resources. There are three different communities in this area; farmers, pastoralists and forest dwellers (ogiek). This research targeted a sample population of forty interviewees drawn from different non-governmental organizations that have projects in the Mau complex. Both qualitative and quantitative research methodologies were used to analyze the research objectives. The findings point out that subsequent pressures to the environment caused by human activities on natural resources have contributed to serious conflicts. There has been a need for government to collaborate with non-state actors in order to resolve the conflicts arising out of the shared natural resource. Data collected indicate that destruction of the Mau forest has been engineered by several factors including the exploitation of loopholes in policies and legislations. It also indicates that conservation of the Mau complex has attracted a lot of politics that has been used to meet political ends. This research found out that there is a need for government to partner with non-state actors and the community towards restoring the Mau forest.

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LIST OF ABBREVIATION

ADR	- Alternative Dispute Resolution
AU	-African Union
CFA	- Community Forest Association
CIFOR	-Center for International Forestry Research
COHRE	- Centre on Housing Rights and Evictions
GERD	-Grand Ethiopian renaissance dam
HD	- Humanitarian dialogue
ICG	- International Crisis Group
IDIS	- Institute of Diplomacy and International Studies
IGAD	-Intergovernmental Authority on Development
KFS	- Kenya Forest Service
KWS	- Kenya Wildlife Service
MFC	- Mau Forest Complex
MFCA	- Mau Forest Complex Authority
NEMA	- National environment management authority
OSCE	-Organization for security and cooperation in Europe economic
POW	- Panel of the wise
PSC	- Peace and security council
SIDA	- Swedish international development cooperation agency
SLDF	- The Sabaot land defense forces
TF-MFC	- Task Force for the Mau Forest Complex
UN	- United Nations Organization
UNCED	- United Nations Conference on Environment and Development
UNEP	- United Nations Environmental Program

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 INTRODUCTION

Environmental conflicts have become a key issue challenging both local, regional and global security. Their causes as well as their manifestation differ widely across the globe. The conflicts are widespread and increasing rapidly across the Horn of Africa. Environmental conflicts are increasingly becoming a concern in this region since they affect development. In Africa, much of the population depends on small scale agriculture for food while others are dependent on livestock. Both groups are highly dependent on natural resource base and more than often fight for arable land which is diminishing in size as populations grow.

The impacts of environmental conflicts are likely to worsen and spread globally, therefore appropriate resolution and management strategies should be employed to reduce the severity of such incidences.¹ Conflicts not only produce human tragedies on a massive scale, it also creates humanitarian crises that are of concern to the international community as well as contributing to global and regional insecurity. Conflicts are major causes of underdevelopment and spreads poverty.²

Over the past couple of decades non-state actors have become a powerful force globally. They have acquired an increasingly active role both at the table and on the ground, they engage in confidence building and provide insight into social, economic, political backgrounds and power dynamics.³ In conflicts zones they have been able to engage more directly with the victims through mediation, negotiation and advocacy. Non-state actors include all actors in public domain, they are there to pursue certain public goals and seek to influence outcomes in international politics.

¹ Bacow, L. S., & Wheeler, M. (1984). *The Nature of Environmental Conflict. Environmental Dispute Resolution*, 1-20. doi:10.1007/978-1-4899-2296-0_1

² S Mansoob Murshed. (n.d.). *The conflict-growth nexus & the poverty of nations*. Retrieved from https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/PDFs/WESS/wess_bg_papers/bp_wess2006_murshed.pdf

³ OECD, (2011). *Supporting State-building in Situations of Conflict and Fragility: Policy Guidance*, DAC Guidelines and Reference Series, OECD Publishing.

Non-state actors are the driving force in the management of relations not only between states but also between states and other actors. Many at times non-state actors help shape the way the different states relate with each other. This relationship then trickles down to the way the state itself relates with actors within its boundaries. These actors may be in form of communities, non-governmental organizations or individuals. From a state perspective, non-state actors are concerned with advising, shaping and implementing foreign policy. From the afore said, non-state actors help a state through its appointed representatives in managing its interests through negotiations or arm twisting with the aim of achieving its goals⁴.

Traditional norms mark the starting point where relations between the state and its citizenry begin. In democratic societies, the voices of the people have a great bearing on the decision-making processes. It is therefore a very important aspect when it comes to environmental management and the control of natural resources such as land. This has been seen in most African communities whose structures are defined by clans and age groups. In the Horn of Africa decision making is a preserve of the elders.⁵

States promote environmental degradation by failing to implement policies and legislations on environmental conservation, but to some extent the illegal allocation of forests land in Olposmoru by corrupt persons in government are to blame for the massive environmental degradation. In Olposmoru area of the Mau complex, there is existence of tribal groups who take advantage of their collective identities to challenge state authorities and political leadership by threatening to withdraw their political support. the reluctant movement of settlers during the various evictions has led to tensions between the different communities living in the area.⁶

1.2 Statement of the Research Problem

The Mau complex has a very large population of settlers who have settled there either legally or illegally. The Kipsigis community is claiming ownership of the forested areas and thus have been opposed to eviction. They claim that they are being harassed because of their political

⁴ Andrew F. Cooper (Ed.). (2013). *The Changing Nature of Diplomacy*. oxford university press.

⁵ ibid

⁶ Serrao-Neumann, Silvia, Davidson, Julie, Smith, T F, Nunn, Patrick. M D P I A G; 2017. *Environmental Sustainability: A Case of Policy Implementation Failure*.

inclinations. On the other hand, the Maasai community claim that the water catchment area belongs to the Maasai community. This has caused a lot of friction between the two communities bordering one another. Many scholars have expressed doubts on the government involvement during implementation and enforcement of the policies and legislations on forest conservation.

According to Wangari Maathai, Africa generally lacks democracy; much of the political class is corrupt; and abuse of power is another key source and contributing factor to environmental degradation⁷. Scholars such as Kagwanja, adds that the political class rewarded their political cronies with Mau forest land.⁸ The two scholars did not consider other factors in their analysis. Further, they did not look at the fact that members of the Kipsigis community were pushed out of their land during the colonial era. When the colonial masters left, this community was never compensated and thus ended up becoming forest dwellers.

The numbers have been growing and thus the need for more land both for grazing and agricultural activities. On the other hand, the land they once occupied is a tea plantation⁹. This uncontrolled population and the lack of arable land has resulted in social segmentation of tribal groupings to protect their own interests. The depletion of arable land has led to clashes between the different communities living within the area¹⁰. The emergence of non-state actors such as the green belt movement has made things more complicated. Environmentalists are of the opinion that the settlers should move out of the forest but they are not giving alternative solutions to the current problems facing the settlers.

Therefore, this study will seek to establish the role of non-state actors in conflict resolution and the following research questions will guide the study;

- i. What is the role of non-state actors in resolving environmental conflicts in the Horn of Africa?
- ii. To what extent have non-state actors been useful in resolving environmental conflicts in Olposmoru forest in the Mau complex?

⁷ Wangari Maathai. Nobel Laureate Speech in Oslo 11/12/2004. ([Http: / Greenbelt Movement.org](http://GreenbeltMovement.org), 2004).

⁸ Kagwanja, P. (2010). *Fighting for the Mau Forests: Land, Climate Change, and the Politics of Kibaki Succession*; African Policy Report- June 2010. (Nairobi: Africa Policy Institute Team, 2010)

⁹ McNicoll, Geoffrey (2007). "Population and Sustainability". *Handbook of Sustainable Development*

¹⁰ L. E. Susskind ., J. Cruikshank (1997), *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes* (New York: Basic Books).

- iii. What are the major challenges faced by non-state actors in reducing conflict in the Horn of Africa and especially in the case of Olposmoru forest in the Mau complex?

1.3 Objectives of the Study

The broad objective of the study is to identify the role of non-state actors in resolving environmental conflict in Olposmoru area of the Mau complex. The other objectives of this study are;

1. To find out the role of non-state actors in resolving environmental conflicts in the Horn of Africa.
2. To establish the extent to which non-state actors have been useful in resolving environmental conflicts in Olposmoru forest in the Mau complex?
3. To identify major challenges faced by non-state actors in reducing conflict in the Horn of Africa Generally and Olposmoru forest in the Mau complex specifically?

1.4 Literature review

1.4.1 The role of Non-state actors in resolving environmental conflicts in the Horn of Africa

Most non-state actors perform certain important responsibilities at the international level which cannot be ignored. Clapham argued that rights and duties can be acquired through capacity rather than subjectivity¹¹. Non-state actors have rights and duties although at different levels under international law, and they offer supportive character where states are able to bear primary responsibility whereas in some areas they act by fulfilling the full functions of a state. NGOs play vital roles in different areas including investigations, raising awareness, early warnings and prevention, humanitarian assistance and capacity building in conflict areas

Non-state actors are suitable in ensuring that human security is maintained in the world. Some of the roles in ensuring human security are facilitation of negotiations between two warring parties, this is well demonstrated by Radio Ijambo in Rwanda which aims in re-establishing peace. Provision of relief when governments are unable to respond to emergencies, this is mostly done by organizations such as the ICRC and Oxfam. During internal conflicts they are

¹¹ A. Clapham, *Human Rights Obligations of Non-State Actors*, (Oxford University Press, 2006).

often more flexible than state actors, they can easily build local capacity since they are not affected by political and public scrutiny and hence there is no fear of losing credibility, they also benefit from close involvement with the local communities.

The impact of non-state actors is context dependent. However, the roles and influence they exert on a country depends on the political, economic and social framework. Non- state actors play a major role in international security, they are responsible in provision of relief and humanitarian assistance during conflicts for example the Red cross. They provide support in formation of policies and structures that make security assessments easy, develop security concepts, suggest security initiatives and they also participate in confidence building, conflict prevention and resolution such as the Centre for Humanitarian dialogue (HD Centre).

Prevention of conflicts emergence or their further escalations demands a suitable conflict monitoring and early warning mechanism. Some of the few non-state actors concerned with early warning, assessment and responsibility to protect are, the International Crisis Group (ICG) which is termed to be a source of analysis and advice to governments and intergovernmental bodies. Its functions are to monitor conflicts worldwide and deliver an assessment on the steps to be taken in order to address the problem. Through its comprehensive analysis and advice on conflict and potential conflicts in specific countries and regions it has been able to contribute on both process and substance by offering support and advice during critical peace negotiations, for example Sudan, northern Uganda, Nepal and Kenya.¹²

In the Somali conflict, the African Union has been using Clan elders to try and come up with the best way to resolve the conflict. Somalia is a country that exists in a state of legal pluralism where customary law, religious law and secular law are in use. In this case the role of elders is very important especially in cases where the different sets of law are not in agreement. The customary law takes precedence in the Somali community. During the civil war that started in 1990, government structures were totally destroyed but the traditional structures remained firm. This is what assisted clans in resolving disputes when there was no government in place.¹³

The country has been able to maintain its local security structures and the justice system through the council of elders. These clan structures have been able to regulate both security

¹² Crisis group (n.d) Retrieved from <http://www.crisisgroup.org/en/publication-type/reports.aspx>

¹³ Natasha Leite. (2017). *Reinvigoration of Somali Traditional Justice through Inclusive Conflict Resolution Approaches*. Retrieved from <https://reliefweb.int/report/somalia/reinvigoration-somali-traditional-justice-through-inclusive-conflict-resolution>

and political affairs of the different states. With the help of the international community, the country's security has improved significantly as compared to previous years. The clan structure has been of great help towards healing the warring nation and at the same reenergizing the social fabric ¹⁴. The presence of religious organizations has also assisted in bringing sanity through blending traditional and religious norms and believes.

For many years, the Egyptians have depended on the Nile waters whose source is Uganda and the highlands of Ethiopia. The conflict between Egypt and Ethiopia over the Grand Ethiopian renaissance dam (GERD) built in Ethiopia in 2011 is just one of the water wars affecting the African continent. Conflicts erupted immediately between the two countries because the dam was going to reduce the flow of water into Egypt. During the African summit in Addis Ababa on 30th Jan 2018 the leaders declared that there was no crisis concerning GERD and that the two countries including Sudan agreed that no one will be harmed. They also gave assurance that the three countries were cooperating with the intention of protect their individual interests. The decision was based on the agreement the three countries called the declaration of principles signed in Khartoum in 2015. The African union (AU) played a major role in ensuring that all the countries involved in the conflict reached an amicable solution.¹⁵

In 2004 a dispute arose between Kenya and Uganda over the Migingo island. Ugandan officers were posted to the island where they hoisted their flag raising claims of ownership, this raised tensions in the area. Claims of harassment and intimidation by the Ugandan officers was reported by the Kenyan fishermen. This prompted the Kenyan government to deploy police officers to the island but were later withdrawn in order to reduce the hostilities between the two countries.¹⁶ Diplomatic row occurred in 2009 between the two neighbors simply because Kenyan fishermen were required to purchase fishing permits from Ugandan authorities. The situation worsened when the Ugandan president while addressing students at the university of Dar es Salaam claimed that the island belonged to Kenya but the waters surrounding it were Ugandan and thus Kenyans will not be allowed to fish in their waters. On 6th march 2009 an agreement was made during the African Union (AU) summit meeting held in Lusaka Zambia which was carried out within the framework of good neighborliness to allow diplomatic efforts

¹⁴ Natasha Leite. (2017). *Reinvigoration of Somali Traditional Justice through Inclusive Conflict Resolution Approaches*. Retrieved from <https://reliefweb.int/report/somalia/reinvigoration-somali-traditional-justice-through-inclusive-conflict-resolution>

¹⁵ Farah Tawfeek (2018). *Negotiations between Egypt, Sudan and Ethiopia over GERD prove fruitful*. Retrieved 4/8/2018, 2018, from: <https://www.egyptindependent.com/negotiations-between-egypt-sudan-and-ethiopia-over-gerd-prove-fruitful/>.

¹⁶ Jack Shaka, 'Migingo Island: Kenyan or Ugandan Territory? ', 4 *Journal of Conflictology*; 1 (2013)

resolve the dispute. The recommendations were that Uganda withdraw its security forces and remove their flag from the island.¹⁷

The role of elders in the African tradition is well outlined and respected. They have always played a major role in mediation especially in respect to conflict between sub-clans, clans and even tribes. This role is very important because it is a very structured way of conflict resolution. Their ability to resolve conflict is anchored on their understanding of traditions, norms and believes. It is important to note that conflicts in Africa have been escalating on the national level but at the clan level, it is still intact. In the recent years cattle rustling in the region has also gone down significantly due to the great effort by clan elders to get rid of the vice.¹⁸

Across the Horn of Africa many lives have been lost due to drought-induced famine of which the greatest percentage is recorded in refugee camps across Kenya, Uganda and Ethiopia. Somalia carries the highest percentage of these deaths and it also happens to be the country that has lost the highest percentage of forest cover. The Center for International Forestry Research (CIFOR) in its report indicates that deforestation is a hindrance in the ability to cope with disasters and also the ability to adapt to climatic changes. Further, it is of the opinion that forests are a critical defense against poverty.¹⁹

1.4.2 Non-state actors and Environmental conflicts

Conflict resolution many at times looks at the root causes of conflict and the attitudes of the warring parties towards each other. Many warring parties will always reject the use of force or power to reach a settlement. Warring parties will always wish to have a win-win situation with legitimate results. It is therefore a negotiation process that bring the warring parties to the negotiating table without having to exert pressure on them. This is well anchored in most traditional societies across the world.²⁰

Kahl in his book, states, scarcity and civil strife in the developing world, argues that strain on natural environmental resources leads to adverse pressures on the wellbeing of human beings

¹⁷ Emmanuel Kisiangani(2011), *Dispute Over Migingo Escalates*.(accessed 04 Aug, 2018).

¹⁸ Birgit Brock-Utne, (2001), *Indigenous Conflict Resolution in Africa*, University of Oslo, Institute for Educational Research

¹⁹ Experts Say Famine in Horn of Africa Exacerbated by Decades of Deforestation that Has Turned Productive Lands into Desert | Center for International Forestry Research. (2011, September 11). Retrieved from <https://www.cifor.org/press-releases/experts-say-famine-in-horn-of-africa-exacerbated-by-decades-of-deforestation-that-has-turned-product/>

²⁰ Mason S A, Spillmann K R, (n.d) *Environmental Conflict and Regional Conflict Management*. Centre for security studies and conflict research, Swiss Federal Institute of Technology, Zurich.

and states in the developing world. He argues that when population is high, degradation of the environment leads to scarcity of natural resources which in turn causes conflicts within states. He is of the opinion that conflicts reduce the ability of governments to maintain law and order. Looking at what is happening across the world many scholars have been forced to agree with his analogy.²¹ His line of thought is important because conflict is inevitable in society and thus there is need to have actors that can assist in managing conflict.

In 1989 dispute between Senegal and Mauritania erupted along the Senegal river valley on the Atlantic coast of Africa. Conflict between the two countries began when Mauritania overhauled tenure legislation that was previously there and claimed lands on the banks of the river. Dams were constructed upstream and downstream which led to largescale expropriations of land. This was done in order to mitigate the population pressures and land degradation that had led to agricultural shortfalls. However, this led into aggravated conflicts as the value of the land increased along the river bank. The appropriation of irrigated lands led to violent confrontations between Mauritania herders and Senegalese farmers.²²The use of clan leaders from both the herder and the farmers community played a major role in resolving the conflict. The same has been adopted across the African continent where herders and farmers are in conflict.

In April 1994, Rwanda experienced one of the worst genocides the world has ever seen. members of the Hutu community who were the majority descended on the Tutsi minority leading to a disastrous loss of over 800,000 Rwandese. This was one of the worst genocides to occur post the first and the second world wars. The conflict started in the capital city Kigali where the population was made up of the most learned individuals in the society. It is important to note that most of these individuals had forgotten about the African norms, traditions and believes. The killings spread across the country with an overwhelming speed that even the international community was got unawares. After the genocide the Rwandese Patriotic Front (RPF) took power and restored peace in Rwanda. The use of traditional leadership structures is depicted by the Gacaca courts. This was an alternative dispute resolution mechanism that saw the attackers and the victims come together.²³

²¹ Kahl Colin, Colin H. Kahl (2006). *States, Scarcity, and Civil Strife in the Developing World*. Princeton: Princeton University Press.

²² Aziz Salmone Fall, "Conflict in the Senegal River Valley," *Cultural Survival Quarterly*, 22.4, (Winter 1998, Uprooted: Dispossession in Africa), Available at: <http://www.culturalsurvival.org/publications/culturalsurvival-quarterly/224-winter-1998-uprooted-dispossession-africa?page=3>, (accessed 5th Aug 2018).

²³ History.com Staff. (n.d.). *Rwandan Genocide | Hutus & Tutsis | HISTORY.com*. Retrieved from <https://www.history.com/topics/rwandan-genocide>

1.4.3 Challenges faced by non-state actors in reducing environmental conflict

The global arena has been changing over the past many years. The world has been turned into a global village where everything happens instantaneously. The CNN effect has taken the world by storm. Something that happens in America is received in a matter of seconds in the furthest part of Australia and other parts of the world. On the same note competition between companies across the world have gone a notch higher. The competition between states for foreign direct investment is currently at its peak. Africa, a continent that was dependent on the western world is now a darling to the East. This has been made possible by the high amount of natural resources that the African continent is bestowed with. The emergence of multinational corporations has made the international platform very challenging to operate in. local companies are being swallowed in droves by the large international companies that have more financial capacity and better technology.²⁴

Non-state actors are taking over spaces that governments have neglected for too long. As they take over the state governments are isolated by the populace and thus creating a divide between the government and the populace. The population having been empowered by the non-state actors have at times turned against the sitting government. In search a scenario, governments have burned the activities of all non-sate actors without putting into consideration the benefits given to the community. This has created a very difficult environment for non-state actors especially those working in conflict zones.²⁵

With the advancement in technology across the world, it has become very easy to carry out criminal activities without setting foot on the crime scene. Many non-state actors have some of the most sophisticated technologies the world has ever seen. Many states are now afraid that introduction of such technology into their states may be detrimental to their economies as well as their security. This has prevented many corporations from investing in some parts of the world. States have also criminalized activities that may have in the long run be beneficial to their populations. Laws have been drafted that make it very hard for non-state actors to carry out their activities as states try to ensure that their territories are protected.²⁶

²⁴ Clapham, A. (2015). (PDF) *The challenge of non-state actors*. Retrieved from <https://www.researchgate.net/publication/311724804>

²⁵ *ibid*

²⁶ *Ibid*

Non-state entities operating in other countries have also been facing challenges because of the legal environment. The rules and norms are different from one country to the other thus making it very hard to operate within the same legal dimensions. Many corporations have found themselves on the wrong side of the law mainly because of the ever-changing rules and regulations. States are always changing the law to suit those in power and thus end up disfranchising others.²⁷

1.5.2 Research Gaps

There has been a lot of research concerning the conflicts in the Mau complex. Politics has been attributed by many researchers as the main factor contributing to conflicts in that area while forgetting that there are other factors that need to be addressed. There is very little that has been published in respect to the never-ending evictions of settlers from the forest complex. Since 1985 evictions have been happening but the number of settlers keeps increasing instead of reducing. There seems to be a disconnect between government agencies and the people on the ground. It is therefore important to understand why the number has been increasing and if at all the problem is as a result of injustices by the colonial masters. Conflicts between different communities living within this area have been the order of the day. There is need to find out why the communities have been fighting and whether non-state actors have contributed to the conflict.

1.6 Justification of the study

The Horn of Africa and the Mau forest complex were selected for this study because it has been experiencing persistent environmental conflicts for a longer period of time. This is also an area where populations growth is very high whereas natural resources are depleting at a very higher rate. Environmental conflicts and degradation are still high despite the various environmental awareness and campaigns made by different sectors and relevant bodies. There have been various signed treaties on environment, a lot of finances driven toward education and awareness but degradation is still high.

²⁷ Gashu, M. (2016). *Challenges faced by Multinational Companies: The Case of Castel Winery Company in Ethiopia*. Retrieved 27.10.2018 from <https://www.ijser.org/researchpaper/Challenges-faced-by-Multinational-Companies-The-Case-of-Castel-Winery-Company-in-Ethiopia.pdf>

This study therefore will inform the policy makers on the importance of ensuring that policies on conflict resolution, environmental restoration are structured and adhered to in order to ensure environmental sustainability. It is also meant to shed light on the causes of environmental related conflicts and ways of resolving them. This study will be an input in safeguarding the environment in order to enhance broad-based economic growth, protecting the integrity of critical ecosystems and preventing environmental threats on the livelihood of its dependents. This study will recommend appropriate environmental approaches in resolving environmental conflicts. It will highlight the importance of sustainable environment management towards minimizing environmental degradation. The study will also provide material that can be used by other researchers who will be doing research on the same or related issue. The findings of this research will be used by academicians to compare findings of other researchers on the field of environment. It will also shed light on areas that need further research.

1.7 Hypothesis

- i. Non-state actors have been used to resolve conflicts in Olposmoru area of the Mau complex.
- ii. Non-state actors have been useful in resolving conflicts in Olposmoru area of the Mau complex,
- iii. Non-state actors have been facing challenges in resolving environmental conflicts in Olposmoru area of the Mau complex.

1.8 Scope and limitation of the study

This research focused on non-state actors who are running projects in Olposmoru area of the Mau complex. The research covered a period of 5 months commencing May 2018. The findings may not portray the real picture of the situation, this is because in some instances it implied self-reporting and pressures to respond in a certain manner may have existed. Sample used may not represent the whole population. The study faced constraints where some respondents were reluctant to give details. It was also hard to stick to the issue at hand since most of the time respondents used the chance to narrate their personal challenges in the area.

1.9 Theoretical Framework

This study will apply Paul Collier and Hoeffler's greed and grievance theory, which tries to analyze the relationship between greed and grievance and the outbreak of violent conflict between the communities living in the area. The greed factor is mainly focused on the fact that conflicts occur due to economic factors and the economic gains which warring parties intend to achieve. It argues that conflicts reflect elite competition over valuable natural resources, it also emphasizes that the poverty trap is one of the contributing factors to environmental conflicts. They believe that conflicts occur in poverty-stricken, failed states, corrupt and incompetent regimes. Heightened intrinsic grievances play a role in fueling conflicts, in reality greed versus grievance hypotheses may be complementary explanations for conflicts.

Greed and grievance debates describe most intrastate conflicts in Africa. It argues that conflicts within African states are more about economic rents than about political power. Collier argues that greed-based insurgencies tend to destabilize the state rather than combine power by overthrowing the state. Whereas the grievance side of the debate argues that civil conflicts are normally caused by groups seeking political power to address some social injustices. Grievance culture concentrates on the central government of the country in order to gain access to limited resources, their goal is to address grievance faced by all excluded groups. Greedy culture on the other hand focuses on attaining resources for themselves and their own specific groups by transferring economic rents for their own benefit.

Causes of civil war for the longest period of time have been deemed by scholars as justice-seeking motivation, certainly based on political science literature rebels embrace arms because they look for justice against inequalities, and in their view civil wars are mainly caused by political and social factors such as ethnic discrimination, scarcity and historical injustices and these factors are referred to as grievances. Conflicts will only occur when there is horizontal inequality and differences between groups. Collier and Hoeffler asserted that the primary cause of civil wars are grievances since without group formation violent collective action cannot take place, in short grievance can be present without greed but it will be hard to maintain greedy motives without grievance.²⁸

²⁸ Porto, Joao Gomes, (2002) *Contemporary Conflict Analysis in Perspective, in scarcity and surfeit. The ecology of Africa's conflict*, edited by Jeremy Lind and Kathryn Sturman, Pretoria: Institute for security studies, 2002

Collier and Hoeffler in their study found out that there is a direct relation between resource abundance and conflicts. They argued that there is a risk of conflict increase where there is a high rate of commodity export, and that resource dependence increases the duration of civil wars. Natural resources could represent an attractive treasure for profit seeking groups and they would use violence to gain these resources, these remarks were echoed by De Soysa who argued that a moderate level of renewable resources produce internal conflicts. Natural resources are vulnerable to appropriation and are easily saleable hence its proceeds can be used to finance armed groups a case in point is conflicts in Sierra Leone over the control of Diamonds.

Homer Dixon's theory on scarcity and violent conflict²⁹, tries to analyze the relationship between environmental scarcity and outbreak of violent conflict between the communities living in the area. It argues that for conflict to occur in a particular area some background factors should present themselves, first the quantity and vulnerability of the environmental resources, balance of political power, nature of the state, patterns of social interactions and the structure of economic interactions among social groups. all these factors affect how resources are used by the community, the social impact of environmental scarcity, the grievances arising from the scarcity and whether they will contribute to violence in one way or another.

Environmental scarcity worsens grievances increasing conflicts and eroding state legitimacy thus causing contentions and insurgency. Kahl echoing the work of Homer - Dixon further developed the role of state and argued that the functional capacity of the state would be undermined whereby there is competition over strained resources and the disagreement over their management, thus presenting an opportunity for greedy groups to gain rebellion

This theory argues that there is a relationship between renewable resource scarcity and outbreaks of conflict. To support this argument, he uses the conflicts that occurred in El Salvador, Haiti, Peru and the West Bank. He also reiterates that environmental scarcity occurs in three forms which are mutually exclusive and often occur simultaneously. The first one is supply induced scarcity which is caused by depletion and degradation of the environment for example reduction in water levels in most of the rivers which draw from Mau forest,

²⁹ Homer-Dixon, T. et al (1996), '*Environmental Scarcity and Violent Conflict: Debate*', Environmental Change and Security Project, 2, Spring

deforestation is another major issue, by destabilizing soils and changing local hydrological cycles³⁰, it disrupts key ecological systems and unfortunately fuelwood remain the most accessible and inexpensive source of energy for most rural home which encourages deforestation in Olposmoru.³¹

Resource capture occurs where an increase consumption of a resource combined with its degradation, whereby the powerful groups in society shifts resources in their favor with anticipation of shortages subjecting the other group to scarcity. While ecological marginalization occurs where increased consumption of a resource combined with structural inequalities in distribution, weaker groups migrate to ecologically fragile areas and subsequently becomes fragile.

Scarcity and its interactions produce several social effects including lower agricultural production, migration from zones of environmental scarcity and weakened institutions and in order for these social effects to cause heightened grievances, people must perceive a comparative decrease in their standard of living compared with other groups and must see little chance of their aspirations being addressed.³² Severe environmental scarcity forces groups to narrow on survival strategies which reduces interactions of civil society with state. society segment into groups, social interactions among groups decrease and each group turn inwards to focus on its own concerns and unless grievances are addressed society will remain segmented and opportunities for violent collective action will increase consistently.³³

There is no doubt that natural resource availability and scarcity have an influence on conflict occurrence although the effects and impacts are different. Countries with abundant natural resources face the problem of greedy rebel groups who wants to use natural resources to finance themselves and as a source of richness itself. While countries with scarce resources face problem of aggravate grievances that can lead to conflicts. Olposmoru area of the Mau forest Complex is highly vulnerable to conflicts because of its historic grievance and consequent state weakness in resolving the land issues completely.

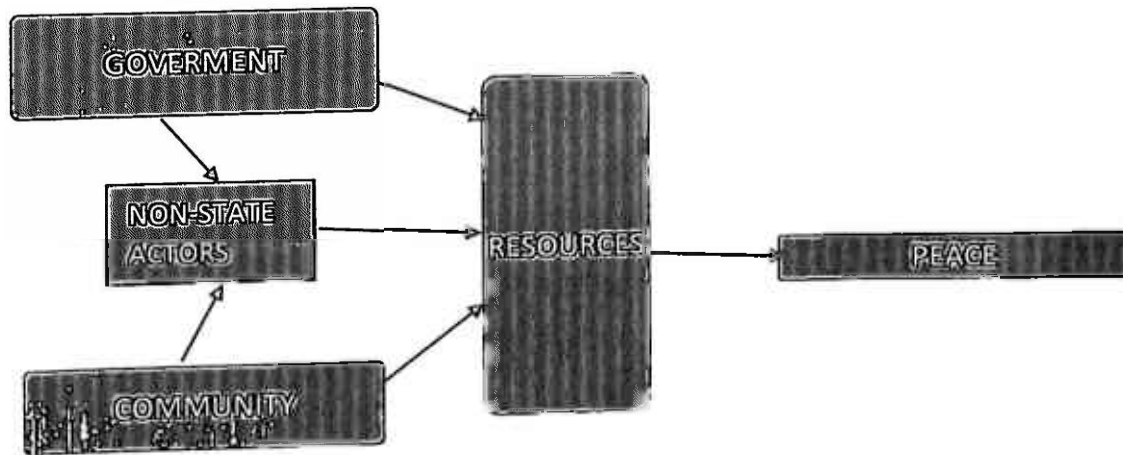
³⁰ Ibid

³¹ Gandar, Mark, (1991). *'The Imbalance of Power'*

³² Chazan Naomi (1994), *Engaging the State, Engaging the State: Association Life in Sub-Sahara Africa*, in Joe Migdal & Vivien Shue, eds *State Power and Social Forces*. Cambridge University Press

³³ Gurr, Tedd (1993), *Minorities at Risk, a Global view of ethnopolitical conflicts*, Washington DC, Institute of Peace.

Figure 1: Theoretical framework



Source: (Author)2018

1.10 Research Design and Methodology

This section anchors a presentation and justification of the research design and methodology. It describes the research design, research location, the target population, sampling procedures, research instruments, data collection procedures and analyses. This study uses case study design.

1.10.1 Methodological approach

Relationship between human beings and the environment is very crucial, and any negative change results in devastating effects and pose a threat to the human race.³⁴ Therefore, the choice of methodological approach is dependent on the objectives of the study qualitative approach

³⁴ UNEP. (n.d)Green Economy. Does it include you? Seminar Hall, Achutha Menon Centre for Health Science Studies, SCTIMST, Trivandrum: UNEP.

is useful since it gives a description of issues seeks to tell the story of a particular group experiences in their own words.³⁵

1.10.2 Study population and sampling method

The research targeted a sample population of 40 interviewees. It comprised of the employees of the African Biodiversity Network, worldwide fund for nature, Green belt movement, African Conversation Tillage Network, African conservation center and the African conservation foundation. This research will be carried out within Olposmoru, and its environs. The study chooses 5 respondents from each of the below listed non-governmental organizations that have projects within the Mau complex.

Table 1.1 Population

INTERVIEWEE	NUMBER
African Biodiversity Network (ABN)	5
World wide fund for nature (WWF)	5
Green belt movement (GBM)	5
African Conversation Tillage Network (ACT)	5
African Conservation Centre	5
African Conversation Foundation (ACF)	5
The Green Generation	5
Kenya Forests Working Group	5
TOTAL	40

Source:(Author) 2018

³⁵ Qualitative Research Approach. (n.d.). Retrieved from <http://www.statisticssolutions.com/>

1.10.3 Methods of Data collection

The main data collection technique for this study was both qualitative and quantitative analysis methods. The use of pictures and images enhances a better and single glance understanding of the issues. Interviews and questionnaires were also used based on the research objectives. Data obtained was analyzed from the research objective.

1.10.4 Case study approach

A case study is an empirical inquiry that investigates a single instance in order to explore in-depth situation of a phenomenon within its real-life context.³⁶ It is most suited where the contextual conditions under study are critical and the researcher has no control over the unfolding of events, moreover it gives an overall picture of the patterns of a region and hence reflecting on the reality of researched objectives. Case studies have a specific time frame in which the study must be completed and its normally associated with qualitative studies. The case study for this research was Olposmoru area of the Mau complex.

In line with case study, residents of Olposmoru area of the Mau complex have been experiencing continuous conflicts for several years. Unfair distribution of resources, logging and forest transportation, environmental degradation and many other factors have been the cause of rising tensions and conflict in the area. Therefore, using case study will help resolve issues purported to be the cause of conflicts and at the same time bring the researchers understanding and provide him/her with a new viewpoint from where to analyze the phenomena.

1.10.5 Validity and Reliability

Burns argues that validity is an essential criterion for evaluating the quality and acceptability of research³⁷. Both qualitative and quantitative research handle matters validity and reliability differently and thus application of the two cements one another. The use of different instruments in data collection is very critical thus it's important that the data be validated. To ensure validity and reliability, the aim of the study will be explained to interviewees prior in order to avoid any misunderstanding and at the same time assure them of their confidentiality.

³⁶ Yin R, K, (1994) *Case study research designs: Designs and Methods*, (Sage Publications: New York, 1994).

³⁷ Burns, A. (1999). *Collaborative action research for English language teachers*. Cambridge: CUP

Good rapport between the researcher and interviewees promotes relationships and trust thus ability to offer valid information. This also increases the validity and reliability of the study.³⁸

1.11 Research Outline

This research signifies the role of non-state actors in resolving environmental conflicts. Chapter one introduces the study by giving a brief background and the statement of the problem. Followed by Literature review that is founded on the research objectives. Chapter two analyses the role of non-state actors in resolving environmental conflicts in the horn of Africa while chapter three looks at the usefulness of non-state actors and government in resolving conflicts in Olposmoru area of the Mau forest complex. lastly chapter four is a critical analysis on the three hypotheses. Chapter five gives the conclusion and recommendations.

³⁸ Mohammad Zohrabi (2013). *Mixed Method Research: Instruments, Validity, Reliability and Reporting Findings*. Finland: ACADEMY.

CHAPTER TWO

ROLE OF NON-STATE ACTORS IN RESOLVING ENVIRONMENTAL CONFLICTS IN THE HORN OF AFRICA

2.0 Introduction

This chapter examines the role of non-state actors in resolving environmental conflicts in the Horn of Africa. It analyses the intricacies faced by the different non-state actors in maintaining a balance between maintaining peace and benefiting from conflict. It also looks at ways of managing environmental related conflicts, the impact of conflicts on poor societies and the impact of conflict on the vulnerable people in society.

2.1 Role of non-state actors

2.1.1 Non-state actors in the global arena

Horn of Africa has experienced a range of inter and intra state conflicts over the years, this has resulted in unwarranted deaths and displacement of persons. As conflict overflow, environmental resources on the other hand decline resulting in vulnerability of the people in the region with an increase in exposure to environmental hazards and reduced capacity to cope with them. These conflicts arise as a result of the struggle on who should be in control, access to forest and forest resources and historical claims over the forests. The change in forest cover in most developing countries has been because of conversion of forest into agricultural land and large infrastructural development.³⁹

Non-state actors are suitable in ensuring that human security is maintained in the world. Some of the roles in ensuring human security are facilitation of negotiations between two warring parties. Provision of relief when governments are unable to respond to emergencies, this is mostly done by organizations such as the ICRC and Oxfam. During internal conflicts they are often more flexible than state actors, as they can easily build local capacity since they are not affected by political and public scrutiny and hence there is no fear of losing credibility. They also benefit from close involvement with the local communities.

³⁹ Sayer.,Elliot C., Barro E., Gretzinger S., Maginnis S., McShane T. and Shepherd G. (2005). *Implications for Biodiversity Conservation of Decentralized Forest Resource Management*. UK: Earthscan Publishers.

The impact of non-state actors is context dependent. However, the roles and influence they exert on a country depends on the political, economic and social framework. Non- state actors play a major role in international security, they are responsible in provision of relief and humanitarian assistance during conflicts for example the Red cross provides support in formation of policies and structures that make security assessments easy, develop security concepts, suggest security initiatives and they also participate in confidence building, conflict prevention and resolution such as the Centre for Humanitarian dialogue (HD Centre).⁴⁰

2.1.2 Non-state actors in the African context

The last decade has seen the African continent affected greatly by environmental conflicts. This has been attributed to massive destruction of indigenous forested areas along the tropical belt. The conflict is also as a result of access, availability, distribution and management of the natural resources. Many at times the resources do not benefit the local communities but end up making massive profits for corporations that have been given access to these resources. It has therefore been a collective responsibility for both state and non-state actors to ensure that conflict is minimized.⁴¹

The Civil war in the Democratic Republic of the Congo has been attributed to natural resources. Since it attained independence in the 1960's the country has never been at peace. DRC is a country that is well endowed with natural resources which have attracted both enemies and friends. There is a scramble between the East and the West for the vast resources which are now becoming a curse to the poor communities. Rwanda and Uganda have also been pulled into the war as the two East African countries fight for the control of Eastern Congo. The M23 rebel group has been fighting for the control of Eastern Congo with the help of the Rwandese government. The lord's resistance army from Uganda have also gone into the region as they try to get a share of the resources. The presence of several state and non-state actors has made the situation worse and complicated.

⁴⁰ Mohamed Jawhar Hassan. (n.d.). *Role of non-state actors in international security and on humanitarian issues in conflict areas*. Retrieved from http://www.isis.org.my/attachments/397_MJH_RoleOfNon-StateActors.pdf

⁴¹ Merlinsky, M. (2017). *Environmental conflicts and public deliberation arenas around the environmental issue in Argentina*. *Ambiente & Sociedade*, 20(2), pp.121-138.

Most of the countries in the Horn of Africa have been experiencing environmental related conflicts for a while. Kenya has had resource related issues with its neighbors. For instance, Kenya – Somalia dispute over the Indian ocean maritime in which the case is still before the international court of Justice. Kenya and Uganda disputes over the waters of Migingo island. On the other hand, Sudan and South Sudan conflicts which led to separation of the two countries, border disputes which is rich in oil and thus both are fighting for a share. Peace agreement between the two states was enabled by the concerted efforts of the IGAD, (United Nations Mission in Sudan) UNMIS whose role is to monitor the implementation of peace, the AU also played an important role as a facilitator in the negotiations.⁴²

In 1998 the EU partnered with the UN framework team in order to improve capacity for land and natural resource management, the aim was to ensure that natural resources are managed properly to reduce its contribution to violent conflicts.⁴³ In 2018 conflicts in Nigeria between two groups over pastures led to a violent conflict with both sides arming and resorting to violence. A number of international organizations including FAO, USAID, UNEP and World Bank have been working alongside local stakeholders to help prevent and resolve conflicts over these pastures.⁴⁴

Merged efforts of UNEP, UNDP, AND OSCE to address environmental risks in southeastern Europe, the southern Caucasus and central Asia, whereby the issue of water has brought tension and conflicts in these regions. The partnership of these major organizations has brought about their combined expertise in assessment, training and policy development at the same time considering the environment. Furthermore, they have been able to provide institutional framework to address complex environmental risks.

Oil contamination in Ogoniland region of the Niger delta whereby extensive and severe environmental pollution from oil extraction and transport became a major conflict between local communities, government authorities and oil operators. After decades of negotiations the parties have failed to agree on the issue and thus UNEP was requested to act as a third party in

⁴² Axel B. Harald. S. (2016). Regional Conflicts and International Engagement on the Horn of Africa Retrieved 20 September 2016, from http://www.voltairenet.org/IMG/pdf/Regional_Conflicts_on_the_Horn_of_Africa.pdf

⁴³ Ruckstuhl, S. (2009). Renewable Natural Resources. doi:10.1596/28150

⁴⁴ UNEP,(2009) 'Recommended Strategy for Conflict Resolution of Competing High Pasture Claims of Settled and Nomadic Communities in Afghanistan', UNEP, Kabul, 2009

conducting assessment of the oil contamination, its report was endorsed by all sides of the dispute and is serving as an important catalyst towards conflict resolution⁴⁵

Conflicts in eastern Dr Congo, competition over fertile lands and vast mineral remains has been experiences since 2009.under the international support strategy for security and stability the UN Habitat has implemented a land dispute resolution program in some areas. The main aim of the program is to prevent and mitigate land disputes and conflict in return areas, this enables communities to present their land claims while receiving advice and information on land issues, and this has proven to be an effective means for alternative dispute resolution.

2.2 Managing environmental related conflicts.

2.2.1 Causes and solutions to environmental conflict

Emergence of conflict is not anchored on one particular aspect but a myriad of possibilities that are linked to human needs. Management of the conflict is often determined by the cause. It is therefore paramount that the conflict managers get to understand the conflict so as to generate a proper response to the problem. Environmental conflicts cross international boundaries and may end up turning into an interstate war if not managed well. Research has shown that environmental conflicts are complicated by the involvement of many actors each with its own divergent issues⁴⁶

Malcom Rifkind, former British Foreign Minister looks at conflict management from a very unique perspective. He is of the opinion that peace will not be secured unless and until its anchored on equitable sharing of resources and a better alternative given to the conflicting parties. Scholars looking at conflict management from this perspective have realized how important it is, especially when dealing with forest evictees. Lack of alternative sources of income has always driven back communities into the forest.⁴⁷

Other scholars have also looked at conflict management from a very different perspective. They are of the opinion that conflict managers should shift their focus from the causes of conflict to

⁴⁵ UNEP, (2011)' *Environmental Assessment of Ogoniland*, UNEP, Geneva.

⁴⁶ Naibei, P. (2014). *dispute, conflict and causes of environmental conflict in kenya*. [online] Available at: <https://www.researchgate.net/publication/266378168> [Accessed 15 Sep. 2018].

⁴⁷ Mason, S. and Spillmann, K. (n.d.). *Environmental conflicts and regional conflict management*. [online] Eolss.net. Available at: <http://www.eolss.net/sample-chapters/c13/E1-21-04-05.pdf> [Accessed 15 Sep. 2018].

the conflict influencers. This aspect looks at the interlinking factors that influence the direction of the conflict as it happens. Influencing factors are different and are never the same for every conflict situation and it may be as a result of activities, groups, beliefs or needs. Scholars have also argued that influencing factors cannot be compared to causal factors because unlike causes they interact with each other to cause conflict. On the other hand, causal factors have a one direction influence on the conflict. This ends up limiting the development of strategies to deal with the conflict in a holistic manner.⁴⁸

Management of natural resources includes the sustainable use of natural resources in order to benefit all. Natural resources are essential in the survival of human race and its therefore important to maintain the environment in order to avoid further degradation and alleviate poverty. Failure by many African countries to engage all relevant stakeholders in resource management has resulted in environment related conflicts, and its therefore necessary for all communities to join hands and take care of the environment in order to benefit from it.⁴⁹

The Swedish International Development Cooperation Agency (SIDA) looks at the works of Mobjörk on East African studies. The conclusions therein indicate that there are four aspects that need to be looked into when resolving conflict. The first one is how a society is governed, this determines how resilient a society is capable of dealing with external stress factors. This aspect is also important when it comes to tensions in regards to natural resources. The research indicates that it is easier to resolve a conflict when government structures are well outlined. The second aspect is the interaction of risks and the actions taken to combat them. The research posits that some weather conditions such as droughts lead to low availability of food and thus hiked prices. It is therefore important for governments to put in place measures to ensure that food is available when weather conditions do not favor production.

The third aspect is the ability of climatic changes to transcend time and space. This is an indication that some climatic problems may have adverse and lasting effects on communities. This therefore requires long-term measures to ensure that neglected communities are given resources that are life changing. The last aspect is that climatic related effects are not equal.

⁴⁸ Mason, S. and Spillmann, K. (n.d.). *Environmental conflicts and regional conflict management*. [online] Eolss.net. Available at: <http://www.eolss.net/sample-chapters/c13/E1-21-04-05.pdf> [Accessed 15 Sep. 2018].

⁴⁹ Population Action International, (n.d) '*Why Population Matters to Water Resources*', available at <http://populationaction.org/wp-content/uploads/2012/04/PAI-1293-water-4PG.pdf> [Accessed on 05/09/2018].

This research posits that agencies preparing contingencies for climatic related problems should consider the fact that they are never the same.⁵⁰

2.3 Vulnerability in conflict and the role of non-state actors in empowerment

Vulnerability can be contribution of social aspects such as poverty, inequality and gender issues. Society becomes vulnerable especially with the rise of the social aspects thus raising the risk of conflict. Environmental conflicts arising in any country are directly connected to social vulnerability. Vulnerable societies such as the poor have a negative impact on the environment, this is through high population growth and degradation of natural limited resources making them more vulnerable to change and more susceptible to environmental change.⁵¹

Vulnerability in conflicts leads to tremendous loss and suffering by the most vulnerable groups, the poor, women, children, and the minorities who bear the burden of the effects. Women and children account for up to 80% of Africa's displaced and represent the most vulnerable populations in times of crisis. Women bear the most burden and duty of protecting the well-being of their children and families while being forced to cope with the new demands of daily life in a crisis situation.⁵²

Environmental conflicts across the world have adversely affected women, children and the elderly in society. This has been heightened by resource use and control by male dominated leadership structures especially in the African societies. The African continent is leading in terms of environmental related conflicts. The availability of natural resources has led to conflicts in many countries such as Somalia, Democratic Republic of Congo, Central Africa Republic, Nigeria, Kenya and many others. Many non-state actors have played a major role in fostering peace amongst conflict communities across the world. In many African states they have taken charge of grassroots initiatives that are geared towards developing peaceful co-existence amongst communities.⁵³

⁵⁰ Sida.S. (2017). *The relationship between climate change and violent conflict*. [online] Available at: <https://www.sida.se/contentassets/c571800e01e448ac9dce2d097ba125a1/working-paper---climate-change-and-conflict.pdf> [Accessed 15 Sep. 2018].

⁵¹ Thomas F. Homer-Dixon. (2002). *Environment, Scarcity, and Violence*. Thomas Homer-Dixon. Princeton, London: Princeton University Press, 1999, 253pp. £14. *Survival*, 44(2), 180-182.

⁵² Perry, E., Potgieter, C., & Bob, U. (2011). Environmental conflicts and women's vulnerability in Africa. *African Journal on Conflict Resolution*, 10(2). doi:10.4314/ajcr.v10i2.63315

⁵³ Mung'ou, C. (2018). *The Role of Non-State Actors in Enhancing Peacebuilding Among Women in Mount Elgon Region, Kenya*. *Journal of African Conflicts and Peace Studies*, 4(1).

The local capacity has significant implications on the response of non-state actors and humanitarian assistance, in a case where the local capacity is low and poverty levels are high, external agencies often engage in provision of relief in order to empower the vulnerable groups. Non-state actors play a crucial role in shaping the operating environment of humanitarian agencies. Marginalized groups may experience multiple forms of inequality, marginalization and exclusion. As argued by Kabeer social protection system can be advanced in order to provide protective measures which are meant to cushion during crises. Such programs which are meant to assist the chronically poor are put in place, for example targeted resource transfers such as disability benefits, single parent allowances, pensions for the elderly poor, social services for the poor and those who need special care such as orphans and internally displaced persons.⁵⁴

UNEP's division of early warning and assessment (DEWA), development and environment and conflict prevention initiative to coordinate in promoting conflict prevention in order to help build on existing environment, peace and conflict activities. It also came up with a cooperative framework for addressing rising tensions over resource and the environment, to facilitate capacity building and institutions on environmental issues and to encourage development and implementation of policies that would ensure equitable use of resources.

There has been an increased effort by non-state actors to achieve gender equality and women empowerment, this is because women are very crucial in attaining peace and sustainable development. Insecurity, unequal gender norms and poor service provision make women more prone to violence and continued poverty.⁵⁵ Thus over the past decade there has been greater acceptance of the need to discuss issues affecting women and girls particularly. Women are more likely to be affected during conflicts because of their position in society, they are most excluded in decision making on economic issues, they are limited in terms of land ownership and factors of production and therefore non-state actors have been able to help them by providing social protection services in order to improve their livelihood and make strategic life choices.

Poverty has adverse effects on the environment, as the poor tend to over use meagre resources available thus leading to degradation. On the other hand, environmental scarcity leads to

⁵⁴ Kabeer, N. (2008). poverty in focus-Gender equality. [online] Ipc-undp.org. Available at: <http://www.ipc-undp.org/pub/IPCPovertyInFocus13.pdf> [Accessed 15 Sep. 2018].

⁵⁵ Gender Inequality and Fragility in the post-MDG Framework. (2013). Retrieved from <https://www.Cordaid.org/en/publications/gender-inequality-and-fragility-post-mdg-framework/>

poverty since there is lack of access to resources and loss of livelihood. The poor are more vulnerable to disasters and have a lower capacity to recover hindering the efforts made to alleviate poverty.

The Sabaot land defense forces (SLDF) caused a major security crisis in Mount Elgon in 2006. The conflict led to a humanitarian disaster that was only comparable to what happened in Sierra leon during the reign of Charles Tailor. The residents of the region were mutilated by the attackers. Women lost their limbs, their ears were mutilated, hands chopped and lips cut into two. The poor lost the little they had and their lives went from bad to worse.⁵⁶

Horn of Africa for several years have had the Swiss peace involved in environmental change, conflict and cooperation. They have partnered with National Centre of competence in research (NCCR), North south research partnerships for mitigating syndromes of global change. The program seeks to improve understanding of different syndromes of global change, the effects on human, natural and economic resources and the responses of different social groups and society as a whole.⁵⁷

The last decade has seen the south American continent affected greatly by environmental conflicts. This has been attributed to massive destruction of indigenous forested areas along the Amazon river. The conflict is also as a result of access, availability, distribution and management of the natural resources. Many at times the resources do not benefit the local communities but end up making massive profits for corporations that have been given access to these resources. It has therefore been a collective responsibility for both state and non-state actors to ensure that conflict is minimized.⁵⁸

In order to reduce conflicts in a society, social vulnerability towards environment should be addressed, and this can be done by addressing social aspects such as unequal access to natural resources, unemployment, and control of population growth. Moreover, by changing environmental management and creation of awareness. ⁵⁹

⁵⁶ Mung'ou, C. (2018). *The Role of Non-State Actors in Enhancing Peacebuilding Among Women in Mount Elgon Region, Kenya*. Journal of African Conflicts and Peace Studies,

⁵⁷ National Centre of Competence in Research. (n.d.). Horn of Africa. Retrieved from <http://www.nccr-north-south.unibe.ch/Pages/Horn-of-Africa.aspx>

⁵⁸ Merlinsky, M. (2017). *Environmental conflicts and public deliberation arenas around the environmental issue in Argentina*. Ambiente & Sociedade, 20(2), pp.121-138.

⁵⁹ Thomas F. Homer-Dixon. (2002). Environment, Scarcity, and Violence. Thomas Homer-Dixon. Princeton, London: Princeton University Press, 1999, 253pp. £14. *Survival*, 44(2), 180-182. doi:10.1080/00396338.2002.9688552

2.4 Approaches to conflict resolution.

Article 33 of the UN charter outlines the conflict management mechanisms to include negotiation, enquiry, mediation, arbitration, judicial settlement and the use of regional agencies and any other peaceful means.⁶⁰ In the case where other means fail, alternative dispute resolution mechanisms take charge, this is where non-state actors come in to help resolve conflicts. Local communities also have a role to play in resolving disputes and therefore they should be included in order to make it easier for any agreement made to be owned by the community. Traditional believes can also be used to resolve disputes, they are at times invoked for the purposes of restoring peace⁶¹

Conflicts create challenges whereby national and international organizations, governments and other interested parties seek ways of avoiding conflicts if possible and resolving them amicably when they arise. All parties can benefit from alternative conflict resolution approaches thus reducing damage and potential progress of conflicts. Conflicts resolution tools can be very effective for addressing disputes between parties, it can result in significant savings in time, resources and relationships. In a case whereby there if no full agreement, issues demanding resolution become clearer and more understandable thus easing resolution through other means⁶²

Dispute resolution processes attempts to resolve conflicts hence enabling societies to maintain peace and cooperation. Alternative dispute resolution techniques are substitute to the adjudication through court proceedings. This technique involves a third party and can be applied in almost all contentious issues which are capable of being resolved by agreement between parties. They are able to maintain and enhance relationships that would otherwise be damaged by adversarial process.

Courts have played a vital role in justice delivery for a very long time. However, in the recent past serious concerns have been expressed over the litigation exercise as it is seen as an endless process with delays in litigation procedures and high costs and fees. The state of affairs has led

⁶⁰ United Nations, (1945). [online] *Treaties.un.org*. Available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> [Accessed 15 Sep. 2018].

⁶¹ Francis, D. (2006). *Uniting Africa*. Aldershot, England: Ashgate

⁶² Gaitskell, R. (2011). International dispute resolution. *Construction Dispute Resolution Handbook*, 139-158. doi:10.1680/cdrh.41455.139

to increased dissatisfaction with litigation and it has led to development of more flexible means of dispute resolution.

Globalization has led to development of more flexible means of resolving disputes that provide alternatives to court-based litigation. Alternative dispute resolution is anchored non the principle of consensus, it is non-authoritarian and operates within the structure of a specific community and their culture. A case in point is Zambia whereby they have retorted to the use of ADR, this has been attributed by the declining economy which has led to scarcity of resources.⁶³

Mediation involves neutral third party who is responsible for facilitating and moderating dialogue and discussion between two conflicting parties. The mediator helps identify the root causes of conflict and assists in appreciating the views to each other and accept the situation before common searching for solution. It is a result-oriented process and requires voluntary, self- determined participation of all parties involved. Resolution can only be found through mutual agreement and it is normally applied when negotiations reach an impasse.⁶⁴ This is showcased in the dispute between India and Pakistan over the Indus river, the World bank acting as the mediator managed to influence the parties to enter into negotiation and solve the dispute which otherwise could have led to war. ⁶⁵

Arbitration is a form of alternative dispute resolution, it is a technique for resolving disputes outside the courts whereby the third party reviews the evidence and enforce a decision that is legally binding to both sides. It can either be mandatory or voluntary and arbitrators with appropriate degree of expertise can be appointed when the subject matter of dispute is highly technical, it is also faster than litigation in court. A case in point is a dispute between Israel and Egypt over the locations of the border in the Gulf of the red sea, it was settled in favor of Egypt by and international arbitration panel on September 1988⁶⁶

Conciliation is an ADR process whereby parties involved in the dispute embrace the use of a conciliator who meets the parties separately in order to resolve their differences. It is a voluntary process whereby disputing parties are free to resolve their disputes by conciliation.

⁶³ Zambia - Country Reports on Human Rights Practices, 2005. Released by the Bureau of Democracy, Human Rights and Labour.

⁶⁴ Boulle, L. J., & Kelly, K. J. (1998). *Mediation: Principles, process, practice*. Toronto: Butterworths.

⁶⁵ UNESCO-IHP. (n.d.). Alternative dispute resolution approaches and their application in water management. Retrieved from http://www.un.org/waterforlifedecade/water_cooperation_2013/pdf/adr_background_paper.pdf

⁶⁶ Ibid

The conciliator provides technical assistance, they interpret disputing issues, research on potential solutions and come about a negotiated settlement. The process of conciliation is flexible thus parties can determine the structure, time and content of the proceedings.⁶⁷

Negotiation on the other hand is a consensual process, parties involved in the conflict may either be represented by legal counsel. Different styles of negotiations can be applied depending on the different cultural influences of the disputing parties, discussions are held between the parties about the matter with the aim of reconciling their differences and establishing areas of agreement, settlement and compromise. It is the simplest way of resolving disputes and it precedes all other forms of dispute resolution.

Another ADR method is Med-Arb, it is a hybrid dispute resolution process. In a situation where there is no one method can completely satisfy a particular special dispute, Med-Arb has been devised to meet such situations. This procedure borrows some elements from the various types of ADR. Parties involved try to reach to an agreement through mediation and whenever it fails the mediator or another third party makes a binding decision.

2.5 Government involvement in reducing environmental conflicts

Conflict management is a situation whereby several aspects are incorporated with an intention to reduce or resolve conflicts. Its main purpose is to obtain desirable positive outcome while at the same time reducing the escalation of violence. Many scholars are of the opinion that for conflict management to be successful it has to marshal the local capacity by use of local approaches such as local leaders, negotiation skills and even customary laws⁶⁸

A project of Bachler, Boge and Chlotzli which was launched by the international peace research institute in Oslo concludes that degradation of resources contributes to violent conflicts in regions of political, economic and social instability. It adds that for conflict to erupt there are certain conditions that present themselves simultaneously, first where degraded resources are not sustainable and people depend on them for their existence, powerful institutions to ensure sustainable use of resources are not effective and lastly environmental degradation is used by groups with special interests to construct group identities.

⁶⁷ P. C. Rao, Secretary General ICADR , *Alternative Dispute Resolution* (1997)

⁶⁸ Engel, A. and Korf, B. 2005. *Negotiation and mediation techniques for natural resource Management*. Rome: FAO.

Politicians devote their resources into forest activities only if the goals will serve political and financial gains⁶⁹. In his study on Bolivia and Guatemala he argues that politician's worry on the capacity to hold on to power is the drive behind forest conservation consideration. Resource tempt individuals to engage in rent seeking competition rather than productive economic activities⁷⁰ these sentiments are echoed by Basedau and Lay who argue that resource rent is motivation for rebels to start civil wars⁷¹. Conflicts can arise due to control of resource by one group that excludes others or destroy the resource they depend on for livelihood⁷².

UNEP expert advisory group on environment, conflict and peace building found out that there was significant potential for conflicts over natural resources to intensify over the coming decades. The UN itself in 2004 in a meeting convened by the Secretary General Kofi Annan concluded commodity shortages can help trigger social unrests and civil wars⁷³. WTO on the other hand in 2010 concluded that access to natural resources is increasing perceived as security risk. In Olposmoru area over 20,000 hectares have been adjudicated to ascertain the traditional land use rights of the Maasai and Ogiek communities, the adjudication did not consider the protection of ecologically sensitive areas.⁷⁴

By empowering the citizens through provision of full access to information relating to environment, policy making processes and environmental awareness. Communities are equipped on the importance of preserving the forest. Government attention to the environment ensures that peaceful democratization movement are given the necessary platform. The formation of green belt movement by Wangari Maathai which educates people on the importance of environment also incorporates projects to preserve biodiversity.

Kenyan government has shown remarkable effort in ensuring that its environment is preserved. Policies and legislations to guide in ensuring that the environment is taken care of has been put

⁶⁹ Krister, P., A. *Decentralized Natural Resource Governance*. (USA : Political Science Journal, 2004)

⁷⁰ Auty, R. M. (2001). *The political economy of resource-driven growth*. *European Economic Review*, 45(4-6), 839-846. doi:10.1016/s0014-2921(01)00126-x

⁷¹ 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*,

⁷² Billon, P. L. (2008). *Corrupting Peace? Peacebuilding and Post-conflict Corruption*. *International Peacekeeping*,

⁷³ United Nations. (2003, September 12). *Interim report of the Secretary-General on the prevention of armed conflict* (Report of the Secretary-General on the work of the Organization, A/58/365-S/2003/888). New York: United Nations

⁷⁴ Task Force on Mau. *The Prime Minister's Task Force Report on the Conservation of the Mau Forests Complex*. (Nairobi: The Government Printer, 2009)

into place. In 1999 environment management coordination act was passed which later created the national environment management authority (NEMA). In 2005 the Forests act was passed which saw the creation of Kenya forest service (KFS). The two bodies have been given mandate to formulate policies, implement and enforce them.⁷⁵

What is being experienced in Olposmoru are failures that originated from the historical events and decisions of the state dating back to the colonial regime, the regime of Jomo Kenyatta 1963-1978 and the regime of Daniel Moi from 1978-2002. The main position of the government of that time was to create settlement for the Ogiek community but it was never successful as the right beneficiaries were not allocated rather senior government officials are the ones who benefited. This is well supported by Neuman's sentiments which are echoed by Towett⁷⁶ and Ndungu⁷⁷. Scarcity can initiate migration leading to conflicts and rivalry in the host area. It also causes economic deprivation and ensuing conflicts especially when institutions are weak.

Conclusion

This chapter has brought out the importance of non-state actors in environmental conflict management. It is important to note that the whole process requires collaboration from both government and the non-state entities. In Olposmoru, non-governmental organizations have played a major role in ensuring that the forest is restored to its earlier position while at the same time ensuring a peaceful coexistence between the communities. The destruction of the forest has also led to scarcity of water and pasture. This two are important to pastoralists and farmers and thus is the main cause of the conflicts affecting the region.

⁷⁵ Kenyan government (1999). Environmental management and co-ordination act. Kenya: National Council for Law.

⁷⁶ Towett, J., Kimaiyo. *Ogiek Land Cases and Historical Injustices 1902-2004: Your Resource, Our Relations* (vol. 1). (Kenya: Nakuru, Egerton University, 2004)

⁷⁷ Ndungu, N., Paul et al., eds. *Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land*. (Kenya: Nairobi, Government Printers, 2010)

CHAPTER THREE

CHALLENGES FACED BY NON-STATE ACTORS IN RESOLVING CONFLICT IN THE MAU COMPLEX

3.0 Introduction

Previous chapter examined the usefulness of non-state actors in resolving environmental conflicts in the Horn of Africa with some focus on the Olposmoru forest in Kenya's Mau Forest Complex. This chapter analyses the challenges faced by non-state actors in reducing environmental conflicts.

3.1 The important role played by non-state actors in conflict resolution

In developing countries where international standards may not be present it is difficult to manage natural resources with transparency and sustainability, hence non-state actors and other outside organizations combine efforts and help in establishing standards that can build trust and prevent disputing parties from fighting over natural resource wealth. The most important actors during dispute resolution are those outside parties who can influence natural resource management, this can either be powerful governments who are resource or economically rich, international organizations, NGOs and other users of resources.

Non- state actors play a role by publicizing conflicts at the same time lobbying governments and other actors to improve transparency, human rights and fight against corruption. Different techniques have been applied during conflict and post conflict situations in order to shape natural resource management. They help in bridging negotiations and agreements, they suggest suitable solutions and sustainable development and conservation mechanisms, and provide necessary aid and economic incentives in order to boost the economic conditions and help resolve conflicts.

Non-state actors help raise issues and offer blueprints for peace, they help in bridging the human dignity deficit within a state which is in itself a source of conflict. It is essential for the non-state actors to earn trust and support from the state itself to become more effective and by

working with the civil society also ensures that conflict resolution and peace building becomes substantive.⁷⁸

They aid in opinion building; most international organizations rely on non-state actors in form of implementing partners in the national context. An example is the contribution of COHRE (Centre on Housing Rights and Evictions) to the protection of land and property rights in Kosovo. They also act as agents in helping nations achieve both national and international development goals especially on climate change, this has been seen whereby they contribute by filling gaps left by poorly implemented national climate policies.⁷⁹ Natural resources are an international public good. Mary Kaldor argues that internationalization of environmental dividends is determined by what constitutes environmental security, for example shared natural resources and contested borders.

3.2 The negative impact of non-state actors on conflicting parties

Non-state actors have in the recent past taken over world politics. International organizations that are well financed are controlling stakes in the African politics. Private entities have also invested a lot in politicians who are in dire need of financing. The taking over of the political systems by non-state actors has made the relationship between states very complex. Many scholars are of the opinion that the increase in the number of non-state actors is weakening the state in international politics.⁸⁰

Threats posed by non-state actors is becoming more and more dangerous as some non-state actors takes the positions of a jury, judge and executioner. Criminal groupings, terrorists and militias are becoming some of the worst threats to global security. For example, in the Mau complex, the entry of international non-state actors has led to more encroachment into the forest. In 2017 The African Court on Human and Peoples' Rights gave a ruling that members of the Ogiek community should be allowed to occupy their ancestral home in the Mau complex.

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⁷⁸ *The centrality of non-state actors in promoting peace & stability*. Retrieved from http://issi.org.pk/wp-content/uploads/2014/06/1305617175_81448332.pdf

⁷⁹ Non-state actor. (2018, October 12). Retrieved from https://en.wikipedia.org/wiki/Non-state_actor

⁸⁰ Muhittin. A.(2003), *The Impact of Non-State Actors on World Politics: A Challenge to Nation-States*. retrieved from the Turkish Journal of International Relations, Vol.2, No.1, Fall 2003

⁸¹ N. Englehart. (2016) *Non-state Armed Groups as a Threat to Global Security: What Threat, Whose Security?* Retrieved from Journal of Global Security Studies, 1(2), 2016, 171–183

Accountability of the non-state actors has become a challenge; their actions may be more disruptive than constructive just like those of governments and international agencies can at times go wrong. Their representation and bearer of their mistakes should then be established since the implications affect the larger majority especially in developing countries with weak political structures and vulnerable economies. This leads to the problem of finding a satisfactory way of combining the different views and positions of different actors into a coherent plan for action and reforms.

3.3 State and non-state partnership in resolving conflict in the Mau complex

The Kenyan government is highly controlled by the political class hence rendering it biased when making decisions concerning the Mau forest issues. The interest of the government and the political class at large are to fulfil the pledges made during the electioneering period. One of the pledges includes ensuring that settlers are not evicted from the forest. This ensures that the settlers benefit from forest resources as politicians' benefit from their support. This has forced the government to delink politics and conservation of the Mau forest. This has come with consequences attached to it. In 2012 expulsion of squatters from the forest led to heated political debates that determined the direction taken by the community in the election that followed. Since then the government has partnered with non-state entities like Green belt movement and UNEP towards restoring the forest.

Mau forest plays a major task both as a national and international watershed, support of local livelihood and conservation of biodiversity. That's why in the recent past the Kenyan government has taken significant steps to address the challenges faced in the forest. Revised policies and laws were adopted in 2005. It places a strict control on logging and human encroachment into the forest and also emphasizes on co- management of the forest resources between the local communities and the private sector. Its main aim was to reduce forest destruction and conflicts over resources by the communities living in the area. This has received full support from non-state entities that are operating both within and outside the Mau complex.⁸²

⁸² GOK (2010). *Rehabilitation of the Mau Forest Ecosystem*, Interim Coordinating Secretariat (ICS)

In 2010, the Kenyan government appealed to the international community for assistance in restoring the Mau complex. This was well received as UNEP took the lead. The United States government promised a total of 7 million dollars towards the restoration. This was a good gesture to the Kenyan people as people took the restoration crusade to save the Mau forest. The will of the government to take the lead in restoration gave the process legitimacy and access to funding. This led to the recovery and restoration of over 23,000 hectares of land which was a great step towards recovery. This is an indication that a partnership between the state and non-state entities can be advantageous in resolving environmental conflicts⁸³

3.4 Challenges faced by non-state actors in the Mau complex

Developing countries have seen a tremendous growth of non-state actors in the last decade in all domains of human activities. As much as non-state means any entity that is not a state, many African states look at non-state actors as civil society. Because of their integral part concerned with management of diverse range of activities, they face both internal and external issues. The most challenging internal issues faced by non-state actors are human resource, finances, organizational system, their registration and interaction with other actors, private sectors and government. This has made the working environment extremely dangerous especially in conflict situations. The situation in the Mau complex is a replica of what is happening across the world. Non-state actors are viewed as civil society groupings by the society. This has made it extremely hard for them to drive their agenda.

The increased roles of non-state actors in conflict situations have posed a lot of problems to the functions of the state. Presence of multiple unofficial actors has led to uncoordinated efforts at the same time accountability becomes a challenge. They may also experience challenges on their own such as insufficient resources, lack of relevant information and awareness on important issues which may lead to their taking sides during conflict.

Lack of sufficient funds to enable the non-state actors operate effectively and efficiently. They lack financial, project and organizational sustainability hence the challenge of finding a donor who will continuously fund their operations. Most of them have limited resource mobilization

⁸³ UN Environment Programme. (2010). *Multimillion Dollar Response to Mau Appeal Brings Restoration Hope to Kenya and the Region - Kenya*. Retrieved from <https://reliefweb.int/report/kenya/multimillion-dollar-response-mau-appeal-brings-restoration-hope-kenya-and-region>

skills and are often not interested with local funding but prefer approaching international donors. They also depend so much on donor funding hence the tendency to shift interventions to match donor priorities which makes it difficult to measure their impact over time because they operate on the whims of their donors.⁸⁴ In the Mau complex, the green belt movement and the Red Cross have been facing challenges that are mainly attributed to funding. This has curtailed their operations especially when conflicts break out.

Poor governance by most non-state actors making it hard for most of them to define their specific roles and functions which is fundamental to accountability and transparency. Most of them lack strategic plan hence inability to have ownership over the mission, values and activities of the organization. Most non-state actors whose founders only wish to own them for their own benefit and purposes make it hard to achieve good governance.⁸⁵

Duplication of efforts, conflicting strategies at community level, lack of benchmarking from other experienced actors, inability to address local structures and the causes of poverty, scarcity and under development. There has been negative competition among the several non-state actors undermining the reputation and effectiveness of their roles and activities at the community level, this has led to suspicion, secrecy and lack of transparency among them.⁸⁶

Poor networking is a challenge experienced by many non-state actors. Most non-state actors intrude at the community level without any community mapping and knowledge. Most of them implement their projects without considering the ongoing community initiatives making it hard to pursue them successfully since they lack community support. Limited technical and organizational capacity is a challenge experienced by most non-state actors, many of them lack or have weak capacity in technical areas of development, governance, leadership and management, IT capacity posed by technology changes but only a few of them are willing to pay so that they can improve their capacity building in order to enhance development of better-quality standards that would help in developing the required capacities.⁸⁷

Unfair competition among local and international non-state actors has become difficult and inappropriate hence holding back development interventions. International actors have been

⁸⁴ Summary of Challenges and Opportunities facing NGOs and the NGO Sector. Retrieved from <http://www.penkenya.org/UserSiteFiles/public/challenges%20and%20opportunities%20facing%20>

⁸⁵ Ibid

⁸⁶ Ibid

⁸⁷ Summary of Challenges and Opportunities facing NGOs and the NGO Sector. Retrieved from <http://www.penkenya.org/UserSiteFiles/public/challenges%20and%20opportunities%20facing%20>

deemed to mostly occupy much of the space leaving no room for the local actors. Local actors feel that their intrusion and intervention without any consideration for building of their sustainability and their projects are more of short term than long term thus locally unsustainable. International actors are also responsible for creating high cost image that undermine credibility of the sector by paying high salaries to attract local personnel which in turn suppress local actors.

Political interference is a major challenge faced by all non-state actors in any conflict situation, especially where the issue is sensitive like land disputes. Local politicians and civic leaders are a hinderance to most of the projects provided by the actors especially where they feel that they are being overtaken and challenged and thus they have to be seen as protecting their people. They face intimidation and threats of de-registration where they are not in support of their ideas and decisions.

Lack of cooperation from the national government reduces the effectiveness of non-state actors in their service delivery. Most governments view non-state actors as sympathizers of the opposition politician and hence use bureaucracy and administrative forces to harass them, this is mostly observed in African countries where democratic privileges have not been fully embraced. There is also lack of government goodwill leading to poor relationship between them thus making their service delivery ineffective and at times failure in achieving their set goals and objectives.⁸⁸

Most governments lack respect for the non-state actors rendering their working environment uncondusive. Although both the government and non-state actors should be working towards serving the needs of the people, the environment that is created by the government undermines the efforts and collaboration to serve the community. Sentiments made by government officials showing disapproval of non-state actors further sour the relationship between them.⁸⁹ This is well illustrated in the case of Green Belt movement and other environmental leaders who were attacked by state security forces for an attempt to secure Karura forest which had been allocated to private developers.

⁸⁸ Agere, L.M (2014). *An Evaluation of the role of child and Youth Care Centres in the implementation of South African's Children's Act*. An unpublished Masters of Social Work Degree. University of Fort Hare.

⁸⁹ S. M. Kang'ethe. (n.d.). *Exploring the Challenges Threatening the Survival of NGOs in Selected African Countries*. Retrieved from <http://www.mcser.org/journal/index.php/mjss/article/viewFile/5234/5051>

3.5 The extent to which non-state actors have been useful in resolving environmental conflicts

Globalization has greatly impacted the world order and relationships between different entities. Non-state actors have been given more space in which they can carry out their activities while at the same time expanding their capabilities. Non-state actors now shape both local and international governance structures. The ability of non-state actors to access areas that cannot be accessed by government agencies has also led to animosities between governments and such groupings. Their ability to deal directly with the grass roots has sometimes led to confrontations with government entities. Research has shown that non-state actors sometimes have more effective networks that focus on long-term issues such as population displacement, restoration of forests, food security and conflict prevention. This notwithstanding, it is important to note that non-state actors are many at times influenced by external factors. In conflict situations, multiplicity of functions and actors may lead to more problems than earlier foreseen. On the flip side, it is also important to note that non-state actors may not always have the power to influence. In many African countries, they are faced with a myriad of challenges ranging from lack of funds to lack of political influence.⁹⁰

Displacement of populations in the Rift-Valley is mainly as a result of the government's inability or refusal to address historical injustices over access to land. This has led to internally displaced persons building camps every electioneering period. The national government has been trying to buy land elsewhere for the internally displaced and forest evictees has also resulted in negative reception by the receiving communities.⁹¹

The Food and agriculture organization of the United Nations (FAO) has played a major role in ensuring sustainability of peace programs in the Mau forest. FAO has made it a priority to protect the ecosystem while at the same time ensuring that peace is sustained. In 2010 FAO launched a two-year Programme as part of the technical cooperation Programme that enhances both technical training and business planning. This is meant to ensure that farmers are well trained and that they also have access to financing through banks.⁹²

⁹⁰ Arts, B. (2005). *Non-state actors in global environmental governance: New arrangements beyond the state*. Retrieved from <http://edepot.wur.nl/20348> on 10th October 2018.

⁹¹ Kamungi, P. (2011). *National Response to Internal Displacement: Achievements, Challenges and Lessons from Kenya*. Retrieved from https://www.brookings.edu/wp-content/uploads/2016/06/From-Responsibility-to-Response-Nov-2011_Kenya.pdf

⁹² Fao Kenya. (n.d.). *Promoting sustainable livelihoods in Kenya's Mau Forest Complex*. Retrieved 20th October 2018 from <http://www.fao.org/in-action/promoting-sustainable-livelihoods-in-kenyas-mau-forest-complex/en/>

After the 2007 post-election violence the Mau complex was part of the most affected regions. The government through community-based organizations and Kenya forest service created emergency programs that were aimed at protecting the forest. FAO played a great role through creation of community farm schools that trained more than eight hundred farmers on how to protect forests and still benefit from it. This brought together former compatriots towards working together in conservation projects. These projects helped to bring communities together and therefore reduce animosity⁹³

Network for Eco farming in Africa (NECOFA) is a non-governmental organization based in Molo. It is working in partnership with other non-governmental entities to promote eco farming, land management, access to quality education and health. In the Mau complex its working with People in Peril Association (PIPA) towards ensuring that there is a peaceful coexistence of agricultural and forest residing communities within the Mau complex. In Marishoni location NECOFA is working with MANITESE, a non-governmental organization from Italy towards improving bee keeping activities by the Ogiek community. This project is aimed at ensuring that the community's economic empowerment is achieved. The organization has trained eight community groups in bee keeping in bee keeping and apiary management. They have also given them apiary equipment which the community have used to establish training centers.⁹⁴

The Initiative for Sustainable Landscapes (ISLA) has an initiative that brings together entities from both the public and private sector. The initiative aims and improving investment in water and land management within the Mau complex. These initiatives are also meant to foster peace through deep economic impact and thus generate harmony between the different communities residing within the complex. Research done by ISLA has shown that destruction of the forest by commercial firms from outside the county is leading to degradation and less access to forest resources by the host communities. This in turn has led to competition for the scarce resources and thus resulting into conflicts. ISLA is therefore working with the local authorities to mitigate conflict emergence and also to increase resilience.⁹⁵

⁹³ ibid

⁹⁴ Fao Kenya. (n.d.). *Promoting sustainable livelihoods in Kenya's Mau Forest Complex*. Retrieved 20th October 2018 from <http://www.fao.org/in-action/promoting-sustainable-livelihoods-in-kenyas-mau-forest-complex/en/>

⁹⁵ Correspondent. (2015, July 2). *Dutch NGO in pact to save Mau forest complex* » Capital News. Retrieved from <https://www.capitalfm.co.ke/news/2015/07/dutch-ngo-in-pact-to-save-mau-forest-complex/>

ISLA has also been working with the sustainable trade initiative (IDH) in bringing together all stake holders. Activities carried out by different stakeholders have in one way or the other impacted negatively on the others wellbeing. To address this IDH is trying to build a strong coalition of all the stake holders towards improving the working relationship. IDH has established the Stawisha Mau charitable trust which has more than sixteen stake holders comprising of county governments, private sector, community groups and national government agencies. This trust has given the local communities a chance to be involved in transforming their ideas while at the same time be part of the solution making mechanism.⁹⁶

Conclusion

Non-state actors are deemed to be anti- government in most regions within the Horn of Africa. The challenges they face emanate from the hostility by government agencies and the and the society at large. Some of these challenges are self-imposed through activities that portray government in a negative way. Most at times this has led to governments closing down their offices and chasing them out of their areas of operation. This has impacted the work of these non-state actors in a big way. It is important for nonstate actors to carry out their activities without demonizing the government whereas it requires its support.

⁹⁶ IDH. (n.d.). *South West Mau Forest, Kenya - IDH - the sustainable trade initiative*. Retrieved on 20th 10,2018 from <https://www.idhsustainabletrade.com/landscapes/south-west-mau-forest-kenya/>

CHAPTER FOUR:

A CRITICAL ANALYSIS OF THE DATA

4.1 Introduction

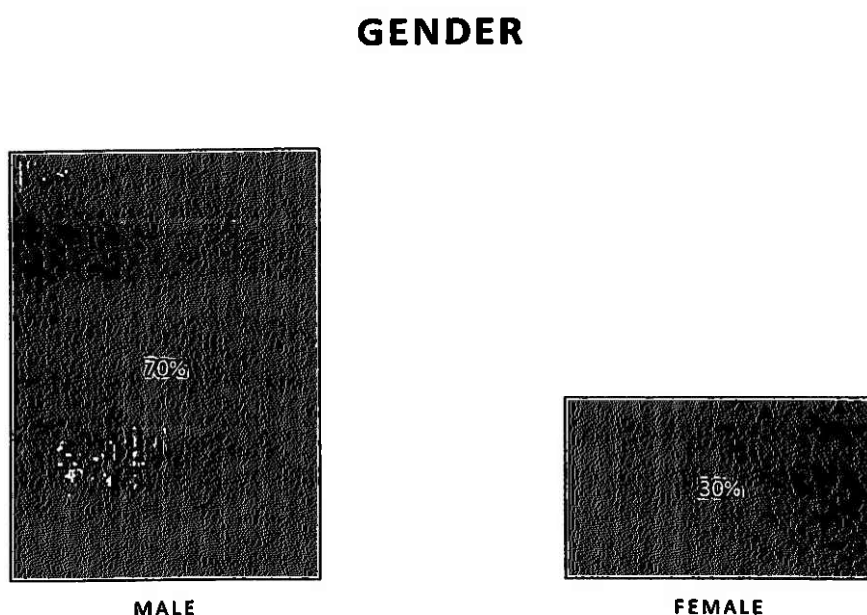
This chapter looks at the issues raised in other chapters and represents them graphically. It looks at the different demographic scenarios and how they affect peace and stability in the Mau complex. Information is displayed by use of tables and diagrams. This makes it easier for the end user to interpret the data and ultimately the outcomes.

4.2 Demographic

4.2.1: Gender

This study outlines the gender of the respondent. the findings are indicated in the diagram below.

Figure 4.1: Gender ratio



Source (Author 2018)

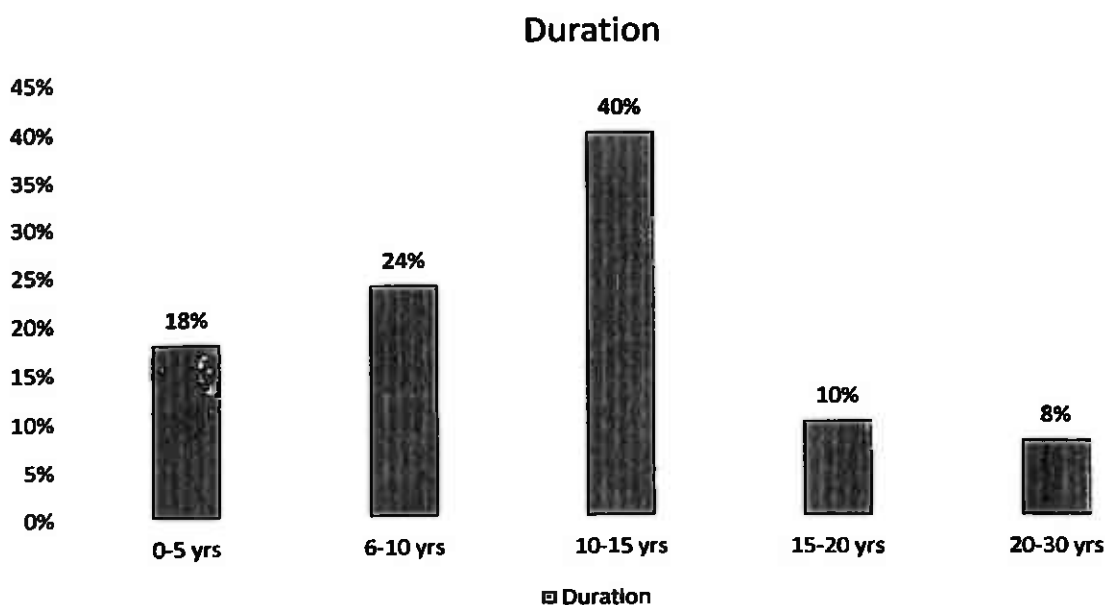
The study indicated that 70% of the respondents were of the male gender while 30% were of the female gender.

4.3 Time

4.3.1 Duration of working in the Mau complex

This study illustrates the duration in which each respondent has worked within the Mau complex.

Figure 4. 2: Duration



Source (author 2018)

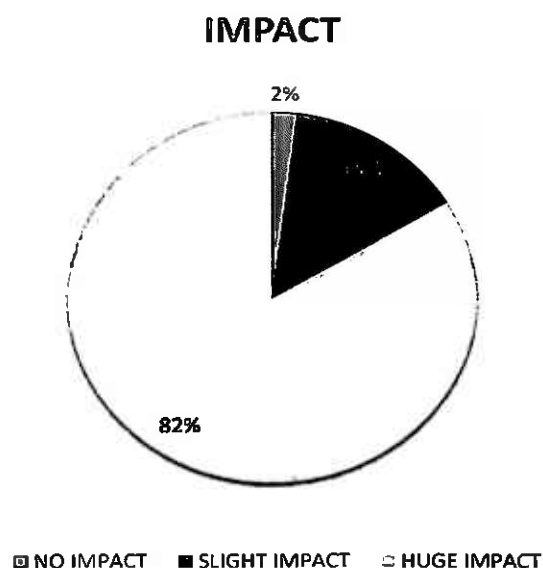
The study found out that 18% of the respondents have been within the Mau complex for between 0-5 years. Those that have been in this region for the last 6-10 years made up 24% of the respondents. Those highest percentage was made up of respondents who had been in the area for the last 10-15 years. this bracket was 40% of all the respondents who were questioned during this research. 10% of the respondents have been in the area for more than 20 years. ⁹⁷

⁹⁷ Betty.T.(2018) *the role of non-state actors in resolving environmental conflicts in the horn of Africa.* University of Nairobi. Project

4.4 How bad are the conflicts affecting the Mau complex

Having realized that most of the respondents have been staying or working within the Mau complex long enough, the researcher wanted to know from them how the conflicts were impacting the complex. The findings were as shown below.

Figure 4.3: Impact



Source (author 2018)

This study indicated that a negligible percentage (2%) were of the opinion that the degradation had not impacted the environment in anyway. 14% were of the opinion that the impact was slight. It is important to note that most of the respondents in this case had been in the complex for less than 5 years.

4.5 Environmental related questions

The researcher went ahead and tried to find out the main bone of contention between the conflicting parties in this region. The issues ranged from human activities, increased population, erratic climatic changes, water scarcity and poor health. Respondents were required to rate the issues in respect to the extent the issues were impacting stability within the region.

SPSS generated the mean and standard deviations and the results were displayed in a table as shown below.

Table 4.1 Environmental related issues

Environmental related issues	Mean	SD
Farming activities have led to reduced forest cover in Olposmoru.	4.63	0.748
Increase in population has led to reduced agricultural land	3.45	1.032
Reduced forest cover has caused erratic climatic changes	4.66	0.471
Water shortages is as a result of depleted forest cover	3.62	1.792
Poor health has been attributed to poor nutrition	3.68	1.321

Source (Author 2018)

It is very evident that many respondents agree that agricultural activities have led to reduced forest cover in Olposmoru area. They are also in agreement that the depleted forest cover has resulted in erratic climatic conditions which have made agriculture one of the riskiest ventures to go into. In this case there are indications that erratic rainfall has led to poor nutrition and thus poor health standards as well. The respondents were also of the opinion that as much as nutrition was a contributor to poor health access to health facilities was also a contributing factor.

4.6 Non-environmental related aspects

The researcher wanted to determine whether there were other aspects that were funning conflict other than those related to the environment. Respondents were therefore required to state whether scarcity, illiteracy, politics, distribution and allocation of resources were contributors to the conflict affecting Olposmoru area. The results were recorded from very low to great extent. SPSS generated the mean and standard deviations and the results are as shown in the table below.

Table 4.2 Non-environmental related aspects

Non-Environmental related issues	Mean	SD
Conflict between communities is as a result of scarce natural resources	4.93	1.321
Illiteracy is a major contributing factor to the conflicts affecting the communities in Olposmoru.	3.31	1.096
Skewed allocation of land is a source of conflict in Olposmoru	4.81	1.215
Political representation is a source of conflict in Olposmoru	4.83	1.879
Skewed distribution of infrastructural facilities is a source of conflict in Olposmoru	3.68	1.131

Source (author 2018)

From the results indicated in the table above it is very evident that natural resources scarcity is a major factor that is causing conflict within the area. There is also an indication that politics also has a big stake in it. A combination of these two aspects seems to be the genesis of all problems the residents of Olposmoru are facing. Further, the respondents agreed that political leadership contributes hugely to skewed distribution of resources and infrastructural facilities.

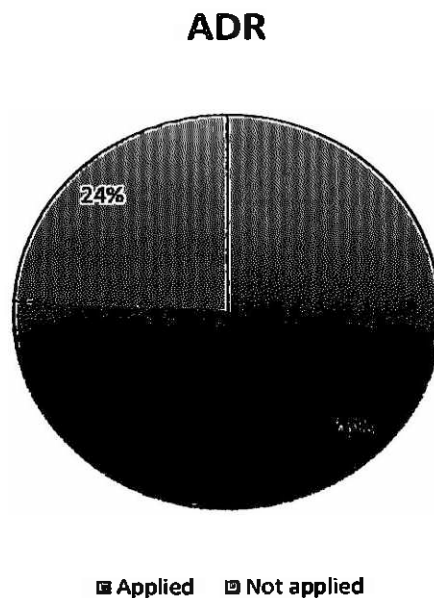
4.6.1 Secondary issues affecting the people of Olposmoru

The people of Olposmoru are farmers and they have been farming maize and potatoes for ages. The lack of crop rotation has led to soil infertility and thus poor yields which has resulted in high rates of poverty levels. The resultant issues from this include poor nutrition and increased illiteracy levels. Increased population and influx of migrants has worsened the situation. This has therefore increased pressure on the scarce resources. On the flip side scarce resources has led to increased crime rates. This is because the competition for the resources has drastically gone up. The number of young educated youth is also rising but job opportunities are not forthcoming. Most of the elderly respondents agreed that things were much better during their time. They were of the opinion that the economy came to a standstill a while back but the population is still going up. The issue of agricultural extension officers also cropped up. The respondents were of the opinion that the government was no longer sending extension officers to train farmers. This has therefore led to poor agricultural techniques and thus poor yields.

4.6.2 Use of alternative dispute resolution mechanisms

It was very important for the researcher to determine if alternative dispute resolution mechanisms have been adopted in resolving conflicts in Olposmoru. The figure below is a representation of what the respondents think about this.

Figure 4.4: Alternative dispute resolution



Source (Author 2018)

The study revealed that a huge percentage of the respondents (76%) agreed that alternative dispute resolution mechanisms had been applied in Olposmoru. 24% of the respondents were not aware about this. They were however of the opinion that the different communities residing in Olposmoru needed to come together and solve their issues amicably.

4.7 Alternative dispute resolution in Olposmoru

The following are some of the alternative dispute resolution methods used in Olposmoru.

4.7.1 Establishment of peace committees.

Leaders from the different communities have established peace committees that are led by church leaders. These committees are tasked with resolving conflicts whenever they arise and to also preempt any conflict emergence. This has been a very important tool in ensuring that

peace is maintained in the area. The peace committees are also supposed to hold meetings with the different communities and offer education on the importance of peaceful coexistence with the other communities. The committees have also been very helpful in reducing tensions whenever they blow up.

4.7.2 Establishment of an all-inclusive CDF committee

The respondents were very categorical about Constituency development funds (CDF) money. They were of the opinion that their members of parliament have been choosing the CDF committee from their home areas. This has led to skewed allocation of CDF resources and thus leading to animosity amongst the different communities. The respondents were therefore of the opinion that members of the committee should be composed of members from all the different communities. This, they said would ensure that resources were allocated according to the needs on the ground. They opined that most of the public utilities were located in an area where the member of parliament came from. They pointed out that it was extremely hard for them to access medical facilities and school in times of conflict.

4.7.3 Formation of youth groups

The community has also realized that the youth have contributed a lot in the explosions of conflict in the region. They realized that most of the youths were not empowered even though most of them were well educated. To eradicate this, members of the different communities have urged their youth to form youth groups. This groups are later assisted to get funding from the youth fund, affirmative action under the office of the county women representative and other non-governmental organizations.

4.7.4 Public participation in resource allocation

Public participation in resource allocation is meant to ensure that resources are not allocated in a skewed manner. In the past, local leaders have been allocating resources without the participation of the local communities. This has led to concentration of public utilities in one area while the rest have no access. At times resources are allocated for the wrong purposes such as allocating resources for a road while the community is in dire need of a hospital.

4.5.5 An analysis of the conflicts affecting Olposmoru

This study established that Olposmoru is a cosmopolitan region that is inhabited by members of three different communities. Members of the Maasai community are mostly pastoralists and therefore depend on their livestock to meet their needs. Members from this community believe that Olposmoru is their ancestral land and therefore it exclusively belongs to them. A great percentage of the inhabitants come from this community. The Kipsigis community majors on agriculture but also keeps livestock even though in smaller numbers. Many members from this community are migrants from the neighboring counties of Kericho, Bomet and Kericho. Their population is rising rapidly and the Maasai are afraid that they will soon have one of their own running for a political seat. This aspect is generating a lot of political animosity between the two communities.

The Kikuyu community is the third and the minority community in this area. They are considered as migrants from Kiambu, and Nakuru counties. Their main economic activity is agriculture even though most businesses in the trading centers are owned by members from this community. The ever-diminishing grazing land has forced some members from the Maasai community to go into Agriculture. This aspect has also been a great source of conflict between the pastoralists and the farmers. During the dry season, pastoralists have been driving their animals into farm lands and therefore causing serious confrontations with the farmers. In the past few years this has been the main cause of conflict. In the recent past political leadership has become the main cause of unrest. This is expected to get even worse in the coming years as populations from the migrant communities increase in population. This research also found out that insecurity is very rampant during electioneering periods as well as during the dry season.

4.5.6 Establishing the extent to which non-state actors are involved in conflict resolution in Olposmoru

Non-governmental organizations and civil society groups have played a major role in stabilizing inter community conflicts in Olposmoru. Their ability to empower the youth and establish income generating projects has gone a long way in ensuring that communities coexist peaceably. The tree planting initiatives have also improved forest cover in Olposmoru and thus reducing forest dilapidation. The establishment of early warning mechanisms by the non-governmental organization has also helped in preventing emergence of conflict.

4.5.7 Establishing the role of alternative dispute resolution in conflict management in Olposmoru.

The use of alternative dispute resolution methods has brought great benefits to the people of Olposmoru. Communities have been given a chance to use traditional conflict management methods that they understand. Elders have been given a chance to practice their traditional role in the society. Communities have also been given a chance to negotiate amongst themselves the best way forward.

4.5.8 Empowering the community in order to enhance resilience

Non-state actors have done a great job in empowering local communities. The establishment of tree nurseries has given the youth a chance to earn a living from the sale of the tree seedlings. Other projects like establishment of training centers has also enabled farmers to learn new farming techniques. These new techniques have given them great ideas on how to improve their activities and therefore earn more from their farms. Educational scholarships offered by the non-governmental organizations have benefited children of the community members in a big way.

4.5.9 Public education on environmental conflict management

Non-governmental organizations and the civil society have done a lot of public education within Olposmoru. The green belt movement has always ensured that the public is well informed on the importance of protecting the Mau complex. It has also given free trainings on preparation and maintenance of tree seedbeds. This has gone a long way in ensuring that tree seedlings are always available for planting during the rainy season.

Conclusion

The researcher established that most of those interviewed were male (70%) as compared to the female gender who were 30%. This was an indication that most of the opinion shapers in this society are from the male gender. Since most of those interviewed are employed by non-governmental organizations, it is an indication that there is no gender parity in employment. It was also established that a great percentage has been working and staying within Olposmoru. 58% of the respondents have been in the area for more than 10 years. This is an indication that they understand the area very well.

82% of the respondents believe that destruction of the forest has had a great impact on the climatic condition in the whole region. This is an indication that the effects of the forest destruction and the conflicts resultant from it have been felt far and wide. This is also an indication that the problem is now at its critical stage. There is an indication that the remaining 12% who think that there is no much effect may have migrated into the region in the past few months. It is therefore indicative that they have not seen much changes since they came. It is also important to note that changes to the environment take time and that since 2012 there has been a lot of effort to restore the forest.

The respondents also agree to a great extent that increase in migration by communities from other areas migrating into Olposmoru had increased competition for scarce resources. This has been a big source of conflict especially during the dry season. The available public utilities like hospitals were now overstretched by the ever-growing population. The respondents also agreed that lack of crop rotation was messing up soil fertility in the area. They lauded the trainings that were being carried out by non-governmental organizations for the good work they were doing.

There are also indications that many young people were jobless. This, according to the respondents was a huge contributor to the insecurity affecting the area. On the flipside they were happy that the non-governmental organizations operating within Olposmoru were empowering the youth and thus reducing the unemployment rates. This research also found out that politics was playing a major role in the conflicts affecting the region. Most of the conflicts experienced occurred during the electioneering periods and whenever eviction orders are issued. The study found out that majority of those who responded (76%) agreed that alternative dispute resolution had been used in Olposmoru as a means of solving environmental conflict while 24% were not aware of the case. The respondents were however of the opinion that the community should be educated on alternative dispute resolution methods as it was one of the best ways of resolving conflicts in the area. This is an indication that the population is willing to embrace other ways of dealing with the conflict.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary of Key Findings

This research establishes the issues affecting the Mau complex and especially Olposmoru. The researcher noted that the men in this society played a major role especially where decision making is involved. During group discussions the male gender was always dominant while the females held back. From the discussions there was an agreement that the destruction of the forest had a great effect on the lives of the communities living in the area. Most of those interviewed agreed that they have been living in the area for many years and thus understood how different the area was from 10 years ago.

The respondents were also in agreement that none state actors working within the region had played a major role in restoring the forest cover. This was done through a collaboration with the community and thus reducing tensions as well as providing a source of income for the community. This has also stabilized education levels since children get fees from the sales of tree seedlings. This research made it clear that there is a strong link between human livelihood and the environment. The connection between the two has been strengthened by non-state actors who ensure that they strike a balance between forest restoration and meeting the peoples' needs.

This research also found out that there is a massive migration from neighboring counties into the forested areas. This has increase pressure on the environment thus leading to massive loss of forest cover and soil degradation. This then leads to poor crop production for the farmers and little pasture for the pastoralists. Erratic rainfall has increased hostilities between the farmers and the pastoralists. A mix of environmental scarcity and politics has made the situation worse. The Dominant community is always trying to expel members of other groups as elections approach.

This research also established that the constituency development funds were playing a major role in improving the lively hoods of the local people. Most of the respondents agreed that they had seen projects done through the CDF kitty. The only thing most of the respondents were against was the composition of the CDF committee. Many argued that most of the committee

members were those close to the member of parliament. They were of the opinion that membership should be from all the communities residing in the area.

5.2 Conclusion

Olposmoru and the entire Mau forest complex has been an area of intense conflict over arable land and grazing fields. This has been worse by the fact that this area sits on a gazzated forest. The cosmopolitan population living in the area has also contributed to the conflict through divergent political ideologies. The different economic activities carried out by the by the different communities may also be a contributing factor. As migrants move to this area the political dynamics become more complicated. The Maasai leadership feel threatened by this and therefore the firebrand outbursts instructing their kin to kick out the migrant communities.

The migration into the area is also placing a lot of pressure on the environment. Conflict over scarce resources will continue as long as the population in the area keep overusing natural resources without thinking of ways in which they can renew them. Currently there is massive dependence on the environment as a source of both food and fuel. This is pilling too much pressure on it and the erratic rainfall patterns is just a sign of worse things that are yet to come.

The review of literature has revealed that the destruction of the Mau complex has long lasting security issues that may affect both local and regional communities. This is because the Mau complex is a source of many rivers that feed Lake Victoria. This same water then feed river Nile which travels northwards towards the red sea while nourishing the Egyptian deserts on its way. It is therefore worth to note that, the Egyptians have more to lose if the Mau complex is destroyed.

5.3 Recommendations

This research has established that scarce resources and a mix of politics is the leading cause of conflict in Olposmoru. It is therefore important to educate the political leaders to understand the effects of their political influence on the people. It is also important to ensure that resources are distributed equitably amongst all the communities residing within this area. This research

has also indicated that there is an overreliance on the natural resources especially land and trees. It is therefore important to train farmers on the best agricultural practices so as to enhance their outputs. It is also important to educate the population to depend on other fuels other than wood.

The situation in Olposmoru is very delicate and may require a very serious approach when dealing with the insecurity affecting the area. It is therefore important that security agencies work with the non-governmental organizations on the ground towards preempting any emergence of conflict. Further, there is need to issue title deeds to parcels of land that have already been allocated to individuals. This will give the population a sense of ownership and the ability to invest.

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Research Questionnaire

Dear Respondent

RE: RESEARCH DATA COLLECTION

I am pursuing Masters Degree at the University of Nairobi's institute of diplomacy and international studies. In partial fulfillment of the requirement for the award of the degree, I am undertaking an academic research on the Environmental resource scarcity as a source of conflict in the horn of Africa. In this light, you have been selected to be part of this study. I would therefore, appreciate if you could spare some of your time to fill the attached questionnaire and answer the questions as honestly as possible. Since the research is purely academic, the information provided will be treated with high degree of confidence and strictly for academic purposes.

I look forward to your co-operation in this exercise.

Yours sincerely

Non-Environmental Concerns	1	2	3	4	5
Increased tension among the communities is because of high unemployment in the Mau as compared to other regions.					
Some communities are advantaged in terms of access to education when compared to others in the Mau.					
Animosity along tribal lines is as a result of skewed resource allocation					
Favoritism and lack of political freedom has led to poor political representation.					
Skewed budgetary allocation for infrastructure has been a source of tensions.					

6.) What other concern, not mentioned above, affects you in the Mau Region (please explain)

.....

7) As one of the tools for resolving the environmental conflicts, in your opinion, has the environmental diplomacy been adopted in the Mau successfully?

a) Yes [] b) []

Please expound on your

answer.....

.....

PART B: Environmental Diplomacy at Mau

8) The following are some of the diplomacy approaches that can be employed in managing the conflict in the Mau. Please indicate how the following initiatives have helped in reducing the environmental conflict in the Mau.

i. The establishment of local community environmental committees coming from all the communities in the region.....

ii. The enhancement of local institutions such as hospitals, schools and administrative units that will address the needs of all the inhabitants of the Mau

.....

iii. The need to develop human, technical and administrative capacity to develop sustainable management plans and to implement these plans to enable the local community to fulfill their management tasks and prevent resource-related disputes

.....
.....

iv. The need to come up with a fund that will help in resolving any conflict however small in order to prevent the explosion of the conflicts in the region.

.....
.....

v. What other suggestion can you give in resolving the environmental conflict in the Mau?

.....

Thank You for Your Time

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