

1st Edition

YAAKU COMMUNITY BIO-CULTURAL PROTOCOL (BCP)



**YAAKU COMMUNITY
BIO-CULTURAL PROTOCOL
(BCP)**

TABLE OF CONTENTS

ACKNOWLEDGMENT	4
LIST OF ABBREVIATIONS.....	5
DEFINITION OF TERMS	6
PREFACE.....	7
INTRODUCTION.....	8
OBJECTIVES	8
WHO WE ARE	8
RELATIONSHIP WITH LAND.	10
ECO-CLIMATIC ZONES	11
TRADITIONAL KNOWLEDGE.....	12
SYSTEM OF GOVERNANCE.....	14
DATA COLLECTION	17
OBJECTIVES	17
TOOLS USED.....	16
PROCESSES.....	17
LEGAL FRAMEWORK.....	19
National	19
Constitution of Kenya, 2010	19
Community Land Act of 2016	19
Environmental Management and Coordination Act (EMCA), 1999	20
Environment and land Court Act, 2011	20
The Forest Act,2005	20
International	22
Convention on Biological Diversity	22
Nagoya Protocol; On Access to Genetic Resources and The Fair and Equitable Sharing of Benefits Arising from Their Utilization; To The Convention on Biological Diversity).....	24
ILO No 169	24
COMMUNITY AGREEMENT.....	25
Prior Informed Consent (PIC).....	25
Mutually Agreed Terms (MAT)	25
CHALLENGES AND CROSS-CUTTING EMERGING ISSUES	27
CONCLUSION.....	29



Mukogodo forest

ACKNOWLEDGEMENT

The Yaaku Laikipia Trust (YLT) wholeheartedly extends sincere gratitude to the Almighty God for his kindness and grace throughout the development of this Bio-Cultural Protocol (BCP) since its inception to its completion. The generosity and support of the Siemenpuu Fund has to a large extent contributed to the realization of this BCP; the YLT in that regard, sincerely thanks the Siemenpuu Fund. We also wish to thank the Ogiek Peoples Development Program and the Sengwer Indigenous Peoples Program for their collaborative efforts towards achieving this comprehensive BCP.

To the Yaaku community members and its leadership, we thank you for working with us throughout the development of this BCP. Acknowledging that this BCP will go a long way in telling your story to the rest of the world, you provided us with all the information and assistance we needed. Thank you!

This BCP would not have been successfully done without the selfless dedication, commitment and focus of the Yaaku Laikipiak Trust Executive Committee, staff and consultants. They have put in long hours of work in consultancy and research. We thank them all and may God bless them in abundance.



Yaaku warriors

LIST OF ABBREVIATIONS

ABS	Access and Benefit Sharing
BCP	Bio-cultural Community Protocol
ART.	Article
CP	Community Protocol
CBD	Convention on Bio-cultural Diversity
NEMA	National Environment Management Authority
KFS	Kenya Forest Service
KWS	Kenya Wildlife Service

DEFINATION OF TERMS

"**Biological diversity**" means the variability among living organisms from all sources including *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems.

"**Biological resources**" includes genetic resources, organisms or parts thereof, populations, or any other biotic component of ecosystems with actual or potential use or value for humanity.

"**Country of origin of genetic resources**" means the country which possesses those genetic resources in in-situ conditions.

"**Ecosystem**" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

"**Genetic material**" means any material of plant, animal, microbial or other origin containing functional units of heredity.

"**Genetic resources**" means genetic material of actual or potential value.

"**Protected area**" means a geographically defined area which is designated or regulated and managed to achieve specific conservation objectives.

"**Sustainable use**" means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.

"**Habitat**" means the place or type of site where an organism or population naturally occurs.

"**MOU**" means memorandum of understanding.

"**Providers**" means the community that provides genetic resources or traditional knowledge.

"**Users**" means anyone obtaining genetic material or resources from the community.

PREFACE

Communities have always had a set of written, but mostly unwritten, rules about how to interact with outsiders and how they want outsiders to interact with them. Using the process of drafting a community protocol, communities are able to set out these rules in an organized and structured way to support their current or preferred way of life and show how they are organized for purposes of consent.

Usually referred to as ‘Bio-cultural Community Protocol’ (BCP), a community protocol also contains information on the community’s customary way of life, knowledge of resources and use of biodiversity. They support communities to assert their rights and duties in respect of how they govern their territories, as well as conserve and sustainably use their natural resources.



Yaaku warriors at an event

INTRODUCTION

In this BCP, we, the Yaaku People, articulate our community-determined values, procedures and priorities. We set out our rights and obligations under state, customary and international law as the basis for engaging with external actors and stakeholders including and not limited to governments, companies, academics, individuals and NGOs. It is our hope that this instrument can and will be used as a catalyst for constructive and proactive responses to threats and opportunities posed by land and resource development, conservation, research and other legal and policy framework.

OBJECTIVES

The three core objectives of this BCP include:

- a) Articulating stewardship.
This directly translates to our responsibility as the dwellers and custodians of the Mukogodo forest to ensure conservation of our resources.
- b) Sustainable use of resources.
- c) Access and Benefit Sharing of resources located in the Mukogodo forest.

WHO WE ARE

a) Geographical location

The Yiaku Community inhabits the Mukogodo forest of West Central Kenya, occupying the eastern part of Mukogodo, Laikipia North Sub-county, Laikipia County, about 70km north of Mt. Kenya.

The Yiaku occupies government administrative locations of Mukogodo and Sieku Locations.

b) Our identity

Several names exist for The Yaaku including *Lmookodo*, *Mukogodo*, *Lporkeek*, *Ltorrobo*. However, *Ltorrobo* is a derogatory cover term for several small hunter and gatherer or forest groups which are linguistically related.

As an ethnic community their present existence has undergone a nearly complete assimilation into the culture presented to them by their Maasai neighbours.

Until 1920, the Yaaku were still hunters and gatherers. They spoke a Yaaku language and lived in semi-nomadic existence making their homes in caves and under big rocks shelters. For subsistence, the Yaaku gathered wild foods for example fruits and roots honey. They also hunted hyrax and other wild animals.

The Yaaku community is composed of four (4) distinct clans which namely:

1. Sialo.
2. Orondi.
3. Oldonyo-Losos.
4. Luno.

Out of the four an offshoot of 13 sub-clans emerged.

The **Orondi** clan is divided into 4 family lineages namely: *Pardero, Losupoko, Matunge and Leitiko*

Sialo is composed of: *Parmashu, Sakui, Moile and Nantiri*.

Luno is made up of 2 families namely: *en-kilelenyi and liba*.

While Losos family lineage is: *lol-kinyanyi, napei and Lentura*.

a) **Population**

According to the survey done prior to the Kenya National Bureau of Statistics, Housing and Population census carried out by Yaaku Laikipiak Trust, the population of the Yaaku Community is as follows:

Mukogodo Location had 4500 Yaaku members while the Sieku had 1600 Yaaku members summing up to 6100 Yaaku Members from the four clans.

a) Way of life

The Yiaku are involved in the following activities:

- Hunting- traditionally, the Yaaku commonly hunted the following animals for their food, gazelles, impalas, zebras, buffaloes, rhinos, hyrax and elephants. The Yiaku's Tools of hunting were '*olpunat*' - a handcraft spear, *Nkirenket*- trap, Bows and arrows, *Lkonchorr* or hunting hyrax, Since hunting was labour intensive, it was commonly done by men.
- Gathering- Yaaku community members gathered fruits, edible roots from specific tree species. Such as *nkeena*, *lkisoyainlompoo*, *rarak*, *sanankurr*, *Loding'anayioi*, *loketet*, *lorondo* and was mainly carried out by women and children.
- Bee keeping- this was and remains to be an economic activity that the Yaaku Community is known for. Traditionally, the Yaaku got honey from bees' habitats in the forests such as top of trees (*mulugi*,) or from naturally occurring bee hives that were made from rocks (*Iljiji*). However nowadays, Yaaku keep modern beehives for honey production.

Contemporary sources of livelihoods:

- Sand harvesting Yaaku deal in commercialization of sand both as a community (through communal ownership of land) & individually since some people own land privately.
- Beadwork mainly done by the Yaaku women.
- Livestock keeping .
- Historical / touristic sites for example the museum located in the Mukogodo Forest.
- Commercialization of herbs.

RELATIONSHIP WITH LAND.

Mukogodo Forest is our home and sanctuary. The Yaaku have deep connection with Mukogodo Forest since it has been our only home and source of livelihood after migrating from Ethiopia around the 15th Century.

Every clan was assigned their territory and boundaries were set in form of traps (*lkirenget*) meant to trap animals as well as people who were trespassing. Every clan had their own private paths and everyone was required to remain in their territory unless there was need for otherwise.

While living in peaceful co-existence with animals in the forest the Yaaku also collaborated with wild animals to certain extents. For instance, a harbinger (*nchonchoroi*) was a very instrumental bird that led Yaaku to where honey was. Some birds also assisted in alerting the Yaaku of danger such as venomous snakes. The birds would make a creaking sound whenever they saw a snake and this would enable a person evade danger.

These traits and characteristics of the animals remain tenet to Yaaku traditions and way of life

ECO-CLIMATIC ZONES

These are zones that portray different climatic characteristics. By distinguishing these zones, the community has been able to determine which areas to occupy when depending on the climate.

We have been able to distinguish different eco-climatic zones by observing the terrain, altitude, topographic features (rivers, hills, valleys, caves) climatic conditions temperature (*Enkirewuj*), rainfall (*Enchan*), soil type (*nkuluponi*), vegetation types and composition, quality and type of honey, and wild animals in each zone.

Using our traditional climatic classification system, we have enumerated and ascribed several vegetation types, medicinal plants, wild animals and types of honey bees to specific eco-climatic zones.

Iltirim - Valleys

Supuko- Forest

Lalaa- ranges

Muruai – flats lands

Mpurputia- swamps

Ldorot-

Ndikirr- a flat land between hills

Nadung'orru- a plain field in a forest.

Ltalet- viewpoints.

For instance, during the dry seasons, the community moves away from the flat land and valleys and go closer to the hills and mountains in search of pastures. Similarly, during rainy seasons, the community return to flat lands and people are prohibited from grazing on the hills so as to enable the land recuperate in preparation for the next dry season.

The Yiaku lead a very organized life and they maintained an outstanding relationship with the Mukogodo Forest. These zones are important for our survival since they dictate our daily activities and determine our food security.

TRADITIONAL KNOWLEDGE

We the Yiaku have a rich culture in the traditional knowledge, practices and guidelines that contributed to the well being of the community. Being hunters and gatherers Yaaku did not engage in destructive practices such as cutting trees that impede government conservation practices. Cutting trees is a recent practice that came up when livestock rearing and when this way of life was embraced. . The Yaaku did not tamper with trees that did not provide food for them as hunters and gatherers.

The community set rules which they put in place to conserve the forest such as forbidding cutting trees because trees provided a home for bees and restricting livestock grazing because livestock would interfere with bee forage commonly known as *segeet*.

Examples of traditional knowledge that facilitate biocultural diversity

- a) The Yaaku being hunters and gatherers used bee forage and flowers blossoming and shedding of leaves to predict weather conditions.

Lelilupai- loses leaves

Teirai – lpurkel

Lporokua- mainly found in lowlands

Lewausi- found in lowlands.

Shedding of leaves symbolized drought while replenishing of the same meant it was about to rain.

Animals found in Mukogodo forest include:

Shantukeri/Orgen – Giraffe

Piichai- Dikdik

Chiipen- Leopard

Orse- Rhino

Kepiichai- Bufallo

Taara- Antelope

Sungai- Lion

Arapei-Hyena

Marhu-Snake

Taboos and myths- The Yaaku had myths and taboos that helped maintain discipline and order amongst community members. A good example is when it rained it was forbidden to harvest honey for 14 days and if anybody harvested honey it would rain again and misfortune would befall the person who harvested.



Traditional beehive from a tree trunk

- a) Sacred places - The Yaaku were spiritual people and demonstrated a connection with a Divine being. For instance, whenever the Sialo Clan members harvested honey, they would go to *Murguta Springs* and throw a chunk of honey in the spring, bless the spring and the food and then bath in that water and drink the same. This was meant to give gratitude to the divine for the blessings. There are shrines as well on the Oldonyo-Losos where the community uses for prayer and other spiritual events. Protection of this shrines consequently leads to conservation of the forest.

Our Traditional Medical Knowledge emanates from our profound relation with the forest. Such is part of our cultural identity as a community. The knowledge ranges from that of providing immunity, protection against diseases, treatment of various illnesses and conditions as well as of general health care.

We transmit this knowledge orally and through apprenticeship from one generation to another thus ensuring that our traditional knowledge about medicinal plants and herbs does not erode. In our community, knowledge transmission was found to be gender specific in that older women train young women, while young men were taught by the older men.

SYSTEM OF GOVERNANCE

The Yiaku Community is organized into 4 clans namely:

1. Orondi
2. Sialo
3. Oldonyo-Losos
4. Luno

Each of the above clans had their own governance and leadership systems under one umbrella which is led by Yaaku Elders. Each of the 4 clans consisted of several families as listed here below;

1. Orondi Clan

Families: Pardero

Leitiko

Matunge

Loipi-Supuko

Sakui

Members of the orondi Clan had their leader from Pardero Family called *Loruko Ilmotonyi*. who had a horn which he blew to call for meetings.

2. Sialo Clan

Families: Nantiri

Parmashu

Lemoile

Sakui

Napei

Their leader came from the Nantiri family and was called *Sieur Mpere* (Meiloli) who gives directives and calls for meetings, organize the clan on security issues.



A Yaaku elder at a shrine

3. Ldonyo Losos Clan

Families: Lentula

Nchapa

Kinyanyi

The leader of this clan was called *Namutisho* from Lentula family.

4. Luno Clan

Families: Liba

Nkileleng'i

Ntaiko(Nukurr) Family

The leader of this clan came from the Ntaiko Family.

Qualities of clan leaders

- Brave
- Visionary
- Wise
- Strong
- Knowledgeable on traditional system.
- God fearing and not up to personal gain.

Men were mostly the leaders of families and the main providers. And leadership was mainly from a specific family.

Criteria of choosing leaders

There was no specific criteria for electing or choosing leaders but elders would mainly sit in a *baraza* under a shade and consider various people's qualities from which they would choose a leader from a specific clan as discussed earlier.

Role of the Disabled, women, youth in leadership

Previously leadership and governance remained a preserve of the men however nowadays in the wake of social movements to promote social equality and gender balance Youth, PWD's and Women are now involved in conversations about leadership, land issues and dispute resolutions be they in the family or even community level.

Responsibilities of Elders

1. Giving instruction on conservation
2. Establishment of honey harvesting guidelines.
3. Dispute resolutions – mostly conducted through pronouncing curses if anybody went against established rules.
4. Marriage negotiations.
5. Gave directions on migration.

Dispute resolution.

People who committed wrongs would face disciplinary actions before the elders of their clan. This varied from family to family. In cases where a perpetrator failed to own up to their mistakes, Yaaku Elders would tie poison to a stick and the suspects asked to skip the stick. If the suspect was guilty misfortune would befall upon them, if not then they would have cleared their name and no harm would come to them.

With the onset of the government administrative structures such as Nyumba Kum Initiative, the traditional systems of governance have been aligned to function with these systems.

Social relationships and rules on marriage

The Yiaku Clans intermarry amongst their clans and also marry the other clans. However, among the Luno clan and Oldonyolosos clan since they were small they are not allowed to intermarry amongst themselves.

DATA COLLECTION**OBJECTIVES**

- a) Consolidation of data.
- b) Preservation of our culture .
- c) Know-how of knowledge.
- d) Identify the endangered species of plants and animals
- e) Names in Yaaku of endangered species.

TOOLS USED

- a) Questionnaires
- b) Cameras
- c) Voice recorders
- d) Word of mouth
- e) Group discussions
- f) Public forums
- g) Secondary sources pf info

PROCESSES

- a) Capacity building
- b) Community vforums
- c) Interviews
- d) Taking photographers
- e) Social gatherings



Yaaku warriors during a marriage ceremony

LEGAL FRAMEWORK

National

Constitution of Kenya, 2010

- **Art. 2** Provides that the Constitution is the supreme law of the Republic and it binds all persons and all State organs at both levels of government.
- **Art. 11** States that Constitution recognizes culture as the foundation of the nation and as the cumulative civilization of the Kenyan people and nation prescribing that the State shall:
 - (a) Promote all forms of national and cultural expression through literature, the arts, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage
 - (b) Recognize the role of science and indigenous technologies in the development of the nation
 - (c) Promote the intellectual property rights of the people of Kenya

The same article goes further to state that Parliament shall enact legislation to ensure that communities receive compensation or royalties for the use of their cultures and cultural heritage as well as recognize and protect the ownership of indigenous seeds and plant varieties, their genetic and diverse characteristics and their use by the communities of Kenya.

- **Art. 44** provides that every person has the right to use the language, and to participate in the cultural life, of the person's choice.
- **Article 63 (1)** of the Constitution of Kenya 2010 provides that community land shall vest and be held by communities identified on the basis of ethnicity, culture or similar community of interest. Article 63 (d) (i) provides that community land consists of land that is lawfully held, managed or used by specific communities as community forests, grazing areas or shrines. Article 63 (d) (ii) further provides that community land also consists of ancestral land and land occupied by hunter-gatherer communities. Article 63 (3) eruditely stipulates that any unregistered community land shall be held in trust by the county governments on behalf of the communities for which it is held.

The foregoing Article 63 (1) of the Constitution fit the Yaaku people into the meaning of “community” in a double-edged manner. On one hand, they prescribe what community land is while on the other hand, they describe the characteristics that a community must have in order to claim community land. They have inhabited Mukogodo forest since time immemorial. They have common ancestry, ancestral grave sites and shrines in the forest.

- They have also been for the longest traceable time been a hunting and gathering community; feeding on wild fruits, honey and natural vegetables. The characteristics of the Yaaku community go hand in hand with the constitutional provisions of a community fit to claim community land.
- **Art. 69** further provides that the State shall:

(a) Ensure sustainable exploitation, utilisation, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits

(b) Work to achieve and maintain a tree cover of at least ten per cent of the land area of Kenya

(c) Protect and enhance intellectual property in, and indigenous knowledge of, biodiversity and the genetic resources of the communities

(d) Encourage public participation in the management, protection and conservation of the environment

(e) Protect genetic resources and biological diversity; (f) establish systems of environmental impact assessment, environmental audit and monitoring of the environment

(g) Eliminate processes and activities that are likely to endanger the environment; (h) Utilize the environment and natural resources for the benefit of the people of Kenya

The constitution also provides that it's the duty of every person to cooperate with State organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources

Art. 100 provides that the State shall put in place affirmative action programmes designed to ensure that minorities and marginalized groups participate and are represented in governance and other spheres of life including access to and benefit sharing of resources in their ecosystem.

Community Land Act of 2016

The Community Land Act was enacted, among other things, to provide for the recognition, protection and registration of community land rights; management and administration of community land; to provide for the role of county governments in relation to unregistered community land and for connected purposes.

In the present case, Mukogodo forest is unregistered community land hence vested under the County Government of Laikipia in accordance with Article 63 (3) of the Constitution. However, section 7 of the Community Land Act provides that a community claiming an interest in or right over community land shall be registered. A community willing to be registered shall follow the following procedure;

1. The community land registrar shall by notice in at least one newspaper of nationwide circulation and a radio station of nationwide coverage, invite all members of the community with some communal interest to a public meeting for the purpose of electing the members of the community land management committee.



Yaaku Manyatta

2. The notice shall also be given to the national county administrators and county government administrators in the area where the community land is located.
3. The community land registrar may use all available means of communication including electronic media to reach the community members.
4. The community shall elect between seven and fifteen members from among themselves to be the members of the community land management committee, who shall come up with a comprehensive register of communal interest holders.
5. The community land management committee shall come up with the name of the community and shall submit the name, register of members, minutes of the meeting and the rules and regulations of the committee to the Registrar for registration.

Environmental Management and Coordination Act (EMCA), 1999

Enactment of this piece of legislation was a major milestone when it comes to the management and protection of the environment. It was able to harmonize several sectorial legislations, which most failed in providing for ways of dealing with environmental offenders or the punishment was too little to actually deter the offenders from repeating an offence. EMCA has clear provisions and procedures on environmental protection and management including a framework for conflict resolution.

Environment and land Court Act, 2011

The act is established under article 162 of the constitution to hear and determine issues related to the use, occupation and ownership of land and natural resources. It has the status of the high court and this only goes to show how environmental matters are prioritized. The community therefore has the right to institute any claim against anyone in violation of any laws related to the Mukogodo forest and its natural resources.

The Forest Act, 2005

Provides for sustainable use of forests and allows communities living in these forests to utilize the resources in the forest sustainably.

International

Convention on Biological Diversity

This convention is an international treaty that Kenya has ratified and hence forms part of Kenya law.¹ The objectives of this Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources; including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

¹ Article 2 (5), Constitution of Kenya, 2010



Traditional methods of preserving meat inside stripes

Nagoya Protocol; On Access to Genetic Resources and The Fair and Equitable Sharing of Benefits Arising from Their Utilization; To The Convention on Biological Diversity)

The Nagoya Protocol, a protocol to the UN Convention on Biological Diversity, is the first legally binding international framework that establishes a set of rights for indigenous peoples and local communities over their genetic resources and traditional knowledge. The protocol asserts community's right :

- i) Over our genetic resources.
- ii) Over our traditional knowledge.
- iii) Self-governance: Acknowledgment of customary law as part of Kenyan law under article 2.
- iv) Right to benefits from utilization of their resources and knowledge.

Specifically, it requires external parties to obtain Prior Informed Consent (PIC) and to take into consideration customary laws and local procedures for interacting with the communities and their resources. While the process holds potential for the protection of traditional knowledge and the generation of local benefits, the success of it depends on local implementation of Access and Benefit-Sharing (ABS) frameworks and consent processes. CPs were introduced into the Nagoya Protocol to address these implementation challenges and are subsequently legally recognised. International recognition of the approach provides a unique opportunity for communities to use community protocols to regulate access to their genetic resources and traditional knowledge according to locally-determined terms and conditions.

ILO No 169

The international Labour Organization convention 169 on Indigenous and Tribal Peoples provides for

- i) Right to benefits of exploitation and exploration of resources.
- ii) Right to compensation.
- iii) Right to self determination.

COMMUNITY AGREEMENT

As a community we are entitled to fair and equitable share of proceeds arising out of utilization of our resources with all stakeholders as established in the legal framework and specifically the Nagoya protocol

It is essential that the value of our traditional knowledge is understood and valued appropriately by the stakeholders who use it, and that our rights as indigenous people are considered during negotiations with various stakeholders over access and use of our genetic resources. Failure to do this can put the knowledge, resources and the community at large at risk.

These stakeholders include and are not limited to;

- a) Ministry of environment vis a vis relevant authorities including and not limited to National Environment Management Authority Kenya Forest Service and Kenya Wildlife Service
- b) Ministry of Mining in regards to sand mining which is a major cash cow in the Mukogodo region
- c) Construction companies. Eg. Industries and companies, government and private contractors and others (road constructions etc)
- d) Touristic sites, lodges, hotels, animal orphanages and conservancies.
- e) Researchers, both educational or otherwise

Access and Benefit Sharing is based on;

Prior Informed Consent (PIC)

The principles of ABS are based on the potential users of genetic resources obtaining the Prior Informed Consent (PIC) of the country of origin before accessing the resources. In our case it would mean that one would need the consent of the ministry of environment or its relevant authorities like NEMA, KFS and KWS before accessing any resources or genetic materials.

Mutually Agreed Terms (MAT)

The Nagoya protocol provides for no entry without permission of providers of genetic resources. Users of genetic resources are required to sign MOUs, abide by community rules and agree on how community will later get a share from the proceeds after the users utilize these genetic resources. It is therefore necessary that Yiaku comes up with a document that outlines guidelines, procedures and rules for access to our genetic resources that are fair and non-arbitrary.



Yaaku women being trained on modern business skills

CHALLENGES AND CROSS-CUTTING EMERGING ISSUES

- a) Extinction and cultural erosion
Only one person can speak the Yaaku language fluently. It is evident that there is a dire need to document as much as is possible and time is of great essence. Otherwise our identity will soon be a tale that is merely told.
- b) A complex process
User chain can blur distinction between providers and users (a user may become a provider)
- c) May also be difficult to distinguish between commercial and non-commercial genetic resources/traditional.
- d) Lack of resources and funds in collection of data.
- e) Interference of the forest from outsiders eg. government, other communities (charcoal burners et al) poachers gradually causing degradation and destruction of the forest.
- f) Language used in protocol is persuasive rather than binding (parties shall encourage vis a vis shall require as in binding legislations.
- g) Lack of framework of tracing royalties.
- h) Illiteracy.
- i) Community expects to get kickbacks so as to give information or assist in collection of data.
- j) Uncooperative community leaders .
- k) Lack of legal knowhow / help to address issues of community.
- l) Security issues from animals and people.
- m) People not from the Yiaku Community who live around the Mukogodo forest and lack sense of ownership hence not proactive in conservation of resources.
- n) No market for honey and other resources.
- o) Lack of government backing.
- p) lack representatives in government.
- q) lack of value addition.



some of beadwork products

SOLUTIONS

- a) Learning and documenting the language.
- b) Communication.
- c) Awareness creations.
- d) Negotiations with the government and various stakeholders.

CONCLUSION

The Yaaku Community adopts this BCP as its principal reference document. This is because it has encompassed all aspects of their day to day life and it has outlined in the broadest width possible, their wishes and future projections in terms of the protection of their land rights as a community and their resolve to continue conserving and managing their land effectively and sustainably.




Mzee Leriman one of the last Yiakunte speakers



SUPPORTED BY



YIAKU LAIKIPIAK TRUST
P.O.BOX 155 - 10400
Nanyuki, Kenya

 @theyiakupeople
 @YiakuPeople
 yiakulaikiapiaktrust
 yiakugroup@gmail.com

www.yiakulaikiapiaktrust.org