Workshop Report

NATURAL RESOURCES MANAGEMENT, EXTRACTION AND DEVELOPMENT IN TURKANA COUNTY

Capacity Building Seminar for Turkana County Assembly

LODWAR POLYTECHNIC, LODWAR

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And

FRIENDS OF LAKE TURKANA (FOLT)

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EXECUTIVE SUMMARY

Kenya faces a number of governance challenges in relation to the recent oil discovery in the Turkana basin. One of the key changes is a clear understanding of the role of the newly established county governments in promoting sustainable governance of the oil and extractive sector. The objective of this seminar was to enhance the capacity of Turkana County Assembly, with special focus on their oversight role in governance of land and natural resources in the county. It brought together the members and staff of Turkana County Assembly and renowned natural resource governance experts from Kenya and Ghana. The county assembly members led by the speaker highlighted the challenges faced by the assembly and their expectations from the seminar. The expectations included clear understanding of the assembly's role in relation to county planning, legislation and oversight; community benefits from natural resources exploitation; managing expectations; relocation and compensation; and training and skills for the local people.

Participants were taken through the constitutional context for oil and land governance in Kenya and in the context of Turkana; energy, water and natural resource reforms; and oil revenue and other county revenues. The constitution vests huge responsibilities in county governments and in particular the county assembly. Success or failure in Turkana depends to a great extent on how well the assembly performs these roles. The Turkana community should not put too much emphasis on oil at the expense of other natural resources in the county including water, agriculture and forest. County planning is very important and should be used to designate different areas for land use including agriculture, water sources, pasture etc. Much of Turkana land is community land thus effective natural resource governance in Turkana should start with completion of and adoption of community land law. The law should among other things protect subdivision of community land. County assembly should also ensure provision of basic services including water and sanitation; and encourage public participation and access to information.

Kenya can borrow useful lessons from Ghana's experiences in the oil and extractive sector and on oil and other county revenues. Effective monitoring by the county government is needed to secure community and environmental rights. Turkana county and community should look

beyond oil revenue and position themselves to harness other benefits emerging around the oil sector. Much as sound governance policies are important, equally important is good investment policies at the county level to ensure good investment of oil revenue and other county revenues.

Suggestions on the way forward at the national level revolved around pushing for and participating in enactment of appropriate laws and policies. At the county level, integrated county plans (IDP) should be fast tracked and carefully considered to capture the community's interests. The need for continued capacity building for the assembly and other county government officials was also pointed out. The assembly will facilitate public participation and access to information both by its members and by the citizens they represent. The county assembly will work with the county executive to establish mechanisms through which the local community can harness the benefits of the emerging oil industry. It will also among other things, make laws, policies and plans that promote local entrepreneurship; and champion establishment of technical institution(s) in Turkana to train local youth on the skills needed in the oil sector.

TABLE OF CONTENTS

LIST OF ABBREVIATIONS

BR	Benchmark Revenue
CSO	Civil Society Organisation
EDC	Enterprise Development Centre
FOLT	Friends of Lake Turkana
IDP	Integrated Development Planning
ILEG	Institute for Law and Environmental Governance
JTTC	Jubilee Technical Training Centre
KCA	Kenya College of Accountancy
LAPSSET	Lamu Port South Sudan Ethiopia Transport corridor
MoU	Memorandum of Understanding
NLC	National Land Commission
PSC	Production Sharing Contract
SME	Small and medium Enterprise
TCA	Turkana County Assembly
TVET	Technical and Vocational Education Training
ZETL	Zeal Environmental Technologies Limited

1. INTRODUCTION

1.1 Background Information

Turkana County occupies 68,680 Km^2 and is home to over 855,000 people according to the 2009 population and housing census. This indigenous population comprises mainly of fisherfolk and predominantly nomadic pastoralists. Literacy rate in the county is very low due to factors such as inadequate infrastructure for education, mobility due to nomadism, economic marginalization and cultural beliefs and practices. Literacy level among women is even lower relative to the male counterparts and hence their position and access to land in the modern and rapidly urbanizing parts of the county is worrisome.

A number of recent developments in Kenya are set to change the fortunes of hitherto poor and marginalised regions such as Turkana County. Kenya recently discovered substantial deposits of oil in Turkana and other mineral deposits in other parts of the country. The oil discovery and its commercial viability in Turkana county was greeted with considerable excitement by Kenyans and rightly so by the local residents of Turkana. This oil find no doubt holds a promise for economic liberation and development of the hitherto marginalized county as well as the country. Indeed, the government is keen to position the oil and extractive industry as a key driver of economic growth in line with the country's long term economic blue print, Vision 2030. Major infrastructural developments are also underway in Turkana and the other formerly marginalised counties. For instance, the Lamu Port South Sudan Ethiopia Transport (LAPSSET) corridor will be concentrated in Turkana County and the other once neglected counties of Lamu, Garissa, Tana River, Isiolo, and Marsabit.

The oil and mineral extraction and infrastructural development will no doubt open up these areas to socio-economic development. However, there are concerns that these projects will disrupt the way of life and livelihoods of the people, and infringe on their land, environmental and cultural rights. Already, these planned developments have sparked a scramble for land in the pastoralist areas by individuals and multinational companies who take up grazing lands and fishing sites that communities have depended on for generations. This has threatened indigenous people's access to, control over and ownership of land and natural resources, and has also raised concerns over environmental, water and cultural rights. A key governance challenge is ensuring that the impending oil boom leads to the country's economic development and improves the livelihoods of local people while ensuring their social, environmental and cultural rights are protected.

While the important role of the national government in achieving good governance in the sector cannot be gainsaid, the new devolved system of governance also vests huge responsibilities on the county governments. Many of these responsibilities impact directly on natural resources including the oil and extractive sector, as well as on infrastructural developments. The county assemblies are particularly very important in ensuring implementation of these functions. Given that Kenya just entered into the devolved system of governance, most of the county assemblies are still grappling with the understanding of and performance of their roles. In Turkana County, this challenge is worsened by the recent discoveries and ongoing exploration of oil; high poverty and illiteracy rates; and the geographical vastness of the county leading to long travel distances by the county representatives.

In view of these challenges, the Institute for Law and Environmental Governance (ILEG) partnered with Friends of Lake Turkana (FoLT) and the Turkana County Assembly to conduct a training seminar to enhance the capacity of the assembly, with a special focus on the assembly's oversight role in natural resource governance processes. The main objectives of the seminar were:

i. To discuss the legal and policy environment governing natural resource and management in Kenya
ii. To discuss opportunities and challenges faced by members of the Turkana County Assembly in their oversight role in natural resource governance.
iii. To share experiences on the challenges and opportunities of the oil find in Turkana.
iv. To lay the foundation for future training of the different assembly committees on the technical capacity, requisite knowledge and skills to make a positive contribution in the governance of the extractive sector in the county
v. To develop a sustained and long-term partnership with the assembly over governance of the extractive sector in Turkana

The expected results were:

i. The capacity needs of the county assembly identified and a strategic plan for addressing them developed

ii. Information shared on the legal and policy framework for land, environment and natural resource management in Kenya

iii. Agreement on long-term collaboration with the Turkana County Assembly in relation to natural resource governance developed

1.2 Opening remarks and introductions, *Ikal Angelei*

A lot is currently happening in Turkana County. Substantial deposits of oil have been discovered in different places within the county and more recently underground water aquifers were also discovered in Turkana. There are also plans of major infrastructural developments including the LAPSSET project that will traverse parts of the county. All these developments are happening or set to happen on land. This has raised a number of fundamental concerns. First, majority of Turkana people are pastoralists and fishermen and thus depend on land and land based natural resources for sustenance. These developments will therefore have great impacts on the people's livelihoods as well as their social, environmental and cultural rights. Secondly, most land in Turkana is community land, yet there is currently no framework law governing community land in Kenya.

A section of Turkana County Assembly Representives following the workshop proceedings

There has been considerable efforts in recent past to respond to these challenges. However, most stakeholders including mining companies, the national government, county governments, natural resource governance experts and civil society organisations each seem to be working on their own without considering what others are doing. Without an integrated approach, conflicts in the oil sector such as the ones seen in recent weeks involving Turkana communities and Tullow oil will not go away. More importantly, there is need for each group of stakeholders to understand and faithfully perform their roles in order to ensure effective, transparent and sustainable governance of natural resources.

This seminar seeks to build a foundation for bringing together different stakeholders to reason and act together in order to ensure that exploitation of natural resources in Turkana benefits the local people and brings economic development to the country. The seminar brings together the Turkana County Assembly and renowned natural resource governance experts to share expertise and experiences and to learn from the challenges faced by the assembly in performing their roles in relation to oil governance. I am particularly happy to be joined by Dr Collins Odote, Prof Patricia Kameri-Mbote and Mr Mohamed Amin to share insights and enormous skills to help us move forward in governing oil in Turkana.[1] However, note that we are not here to tell you what to do, but rather to hear your challenges, share experiences, guide you about the law, and to build a partnership. I urge the seminar to be as interactive as possible and participants especially the County Assembly representatives to share their specific needs so that we all can see how they can be addressed.

1.3 Official opening remarks by the Speaker of Turkana County Assembly, *Hon. Geoffrey Kaituko*

Key highlights of the speech

It is a great pleasure to welcome our guests and members of Turkana County Assembly (TCA). The members honoured our invite to this meeting at a reasonable short notice given the distances that many of them had to cover.[2] The devolved system of governance is a new phenomenon in Kenya and Turkana County Assembly like others in Kenya are grappling with how to effectively perform our important roles. We have had several capacity building workshops and study tours including a recent visit to the USA. In USA we visited and had discussions with the World Resource Institute and a couple oil companies. We learnt a lot of things including the relationship between the federal and state governments.

Today’s workshop is however unique. While the previous seminars have sought to build our capacity to perform our traditional roles as representatives of the people, today’s seminar focuses on building our capacity on natural resources governance. This is a continuation of conversations we have had with Friends of Lake Turkana following recent oil and water

[1] See annex III for the profiles of the main presenters.

[2] Turkana County is the second largest county in Kenya covering 68,680 Km^2 of land surface area. The largest is neighbouring Marsabit County.

discoveries in Turkana. It is worthy to note that exploration of oil is still going on and more announcements are in the offing. It is very important for Turkana County leadership to engage in issues of good governance of natural resources. TCA particularly needs to needs to be equipped with adequate knowledge on good stewardship of natural resources. Although today's discussions will focus on oil, it is important to also take cognisance of the recently discovered underground water aquifers. In addition, this seminar has come soon after recent conflicts involving Turkana communities, politicians, Tullow Oil and the government. The assembly constituted a committee that is still investigating the matter. However, unless the issues of governing natural resources is effectively dealt with such skirmishes will persist.

The importance of the role of county assembly in natural resource governance cannot be gainsaid. The Constitution at Article 185 mandates county assemblies to receive and approve plans and policies for management of states approving pans and policies for management of natural resources and infrastructure. As TCA we must take up and perform this role effectively. For instance the planned infrastructure should and must come to us for approval. The Constitution also gives as the role to make laws necessary for performing county government functions. In this regard we need to understand what laws or regulations can be made to protect land, water, oil, wildlife and other natural resources in our county.

As representatives of the people, we also need to understand now rather than later how oil revenues will be shared, and repeal laws that do not recognise how we as the Turkana community and county will benefit. We fully recognise the fact that oil is a natural resource vested in the state. What is in dispute is what is our share is as the host community. I also appreciate that there are different and varied levels of both genuine and false expectations. We also need to learn how to manage these. Ensuring transparency and accountability is a good way to start dealing with these expectations. Most importantly, it is important that we learn how apply the rule of law in governing the oil and extractive sector. Indeed, we learned in the US that the oil and gas sector is heavily regulated, and that the rule of law come fast. This is because the industry is a risky business, harms the environment sometimes irreversibly, it hurts workers, and lastly it is vulnerable to corruption.

Another critical issue that I would like covered is compensations. I am glad Dr Collins Odote is here because he and others did a good compensation component in the Wildlife Law. Value addition and training of the youth in the kind of skills required in the oil sector is also very essential. I personally admit that even with three degrees, I understand very little in the sector because I am not properly trained in it. It will be unfortunate if after 20 years the sector will still be run by expatriates because we lack skilled labour force. In this regard, we are in talks with Kenya College of Accountancy (KCA) to take over the Lodwar Polytechnic and convert it into a university to train our people especially in the necessary technical skills.

In concluding, members of the TCA have a very important role to play in ensuring good governance of our natural resources. As an assembly, if we fail, history will not be fair to us considering that Turkana has been marginalised for far too long. We have no reason to remain marginalised because now we have a county government that we are all part of. Don't look merely at short term benefits such as hand-outs, jobs and tenders at the expense of selling out our own community. Please take advantage of renowned experts – Dr Odote, Prof Kameri-Mbote and Mr Amin who has travelled all the way from Ghana. Ask questions, interact and learn as much as possible.

2. TECHNICAL SESSION ON GOVERNANCE OF NATURAL RESOURCES AND THE ROLE OF TURKANA COUNTY GOVERNMENT

2.1 Constitutional context for oil and land governance in Turkana, *Collins Odote*

Highlights from Presentation and Plenary

The discovery of oil and underground water aquifers in Turkana has brought with it a sort of a paradox. While most Kenyan non Turkanas think that Turkana is now doing well, most non-Kenyans especially from countries that have undergone oil extraction think Kenya is facing a serious challenge with the discoveries. And for good reason. The oil discovered here, like it has happened in other countries, can be a source of blessing to the community and country or a cause of misery. The development outcomes in the face of resource discoveries will depend on how well the resources are governed. Indeed, most of the problems facing Turkana and other marginalised regions in Kenya as well as the developing or underdeveloped countries in general have been blamed on poor governance.

Fortunately, Kenya's 2010 constitution brought a devolved system of governance comprising a national government and forty-seven (47) counties, including Turkana County. In effect, a big chunk of the responsibilities hitherto bestowed on the national government sitting in Nairobi is now transferred to the counties. As such, many problems initially blamed on Nairobi is now effectively within the docket of county governments. Therefore, development of Turkana or lack of it, will depend to a great extent on how well Turkana leaders do. The Constitution and the County Governments Act gives huge responsibilities to the Governor, his deputy, county executive committee, and even more importantly, the county assembly. Turkana County assembly should start by recognising their huge responsibility and performing it effectively.

Dr Collins Odote giving his presentation during the seminar

The Constitution gives the county assemblies three main roles: legislation, oversight, and representation of the people. In terms of legislation[3], a county assembly has power to make any laws that are necessary for the effective performance of the functions of the county government.[4] The Constitution also mandates county assemblies to exercise oversight[5] over the county executive committee and any other county executive organs; and to receive and approve plans and policies for management and exploitation of county's resources; and the development and management of its infrastructure and institutions.[6] As Turkana County Assembly, you should use these constitutional provisions to demand for, look at and approve or disapprove plans and policies related to natural resources and infrastructure within the county. The most important thing is to thoroughly master the provisions of the law and ensure their application before pursuing other avenues of ensuring effective resource governance.

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[3] Art. 185 (2)

[4] The functions of county governments are specified in the Fourth Schedule of the Constitution. They include agriculture; county health services; control of air pollution, noise pollution, other public nuisances; cultural activities; county transport; trade development and regulation; county planning and development; and implementation of specific national government policies on natural resources and environmental conservation.

[5] Art. 185 (3)

[6] Art. 185 (4)

The Constitution of Kenya 2010 provides the basic foundation for ensuring effective natural resource governance in Kenya. For instance, the chapter on the bill of rights seeks to preserve the dignity of individuals and communities, as well as to promote social justice.[7] A number of the rights and fundamental freedoms protected by the bill of rights have direct implications for exploitation of natural resources. These include respect and protection of human dignity[8], access to information[9], right to property[10], right to a clean and healthy environment[11] and access to justice[12]. The constitution also obligates the state to sustainably utilise and manage the environment and natural resources, and to utilise them for the benefit of the people of Kenya.[13] Among the duties of county assemblies is to utilise their oversight role to ensure that these provisions are implemented.

The Constitution also requires public participation in all important decisions. It requires the state to encourage public participation in the management, protection and conservation of the environment[14], and parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its committees.[15] These provisions are very critical because a number of bills and policies which directly affect counties are under review or formulation. The Turkana people and Turkana County Assembly should demand to be involved and actively participate in the ongoing formulation of energy bill and policy as well as community land bill.

[7] Art 19(2)

[8] Art 28

[9] Art 35

[10] Art 40(3)

[11] Art 42

[12] Art 48

[13] Art 69

[14] Art 69(1)(d)

[15] Art 118(1)(b)

The Constitution also addresses the issue of benefit sharing. Parliament is mandated to enact legislation ensuring that investments in property benefit local communities and their economies.[16] The first thing that the Turkana County assembly should do is to push for enactment of this law. It is important that such a law provides opportunities for local people to invest in the industries that exploit their natural resources. There have been questions on why other people especially from outside Turkana are investing in Turkana. But perhaps the more important question to ask is how the People of Turkana can invest in Turkana. Such investments by local people can only be achieved by the people take the initiative and by putting in place good laws that promote local investments. But even as you look at how the community will benefit from the oil extraction in Turkana, it is important that you look at the big picture and not at short term selfish benefits that might not reflect long term gains.

The Constitution bestows other important responsibilities touching on natural resources on the county governments, including that of controlling air pollution, noise pollution and other public nuisances. The county assembly should also take up their oversight role to ensure that these roles are effectively performed.

In summary, the new constitution came so that Kenyans can have a better life. Whether we achieve the better life depends on how we perform the roles bestowed on us by the constitution. Good leadership will ensure that natural resources are utilised in a way that benefits the local people and achieves environmentally sound development. The county assemblies have a duty to observe good leadership and to ensure that the executive arm of governments deliver in their roles. More importantly, it is very crucial that county assembly understand and follow the law and arm themselves with all the necessary facts necessary in performing their roles.

2.2 Energy, water and natural resource reforms and linkages to the extractive industry, *Prof Patricia Kameri-Mbote*

Highlights from presentation

Although much of the focus seem to be on the recently discovered oil, Turkana County is endowed with a wealth of other natural resources including the, land, Lake Turkana, fishing resources, forests, asbestos and building stones. In fact we should not keep all our hopes in oil

[16] Art 66 (2)

especially because of its ever fluctuating prices. Never the less, there is agreement among the county assembly representatives that these resources have not been managed in a way that is sustainable and beneficial to the local communities. A mong the reasons that have led to poor governance of natural resources in Turkana are lack of proper planning and terms of engagement; lack of inter-sectoral coordination; and lack of involvement and consultation among key stakeholders. Kenya's 2010 Constitution not only makes good management of natural resources a mandatory requirement rather than a choice, but also defines specific roles and responsibilities for achieving it.

1Prof Patricia Kamer-Mbote giving her presentation. Seated to her left is the Hon Geoffrey Kaituko, Speaker of Turkana County Assembly

The constitution gives three roles to the county assemblies: legislation, oversight and representation. Thus the Turkana county assembly has a duty to ensure effective governance of the natural resources in their county though these three roles. Specifically Schedule Four of the constitution details the key roles assigned to county governments. Many of these roles impact on natural resources and how well they are performed will determine how well counties do in managing their natural resources. Among the roles is agriculture and fisheries. This has implication for instance on how Turkana County will utilize its land to produce food; harness water for irrigation to boost agricultural production; or fish in Lake Turkana in a sustainable way. It is also the responsibility of county governments to control pollution and other public nuisances, and ensure that such doesn't affect human health, livestock, fish etc.

Another key role of the counties is county planning and development. Turkana County should do a good land use planning that would ensure that right places are designated for different forms of land use e.g. industrial area, agriculture, pasture, water sources, settlements etc. A threshold should for protection of Turkana community land should be set. For instance don't give out for industry land which is important for use as a water source, or don't irrigate land where communities pasture there animals. The issue of leasing out land should also be looked at very keenly. The constitution sets the lease holding at ninety-nine years. This in my view may be too long, and should be reduced to between 15 to 25 years so that as a community you may be able review within a reasonable short time and determine whether to extend the lease or give the lease to another person depending on how the land is used. The Turkana county assembly should also watch out for and avoid subdivision of community land. Land subdivision is a recipe for disappearance of community land as witnessed recently in Narok, Kajiado, Kilifi where some people sold out land as soon as they received titles and became landless. In my opinion, Turkana people are better of trading on land products such as agriculture and livestock rather than trading on community land.

County governments are also in charge of county public works and provision of basic services including water and sanitation services. Water is a very critical commodity as it is needed for drinking, domestic use, irrigation, watering livestock etc. Turkana is a lucky county having discovered huge deposits of underground aquifers. Good management of the water resources will ensure it benefits the people and improves their living standards. But before even talking about how to extract and manage water resources, it is important that as a county, family and even individual determines their water requirements as this would ensure effective planning. Also important is for counties to realise that water requirements differ depending on what use it is required for, and that water tariffs should differ according to the uses. In setting the water tariffs for example, it is perhaps necessary to ensure that domestic users particularly the poor households get water for free. With regard to sanitation, it is possible for Turkana people to say that any plans of development must ensure good sanitation.

Another critical issue with regard to management of natural resource in the county is public participation. Remember the constitution elevated the requirement of public participation in decision making to a constitutional requirement rather than an option. The critical question to ask as county representatives is how do you get the voices of those you represent? This calls for intersection with and consultation with your constituents. Note that as a leader you must be at the centre as people want to see the leaders as people they can trust. The ongoing drafting and formulation of various laws and policies on natural resources makes this a particularly important time for public participation. As representatives of Turkana people for instance, you should facilitate and ensure active participation of your people in the ongoing discussions on community land to ensure that what comes out of the process is a good law that will protect the Turkana community land.

Closely related to public participation, access to information is also a critical issue. As a county assembly we should demand for and get all the necessary facts and information that would facilitate effective public participation and good governance. Importantly, we should not only get the facts from other sources but also do our own research in order to have the full and accurate information. A good starting point would be to have a research wing in the county assembly responsible for providing genuine and up-to-date data.

With regard to benefit sharing, it is important first and foremost to know and understand all the forms of potential benefits. People tend to focus on employment, rent, scholarships, tenders etc. These are all very important but we should aim higher e.g. at having stakes in the processes and/or investments on our land. This can be done through the law by establishing proper channels for and negotiating with the people coming to invest in Turkana. In addition, the assembly should ensure that transactions involving a grant of a right or concession for exploitation of natural resources is subjected to ratification by parliament, as provided for in the constitution.[17] The assembly should also push for enactment of legislation providing for the classes of transactions subject to such ratification. These provisions should be used to ensure that the final resource extraction agreements guarantee community stakes and benefits from resource extraction. It would also avoid the 10 million beggars and 10 millionaires syndrome, a situation where a few individuals become super rich while the majority remain poor.

In concluding, Turkana County assembly should also ensure that resource extraction is guided by inter and intra generational equity. Note that we have the resources we have in Turkana today because our forefathers stewarded them well. We also have a responsibility to use the resources in a sustainable way so that they are also available for future generations. We should also not lose cognisance of the fact that within Turkana community there are clans, families, women, old people and other vulnerable groups. The plans and policies for using our natural resources should not discriminate against any group.

Plenary

The main issues that came out of the plenary discussions include clarifications on the various forms of land holding; the role of the National Land Commission (NLC) in counties Integrated

[17] Art 71(1)

Development Planning (IDP); and on rights to water. Lack of continuous coordination, consultation and consensus among Turkana County stakeholders was identified as a major impediment to good governance. The county assembly representatives also expressed their need for continued training and capacity building on natural resource governance.

A freehold gives the holder absolute rights or rights in perpetuity while a lease hold gives the holder rights in land for a period of time. The current lease hold period in Kenya is 99 years. This is too long and in fact should not only be reduced but also pegged on the type of use to which the land is put. Rent refers to the money paid for lease of the land. Only an entity with absolute rights (freehold) can sell the land. Land holding is a very delicate issue in Turkana especially because the Turkana are a pastoralist community. Refer to earlier discussions on county development planning as a key role of the county government. The county assembly can use its oversight role as well as its responsibility to approve county plans and policies to ensure that water points and areas used as pastures are not sold or leased out. It should be noted however that constitutionally, the state has power to regulate land use for public interest.[18]The link of NLC with the counties is unclear. However, constitutionally the NLC has an oversight role, not of approving individual IDPs. Thus the county assembly should take lead to invite and engage the NLC to get clear direction.

On the rights to water, the bill of rights in the constitution guarantees every person clean and safe drinking water in adequate quantities.[19] The county government is therefore under obligation to ensure that every person in the county has access to safe and clean water. This may necessitate providing the water for free or at absolutely low tariffs to the poor households. It is the duty of county assembly to ensure that this is implemented.

Proper coordination among the executive, the county assembly, civil society organisations (CSOs), professionals and communities is very important in effective governance of natural resources within the county. Indeed, the success of legislation, county planning, community participation, capacity building and all other county government functions require a coordinated approach. While the CSOs such as ILEG and FoLT can play a role in bringing

[18] Art 66

[19] Art 43(2)(d)

stakeholders together, the county assembly led by the speaker should take the lead and invite us or other professionals to provide support and technical assistance whenever such is necessary.

There is need for continuous capacity building not only for the county assembly but also for the executive arm of the county government as well as the communities. Such capacity building will enhance the understanding on natural resources, roles of different stakeholders, intersectoral linkages and ways to move forward. Indeed, this is the process we have started with this seminar and we hope it will be a good and lasting partnership. It is also important that future capacity building seminars consider sessions with specific committees of the assembly to handle specific issues.

2.3 Ghana experiences with oil and gas in international context: Lessons for Turkana County Government, *Mohamed Amin Adam*

Highlights from Presentation

Overview of the oil project chain

Oil project chain proceeds through several phases: exploration, appraisal, development, production and closure. This involves three main policy phases. The Depletion Policy phase involves award of contracts; regulation and monitoring; and collection of taxes and royalties. The Fiscal Policy phase comprises collection of taxes and royalties and distribution and management of revenue. The third phase involves sustainable development policies. Throughout the oil project chain, costs are incurred by the oil company in terms of resources they put in the project, and by the community in terms of social, economic and environmental impacts of the project. However, benefits[20] only come in the value addition (development and production) phase while actual revenues occur only in the production phase.

For a company to conduct oil exploration and development, it has to obtain mineral or mining rights. The Mineral right grants the contractor the right to explore for, develop and produce the reserves while the national government retains ownership of the reserves. Mineral rights can be acquired by entering into agreement with the mineral rights owner through a concession, a production sharing contract (PSC) (proposed for Kenya), a Risk Service Agreement or a hybrid

[20] Benefits from oil projects comprises employments, business contracts, service industry, oil revenue etc.

model as is the case in Ghana. After obtaining the mineral right, the contactor then does exploration drilling followed, in case of discovery by the evaluation and appraisal phase in which aadditional drilling is done to determine the size of the recoverable reserves; dimension of the fields; development cost; and economic viability or commerciality.

Upon establishment of commerciality, the contractor must decide whether to develop it or not, when to develop it, and how to develop it. The development phase involves plan of development; drilling of development wells; constructing of platform; constructing of treatment plant; equipment and facilities for jetting; storing and processing; constructing pipelines; and waste disposal system. The host country can exercise its right to participate up 51%. The development phase is followed by the production and then the closure phase. The closure phase involves restoring the site its pre-existing condition, and establishment of a decommissioning fund. Under most contract e.g. PSCs the ownership of the facility passes to the host country.

Local content and role of county government

Local content refers to the value contributed to the national economy through expenditure on goods and services (indirect economic impacts and multiplier effects). The purpose of local content is to increase the national wealth through economic growth and more employment of locals. There is a stack difference in focus between successful local content countries and the less successful ones. Most successful local content countries e.g. Norway, UK, Brazil and the new Nigerian policy have focused on “Value creation in the country”. On the other hand the less successful ones especially many countries in Africa look at elements like ownership, expenditure in the local economy and employment.

The county government can play a very important role in monitoring local content. Monitoring can be done in two ways. The first is target based monitoring in which the performance of national and county governments are evaluated against the respective targets set by them. The second is progress based monitoring in which performance is evaluated according to the level of improvement made over the base year performance. Whichever way is chosen, the strategy should be incorporated in law or Community Development Agreement.

The ratio of total oil spending on local content to the total value of the project is one of the issues that can be monitored by the county government. In order to do this, critical information is required including salaries/wages of local employees, value of local procurement, social spending e.g. workshops in schools, scholarships and cost of training programmes. The ration of local employment to total no of workforce employed in the project is another issue for monitoring. Information required for this include total number of local employees, total workforce in the project in the area of operation (excludes employees working outside project area). County governments can also monitor corruption. Some companies abuse corporate integrity by promoting fronting and shadow operations. For instance, in Nigeria, local firms often act as agents for international companies or as middle men with good connections aiming to get their share of the potential profits. Ghana wants to check this with the establishment of the Petroleum Commission. The commission is mandated to undertake investigations to ensure that the Ghanaian company principle is not diluted by the operation of a front, and that bid rigging and cartelization is avoided in the procurement process.

Although the industry has an important role to play in developing a strategic plan for the oil sector, it faces big constraints in most low-income countries. Industry constraints include uncompetitive local firms; lack of relevant experience and technical capabilities; poor production quality and reliability; low health, safety and environmental standards; and weak public sector regulation and inefficient bureaucracies. There is need to building capacity to address these industry constraints. The county government can put in place plans and policicies that promote investments in infrastructure; education; research and development; and creation of industry clusters and linkages, to transfer technology and knowledge from international to domestic companies.

Kenya can draw lessons from a number of cases in Ghana. In 2012, Tullow alone spent $114m with Ghanaian registered supply and service companies. Of this, $69.2m was placed with supply and service companies that were /are Ghanaian owned. In addition, 89% of Tullow Oil local workforce are Ghanaian. Tullow also awarded 50 scholarships to Ghanaians for industry-related studies for 2012 while 50 more are to be awarded in 2013 /14. The government also initiated the SME Enterprise Development Centre (EDC) at Takoradi to build the capacity of Ghanaian small and medium scale enterprises to fully take part in the opportunities in the oil and gas sectors of the economy. The aim of the EDC is to act as a focal point for coordination between the oil and gas companies and SMEs. Tullow is also pioneering a graduate engineering programme designed to provide Ghanaians with tailored cross functional training in well engineering, subsurface and production operations.

The Takoradi Polytechnic also partnered with the Jubilee Partners[21] to establish the Jubilee Technical Training Centre (JTTC), a public-private partnership initiative. The institute aims at addressing the skills gap in Technical and Vocational Education Training (TVET) for Industry. Other success cases in Ghana's local content are the Macro Group which transporting Tullow Oil materials. The group which has worked with Tullow since 2009, has 75 employees and provides heavy vehicles and drivers as well as ports and harbour agency services. There is also Zeal Environmental Technologies Limited (ZETL), one of the biggest indigenous Ghanaian Oil & Gas Waste Management companies that provide services to the oil industry in Ghana.

Coming back to Kenya and the role of Turkana county government, the very first step towards ensuring local content is by holding Tullow to account. Tullow commits in its Mission Statement[22] to share prosperity from oil and gas with host countries by involving local individuals and businesses. The statement also says that Tullow is committed to developing local suppliers and building their capacity. In fact, the company reiterated its commitment to local employments, local opportunities and transparency in an MoU signed between the company and the minister for energy.[23] This gives you the license to hold the company to its mission.

Apart from local content, county governments should also monitor against adverse environmental impacts including environmental impact assessments, oil spills, gas flaring, decommissioning and pipeline leakages. This role is in fact anchored in the Constitution of Kenya which mandates the county governments to be in charge of air pollution, noise pollution, other public nuisances and outdoor advertising[24] as well as electricity and gas reticulation and

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[21] The Jubilee Partners comprise the Ghana National Petroleum Corporation, Tullow Oil, Anadarko Petroleum Corporation, Kosmos Energy and PetroSA. Ghana discovered oil in commercial quantities in 2007 in what is now known as the Jubilee Field, hence the name Jubilee Partners.

[22] Available at: http://www.tullowoil.com/supplier_centre/index.asp?pageid=48

[23] http://www.tullowoil.com/index.asp?pageid=137&category=&year=Latest&month=&tags=&newsid=866

[24] Part 2 Sec 3 of the Fourth Schedule

energy regulation.[25]In response to these roles, it is necessary to push the county government to establish a Rapid Response Team to monitor environmental matters and report appropriately. The county government should also participate effectively in the development of Environmental Impact Assessments and to use it to evaluate the environmental performance of oil companies. In addition, the county government should work with oil companies to create awareness about the environmental effects and remedies of production facilities, pipelines, etc. At the policy level, the government should develop Oil Spill Response Plan, establish an Oil Spill Fund and a Decommissioning Fund and implement Zero tolerance for gas flaring except for operational purposes which should also be within allowable limits.

2.4 Oil revenues and other county revenues: The oversight role of the County Assembly, *Mohamed Amin*

Highlights of presentation

Legal and policy context for revenue

Kenyan Constitution lays a good foundation on revenue sharing. It obligates the State to ensure equitable sharing of benefits accruing from natural resources.[26] It also requires revenue raised nationally to be shared equitably among the national and county governments.[27] The county governments may be given additional allocations from the national government's share of the revenue, either conditionally or unconditionally.[28] Sharing of revenues to counties is predicated on *inter alia,* the fiscal capacity and efficiency of county governments[29]; and the developmental and other needs of counties.[30] The Constitution also establishes an Equalization Fund into which shall be paid one half percent of all the revenue collected by the national government each year. The fund is to be used to provide basic services to marginalized areas, in order to bring the quality of those services in those areas as much as possible to the level enjoyed by

[25] Part 2 Sec 8 of the Fourth Schedule

[26] Art 69(1)(a)

[27] Art 202(1)

[28] Art 202(2)

[29] Art 203(1)(e)

[30] Art 203(1)(f)

the rest of the nation.[31] In addition to the Constitution, there are other statutes that make provisions for equitable benefit sharing. For instance, the Public Finance Management Act 2012 requires county governments to use objective criteria reflecting respective service demand and responsibilities in allocating funds to urban areas or cities.

Ghana has a centralized policy on revenue distribution. Under Ghanaian laws, 70% of the Benchmark Revenue goes to the Annual Budget Funding Amount (ABFA) while 30% goes to Savings. Of the ABFA fund, 70% is spent on Public capital investment while remaining 30% is spent on provision of goods and services. Of the Savings, at least 30% goes to the Heritage Fund[32] while the remaining amount is put in Stabilization Fund[33]. Kenya is in the process of formulation its Energy Bill and hopefully the final law enacted will have effective regulations on benefit distribution, and particularly distributions to the county and host communities. It is the duty of county government to monitor very closely the amounts ceded to their counties. In order to do this, the county government should arm itself with all the necessary data and information including the annual oil production quantities, average crude oil price, state financing cost, revenue distributed to the National Government, County Government and local communities etc.

Oil spending at the county

There are two issues that county governments should address in relation to county revenue: spending policy and governance policy. In terms of spending, the county government should ensure the right amounts are spent on the right projects and in an efficient manner. Choosing the right projects to spend oil money on is very important. For instance, empirically, agriculture contributes faster to poverty reduction than do industrial investments, and has wider redistributive effect. Indeed, experience in resource rich countries can attest to this fact. Indonesia used its oil rents to supply fertilizer to farmers and develop new crops, building the basis for the country's green revolution. They also invested heavily in agricultural research to identify new commodities that could improve on export potential. Similarly, Malaysia invested

[31] Art 204

[32] The Heritage Fund was created as a fund for future generations for Ghanaians.

[33] This a sovereign wealth fund whose main aim is to cushion the Ghanaian economy or sustain public expenditure capacity in periods of revenue shortfalls e.g. decrease in oil price.

its oil revenues into forestry and palm oil, building very successful industries, while Chile used proceeds from copper to invest into new agricultural commodities, such as salmon, a product that had not been part of the country's export products before.

Education is potentially another natural good target for spending oil money, as it is associated with high social and economic returns. Trinidad and Tobago spent the bulk of oil revenues on education. To underscore the importance of education, the first PM of Trinidad and Tobago was quoted saying "*Our children are carrying the future of this country in their school bags*". Brazil recently passed a new law which allocates 70% of royalties to finance education annually and the remaining 30% for health financing. Botswana has also used its resource revenues to expand schooling. Botswana law requires that revenues from its copper funds education first, health second and basic infrastructure third.

Once the right oil spending areas are identified, there is need to promote spending efficiency at the county. This requires a Long Term County Development Plan (LTCDP), and a County Investment Management Plan (CIMP) to implement the LTCDP). The CIMP should focus on: a transparent and competitive procurement policy; phasing out of projects; and an effective investment monitoring unit.

On governance, the county government should promote Transparency and Accountability including: publication of fiscal data; properly defined reporting period; and public participation in priority setting.

Plenary

The questions and discussions during the plenary session revolved around the issues of rights to resources on community land, benefits and revenue distribution, environmental and social impacts, county development plans and intra county coordination.

Constitutionally, minerals are vested in the state and communities can only claim surface rights which is also subject to government regulation for public benefit. However, community rights including right to a clean and healthy environment, right to property and rights to be treated with dignity are protected by the same constitution. For instance when communities have to be displaced for oil development, resettlement should be whole some and not limited to physical structures alone. Basic social amenities such as schools and healthcare as well as livelihood means should be considered in the resettlement plans. Moreover community rights must also include rights of everybody within the community including women, the old, poor, children, disabled and other vulnerable groups. Indeed the law in Ghana as in Kenya prohibits discrimination of any form. Deliberate efforts should be made to define who the local people are to avoid discrimination on the basis of ethnicity, geographical space, and culture etc.

On benefits remember that benefits go far beyond the actual revenues from oil or even merely employment in the oil company. In fact, employment is the least you can expect from oil companies. The county government and communities should for instance be interested in the enterprises that will develop in support of the oil industry. These may include equipment manufacturing, manufacturing, materials and components, construction etc. Such industry normally provide more employments than the oil company itself. The county government should put in place early enough, measures to provide these goods and services and to position the community to harness the opportunities. This may be done by ensuring training opportunities to train local people on the necessary skills, and creating awareness on business opportunities and providing conducive business environment. The county government could insist on a contract with the oil companies to ensure the companies source locally for available skills, equipment, materials, services etc. Ghanaian law requires companies to achieve 90% local content in two years.

Many companies prioritise Corporate Social Responsibility (CSR) as a community benefit and treat them as costs to the project. This should be treated cautiously as some of the services mostly provided as CSR (such as schools and water) are in fact the responsibility of the government, and guaranteed under the constitution. Moreover, the community should involve in determining what they want to be part of CSR.

The environmental and social impacts of the oil industry cut across the countries. Kenya will most probably experience similar challenges experience by Ghana: oil spills, gas flaring, decommissioning issues, pipeline linkages as well as effects on local culture. County governments should address these issues by making appropriate county development plans, making the right policies and plans, and monitoring county governance and operation of oil companies. Timely access to all the necessary is important in performing these roles. For instance the assembly should demand and use all the legal means to access the MoU signed with oil companies so that they can hold the companies to account. Proper coordination of all the county stakeholders is also critical for effective natural resource governance.

3. NEXT STEPS, *Ikal Angelei (Session facilitator)*

Ms Ikal Ang'elei (standing) facilitating the session on Next Steps and Way Foward

A number of actions aimed towards improving county governance of natural resources and protecting community rights were suggested. The participants agreed on the following ways forward.

3.1 At national level

The assembly will push for, participate in and facilitate community participation in the formulation/review of pending laws and policies related to governance of natural resources. These include the Community Land Bill, Evictions Bill, Energy Bill, Energy Policy, Mining Bill, Mining Policy and Natural Resources (County Royalties) Bill. The assembly led by the speaker agreed to take every effort to access the draft bills and read, understand and make inputs with technical assistance if that is required. FoLT, ILEG, Prof Kameri-Mbote and Mr Amin offered to offer their expertise in interpreting the bills/policies if they are called upon.

The assembly will also push for a review of the EIA framework to make it more comprehensive to cover issues like hydrological surveys. It will also explore ways of making it mandatory for companies to do Strategic Environmental Impact Assessments (SEIA). Funding for EIAs should also be relooked into because the current situation where developers fund EIAs of their own projects is vulnerable to abuse.

3.2 At county level

3.2.1 Enact appropriate laws and policies

The assembly agreed to use their legislative authority to enact laws that will promote sustainable resource governance in the county. Among the legislations to be considered first are those relating to: management and use of land within the county including displacement, relocation and compensation; laws and regulations on investment aimed at both promoting efficient investment of county revenues and creating conducive environments for locals to invest in emerging enterprises; and laws on occupational health and safety. The speaker promised to fast rack, with the help of the county assembly clerks, employment of legal officers to help with the drafting of necessary laws. The assembly will, if so needed, consult other experts such as ILEG to help with drafting of the bills. The assembly will monitor the laws very keenly to ensure they are implementation.

3.2.2 County planning and development

On county planning and development, the County Integrated Development Plan (IDP) should be fast tracked and considered very carefully. The County Assembly agreed to ensure that adequate land is reserved for pasturing and watering livestock, fishing and other livelihood activities. They will also ensure that any physical plans for exploitation of natural resources or for infrastructural developments come before the assembly for review and approval. This includes projects within the Lamu Port South Sudan Ethiopia Transport (LAPSSET) project and the proposed complex for the Judiciary. Such projects will be approved only if they meet the assemblies minimum requirements including declaration of safety zones e.g. along the proposed pipelines.

3.2.3 Capacity building

Participants agreed on the need for continued capacity building for not only the county assembly but also for the county executive and communities. The assembly in partnership with FolT and ILEG or other organisations or professionals will spearhead training of individual committees of the assembly especially those dealing with natural resources. The assembly led by the speaker will spearhead that. FoLT and ILEG will however be available to offer their expertise on analysis and interpretation of laws whenever necessary. The assembly will continue to look for and welcome opportunities to enhance its capacity, including through seminars and site visits. The speaker and assembly officials will consider proposals to visit the Niger Delta in Nigeria as well as Ghana or other countries to learn from the countries' laws and experiences. FoLT, ILEG and the county assembly will jointly or individually engage the county executive or its members to explore ways of conducting similar capacity building sessions for them.

3.2.4 Access to information and data

On access to information and data, the county assembly will take the lead in looking for all the relevant public documents and information they require for effective governance of the county's natural resources. These include the mining agreements with oil companies; the draft bills relating to natural resources as well as other bills; Environmental Impact Assessment reports on projects within the county; and information of the number of oil wells, potentially available quantities of oil and projected duration of extraction . The assembly will request for the information and if the fail employ other legal avenues including petitioning the national assembly through a county assembly resolution, or by going through the courts of law. The assembly will also establish and strengthen a research wing to produce up-to-date data of all the information necessary in performing the assembly's role, so that the assembly does not rely on secondary information. The research wing will for instance map all the natural resources in Turkana and the status of their management and/or exploitation.

3.2.5 Public participation.

The assembly members will actively participate in county governance and other relevant national matters. They will also ensure they create awareness among the public and facilitate their participation in county governance. The assembly will ensure that communities participate in determining what they want in terms of Corporate Social Responsibilities (CSR) by the oil companies, and in deciding how to invest oil revenue and other county revenues.

3.2.6 Benefit and revenue sharing

The county assembly will work with the county executive to establish mechanisms through which the local community can harness the benefits of the emerging oil industry. It will make laws, policies and plans that promote local entrepreneurship. The assembly will champion establishment of technical institution(s) in Turkana to train local youth on the skills needed in the oil sector. The assembly will also work with the county government to look for opportunities such as scholarships to train the local youth in already established institutions both in Kenya and abroad, including the Jubilee Technical Training Institute in Ghana. The assembly will monitor oil companies CSR to ensure that they are effective and have significant impact on communities' livelihoods. Any benefits from the oil sector will be distributed equitably within the Turkana community.

ANNEX

Annex I: Seminar Programme

NATURAL RESOURCE MANAGEMENT, EXTRACTION AND DEVELOPMENT IN TURKANA

Capacity building seminar for Turkana County Assembly

LODWAR POLYTECHNIC 11-12TH NOVEMBER 2013

Day One: 11th November 2013

Time	Activity	Responsibility
08.30 – 09.00	Arrival and Registration of Participants	All participants
09.00 – 09.15	Introductions and Welcome	Ikal Angelei - FoLT
09.15 – 09.30	Official welcome remarks	Hon. Geoffrey Kaituko
09.30 – 10.15	Challenges facing the county assembly in their oversight role in county governance	Ikal Angelei
10.15 – 10.30	**Health Break**	
10.30 – 11.20	Constitutional context for oil and land governance in Turkana *Questions/Discussions*	Dr Collins Odote
11.20 -13.00	Energy, water and natural resource reforms and linkages to the extractive industry *Questions/Discussions*	Prof Patricia Kameri-Mbote
13.00 – 14.00	**Lunch Break**	
14.00 – 16.00	Ghana experiences with oil and gas in international context: Lessons for Turkana County government *Questions/Discussions*	Amin Mohamed
16.00 -16.30	**Health Break, End of Day One**	

Day Two: 12th November 2013

Time	Activity	Responsibility
09.00 – 10.15	Oil revenues and other county revenues: the oversight role of the county assembly. *Questions/Discussions*	Amin Mohammed
10.15 – 10.45	**Health Break**	
10.45 – 13.00	Strategic planning for assembly members engagement on extractives and natural resource governance *Questions/Discussions*	Ikal Angelei
13.00 – 14.00	**Lunch**	
14.00 – 15.00	Next steps	Ikal Angelei/Paul Narubu
15.00	Official closure	

Annex II: List of participants

1. Hon. Kobongu Bethwel
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2. Hon. Lotomon Lawrence
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6. Benedette Mutuku
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10. Janerose Ikwel
    Friends of Lake Turkana
    Lodwar

11. Hon Ewoi Nicholas Kerid
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12. Hon Patrick Napion
    Member of County Assembly, Kaeris Ward, Turkana County
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13. Hon Ruth Kuya
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14. Hon Selina Lokope
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15. Hon Marystella E. Ekunoit
    Member of County Assembly, Lapur Ward, Turkana County
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16. Hon James Ikeny

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17. Hon. Margaret Akal Eramzam
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19. Hon. Margaret Akal Eramzam
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20. Hon Naomi Enyang
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22. Hon Leah Nachere
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23. Hon John Sepae Ngisanyara
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24. Ekutan Kevin Ikal
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25. Philemon Ngasike
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31. Hon Joseph Nyanga
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32. Hon Samsomn Ekuam Akuri
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35. Hon Margaret Loduk
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36. Hon Ewoi Michael
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37. Hon Oinymus Eleman
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38. Hon John Lolimo
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39. Hon Jacinta Abenyo
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47. Philip Emathe
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48. Hon Ekai A. Evans
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49. Hon Lokaimoe P. Losike
    Member of County Assembly (Majority Leader), Turkana County
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50. Hon Joseph Tioko
    Member of County Assembly, Letea ward, Turkana County
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51. Hon Lobwin Vincent Ekipor
    Member of County Assembly, Lokichogio ward, Turkana County
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52. Ms Ikal Ang'elei
    Executive Director,
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Annex III: Profiles of main presenters

Collins Odote

Collins is a Lawyer with a degree of Doctor of Philosophy in Law from the University of Nairobi. He joined the University of Nairobi as a tutorial fellow in May 2010 but had taught before then on a part time basis at the Institute for Diplomacy and International Studies of the University of Nairobi. Since June 2011, he has taught at the Centre for Advanced Studies in Environmental Law and Policy (CASELAP) as a lecturer and also serviced the School of Law, University of Nairobi.

Prior to joining the University, he had worked with and for a number of governmental and non-governmental organizations (NGOs) developing particular competencies in legal research, project cycle management, process consulting, evaluations, election related work, environment and natural resource management work, capacity strengthening and training. He is also an advocate of the High Court of Kenya.

Patricia Kameri-Mbote

Patricia is a Professor of Law and Dean of the School of Law, University of Nairobi. She is an Advocate of the High Court of Kenya and was conferred the rank of Senior Counsel in 2012. She has served as the Director of Research and Policy Outreach and Acting Executive Director at the African Centre for Technology Studies, Nairobi. She is a member of the IUCN Commission on Environmental Law and the Kenya National Academy of Sciences and a board member of the Kenya Copyright Board, the Advocates Coalition for Development and Environment (ACODE-Uganda); Resources Conflict Institute (RECONCILE) and Women and Law in East Africa (WLEA).

She has consulted for many international and national agencies including the UK Department for International Development, the World Bank, United States Agency for International Development, the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the World Intellectual Property Organization (WIPO), the Norwegian Agency for Development Cooperation (NORAD) and the Government of Kenya.

Mohammed Amin Adam

Mohamed is the Executive Director at the African Centre for Energy Policy (ACEP). Before joining ACEP, he was the Coordinator of Ibis's extractives industries programme in Africa. He has also worked as the Oil Coordinator of Publish What You Pay Ghana. His experience in the public sector covered his work as an Energy Policy Analyst at the Ministry of Energy in Ghana, Commissioner of Ghana's Public Utilities and Regulatory Commission; and as a former Deputy Minister and Mayor of Ghana's third city of Tamale.

He has consulted for national, African and international organizations including the world Bank, GIZ, African Parliamentarians against Corruption, Ghana's Public Interest and Accountability Committee, Ghana's Ministry of Energy, Oxfam America, and served as a member of the consortium that worked on Ghana's first EITI Report on Oil and Gas. He also participated in design meetings for two global governance initiatives – the Open Governance Partnership and Open Contracting. Mohammed is a PhD Candidate at the University of Dundee specializing on fiscal policy options in resource rich economies. He holds an Mphil (Economics) and B.A.(Hons) Economics from the University of Cape Coast.