RECONCILE | Resource Conflict Institute

POLICY BRIEF

Governance of Rangelands and Community Land

From Recognition to Effective Community Land Governance



KEY MESSAGES

1. Community land governance connects five distinct policy domains: land rights, rangeland management, pastoral mobility, investment governance and economic development. Treating it as a land-rights issue alone understates what is at stake when it fails.
2. Kenya's legal framework for community land is not the constraint. The constraint is implementation: registration, demarcation and functioning governance institutions remain well behind what the Community Land Act, 2016 and related policy already permit.
3. RECONCILE's Participatory Rangeland Management experience, covering more than 412,000 hectares and 53,791 people in close to equal numbers of women and men, shows what functioning local governance delivers: rehabilitated water access for 11,332 households and average household livestock sales rising from roughly US$650 to US$1,097.
4. Community land functions as an interconnected system of grazing blocks, seasonal reserves, water points and corridors, not a set of independent parcels. Fragmentation anywhere in that system can compromise mobility and productivity everywhere else.
5. Women hold much of the working knowledge that rangeland governance is meant to apply, yet retain limited formal decision-making authority within customary and statutory institutions. That gap is a governance weakness, not only an equity concern.
6. External investment in rangelands is compatible with community land rights when it is co-designed, tenure-secure and benefit-sharing is enforceable. Where those conditions are absent, investment tends to sever the mobility and connectivity pastoral production depends on.

EXECUTIVE SUMMARY

Kenya has one of the more progressive legal frameworks for community land in the region, but legal recognition has not yet translated into effective governance across the country's rangelands. The Community Land Act, 2016 provides for pastoral and other communities to hold and manage land collectively. However, progress in registration, demarcation and the establishment of effective governance institutions has not kept pace with the ambitions of the law.

Community land governance is therefore about more than securing land rights. It determines how rangelands are managed, how pastoral mobility is maintained, how investment is accommodated, how ecological resilience is protected and, ultimately, how economic value is created and shared. Where governance systems are weak, communities face greater pressure from land fragmentation, competing land uses and poorly regulated investment, while the ecological and economic functions of rangelands are placed under increasing strain.

Evidence from RECONCILE's work on Participatory Rangeland Management in Kenya's arid and semi-arid counties shows what stronger community governance can achieve, including improved rangeland management, rehabilitated water infrastructure and measurable gains in household livestock income. The policy challenge is now to build on this experience and strengthen the institutions that enable communities to govern their land effectively, protect mobility and manage investment, before growing pressure on rangelands further outpaces the systems responsible for governing them.

1. From Legal Recognition to Effective Governance

The Community Land Act, 2016 gave Kenya a legal foundation that many pastoral communities elsewhere in Africa still lack: statutory recognition of community land as a distinct category of tenure, with communities empowered to register, govern and make decisions over land they have historically managed collectively. Complementary instruments, including national ASAL policies extend this recognition into rangeland-specific governance arrangements.

The gap lies between recognition and functioning control. Registration of community land under the Act has proceeded slowly relative to the scale of unregistered communal land across pastoral counties. Where registration has occurred, demarcation frequently lags behind, leaving boundaries administratively acknowledged but not surveyed or defensible in a dispute. Community Land Management Committees and Rangeland Management Committees, the bodies the law and associated frameworks rely on to exercise day-to-day governance, often operate with limited training, inconsistent funding and no secure institutional budget line, leaving their authority real in principle but fragile in practice. Certificate of Customary Right of Use and Occupancy, intended to give households or user groups documented standing within a registered community land area, remain issued at a scale far below demand.

The policy problem this creates is not an absence of law. It is an implementation and institutionalisation gap, a distance between what communities are legally entitled to govern and what they are practically equipped to defend, finance and enforce.

2. Why Tenure Security Matters for Rangeland Economies

Tenure security functions as an economic signal. Where a community holds a legally recognised and defensible claim to land, it has reason to invest in that land's long-term productivity: resting grazing blocks to allow recovery, protecting water sources, maintaining corridors that connect wet- and dry-season grazing, and building governance institutions capable of enforcing rules that benefit the collective over time. Where tenure is uncertain or contested, the same logic runs in reverse. Communities and individuals have stronger incentive to extract value quickly, fence land against future claims, or accept short-term payment for present access, since an uncertain future claim is worth less than a certain present transaction.

This dynamic places community land governance in economic policy discussions, not only land-rights or environmental ones. Secure, well-governed communal tenure supports investment in grazing management, water infrastructure, livestock production systems, conservation enterprises and tourism, each of which depends on a time horizon longer than a single season. Insecure tenure discourages this kind of investment, favouring instead the fragmentation, private enclosure and speculative land sales that erode the grazing systems on which rangeland livestock production depends.

3. What Community-Led Governance Delivers: The PRM Evidence

Participatory Rangeland Management (PRM) provides practical evidence of what stronger community land governance can deliver. Under PRM, communities plan and manage shared rangelands through Rangeland Management Committees that are trained and supported to exercise real authority over grazing management, restoration, natural-resource use and dispute resolution.

Figure	What it tells us
412,610 hectares	f rangeland restored or brought under improved management through PRM, an area of ecological significance at national scale.
53,791 people	directly benefiting from PRM, in close to equal numbers of women and men (27,194 men, 26,596 women), indicating that governance built around explicit inclusion can achieve broad-based participation rather than capture by a narrow group.
11,332 households	benefiting from rehabilitated water infrastructure, restoring access to a resource many previously travelled long distances or negotiated to reach.
US$650 → US$1,097	the rise in average household livestock sales in PRM-supported areas, alongside annual household income from livestock products more than doubling.
US$3 million	in external financing (GEF Small Grants Programme) secured by one PRM-supported conservancy for biodiversity conservation and eco-tourism, illustrating that credible local governance can itself attract outside investment.

Figures drawn from RECONCILE's Participatory Rangeland Management programme monitoring data.

These results do not mean that every PRM setting begins with fully registered community land or completely settled tenure arrangements. They demonstrate what becomes possible when communities have support to organise, plan, establish accountable institutions and manage resources collectively, while progressively linking these arrangements to the formal governance system.

The lesson for policy is that community governance needs investment of its own. Training, participatory planning, resource mapping, institutional support and links to formal land administration are not peripheral project activities but rather part of the infrastructure required to make community land governance work.

4. Mobility, Natural Resources and Landscape Connectivity

Community land in pastoral Kenya is not usefully understood as a set of discrete parcels. Its economic and ecological function depends on connectivity: wet-season grazing areas, dry-season reserves, drought refuges, water points, and the corridors that link them into a system communities negotiate access to as conditions change through the year. A grazing block that appears economically distinct on a land registry may be functionally inseparable from reserves and corridors many kilometres away.

Fragmentation of community land, whether through subdivision, sale or conversion to other uses, disrupts this system in ways that a parcel-by-parcel view of land governance does not capture. Blocking or narrowing a single corridor can render an otherwise intact drought reserve inaccessible at the moment it is needed most, with consequences for herd survival and household income extending well beyond the specific parcel affected.

Participatory resource mapping, developed and used within PRM to document grazing blocks, water points, corridors and seasonal reserves, functions simultaneously as a governance tool and a mobility-protection mechanism. By making the interconnected structure of rangeland use legible to both customary users and formal land administration systems, such mapping allows land-use planning, registration and investment decisions to account for connectivity rather than treating each parcel as an independent unit.

5. Where Governance Breaks Down

Even where legal recognition and community institutions exist, governance frequently breaks down under external pressure. Competition for rangeland from energy infrastructure, commercial agriculture, conservation initiatives and settlement expansion continues to intensify, often moving faster than community institutions can respond. This pressure is reinforced by a persistent characterisation of pastoral land as idle or underutilised, a framing rooted in a static, parcel-based view of land use that fails to account for the seasonal and mobile nature of pastoral production. A grazing area that appears empty at a given moment may be a critical dry-season reserve whose value depends precisely on remaining unused until it is needed; judging its economic contribution from immediate physical occupancy misreads the system, and has historically provided cover for conversion and dispossession.

Registered community land also remains difficult to defend in practice. Overlapping customary claims, incomplete demarcation and limited institutional capacity to engage formal legal or administrative processes leave communities structurally disadvantaged in disputes with better-resourced government agencies or private investors, even where the community's underlying legal claim is sound.

6. Women, Customary Institutions and Inclusive Governance

Customary institutions carry out much of the practical work of rangeland governance: allocating grazing access, resolving disputes, coordinating seasonal movement, managing water points and enforcing community rules. These institutions have sustained functioning rangeland management for generations and provide the operational foundation that formal frameworks such as PRM build upon rather than replace. They are not, however, without limitations that formal recognition should address rather than defer to uncritically, particularly regarding who holds decision-making authority within them.

Women manage much of the day-to-day resource use that customary and formal governance systems are meant to regulate, including livestock care and water access, and hold close working knowledge of grazing conditions and seasonal risk built through that daily responsibility. Formal decision-making authority over land, however, remains concentrated among men in many customary structures, shaped by inheritance practices and social norms that were not designed with women's land rights as a governance objective.

This is a governance weakness, not only an equity concern. A governance system that excludes the people who hold the most detailed working knowledge of the resources it regulates is structurally less informed than one that includes them. Strengthening women's formal standing within Rangeland Management Committees and customary structures, through decision-making authority rather than numerical representation alone, improves the quality of the governance system itself.

7. Governing Investment on Community Land

External investment in rangelands, whether in renewable energy, commercial agriculture, conservation or infrastructure, is not inherently incompatible with community land rights or pastoral production. The determining factor is the governance conditions under which investment proceeds. Investment negotiated and co-designed with communities holding secure, legally recognised tenure, with transparent benefit-sharing arrangements and explicit protection for mobility corridors and seasonal grazing areas, can generate revenue that strengthens community institutions rather than displacing the systems those institutions govern.

Investment that proceeds without those conditions tends to produce the opposite outcome: land alienated from communal use, corridors severed, and value captured by parties external to the rangeland system. The governing principle should be that investment does not proceed at the expense of the land systems that sustain the local economy. In practice, this requires community participation in investment decisions from the design stage rather than after terms are set, tenure safeguards that survive changes in investor or government administration, enforceable benefit-sharing agreements, and grievance mechanisms communities can use without depending entirely on the goodwill of the investing party.





POLICY RECOMMENDATIONS

National Governement

- Fast-track implementing regulations and dedicated budget allocations for community land registration under the Community Land Act, 2016, so administrative recognition converts into surveyed, legally defensible boundaries within a defined timeframe.
- Establish a national funding and training standard for Rangeland Management Committees and Community Land Management Committees, so their authority is backed by consistent resourcing across counties rather than depending on which programme happens to operate locally.
- Require participatory resource mapping of grazing corridors, seasonal reserves and water points to be incorporated into statutory land-use planning guidance, so registration and investment decisions account for landscape connectivity rather than treating parcels in isolation.

County Governments

- Facilitate the application, survey, demarcation and registration of customary rights of use and occupancy under Section 14 of the Community Land Act and the Community Land Regulations, providing communities and eligible members with formal documentation of recognised customary rights.
- Integrate community-identified mobility corridors and seasonal grazing areas into county spatial plans, giving them legal standing equivalent to other protected land-use categories.
- Scale PRM and related community-led rangeland management approaches through county programmes rather than treating them solely as externally funded projects.
- Resource county-level dispute resolution mechanisms that community institutions can access directly, reducing the disadvantage communities currently face against better-resourced parties in land disputes.

Community and Customary Institutions

- Formalise decision-making roles for women within Rangeland Management Committees and customary governance structures, moving beyond numerical representation to defined authority over grazing, water and investment decisions.
- Maintain and update participatory resource maps as a working governance tool, using them directly in negotiations with government agencies and investors rather than only for internal planning.

Development Partners and Investors

- Structure investment agreements on community land around co-design, transparent benefit-sharing, tenure safeguards and accessible grievance mechanisms, treating these as preconditions for engagement rather than optional additions.
- Direct financing toward strengthening existing Rangeland Management Committees and

county PRM programmes with demonstrated results, rather than establishing new parallel institutions that duplicate existing governance structures.

Research and Civil Society Organisations

- Build a systematic, comparable evidence base on the governance and economic outcomes of Participatory Rangeland Management across counties, to support the case for national public investment in scaling the model.

- Support legal literacy and paralegal capacity within pastoral communities so customary institutions can engage formal legal and administrative processes on land disputes directly, rather than relying solely on external advocacy.

CONCLUSION

Kenya's rangelands do not lack a legal framework for community governance. They lack the consistent institutional infrastructure needed to convert that framework into functioning control on the ground: surveyed boundaries, resourced committees, documented rights, and mapping that reflects how rangelands are actually used. The evidence from Participatory Rangeland Management indicates what closing that gap can deliver: restored land, rehabilitated water access, and household incomes that moved measurably once governance itself became functional.

The broader lesson is that community land governance is inseparable from rangeland productivity, pastoral mobility and investment outcomes. Secure tenure creates the incentive to invest; functioning institutions convert that incentive into sustainable management; sustainable management protects the mobility and connectivity rangelands depend on; and together these determine whether communities capture the economic value their land generates or watch it pass to better-resourced outside parties. The task for national and county government is to treat that sequence as infrastructure investment, not project support, and fund it accordingly.

Selected references and data sources

Community Land Act, 2016 (Kenya);

Community Land Regulations;

Kenya National Land Policy; National Policy for the Sustainable Development of Arid and Semi-Arid Lands; National Climate Change Action Plan;

RECONCILE Participatory Rangeland Management programme monitoring data;

International Livestock Research Institute (ILRI) research on rangeland tenure and pastoral systems;

Food and Agriculture Organization (FAO) guidance on pastoral land governance;

United Nations Convention to Combat Desertification (UNCCD) rangeland and land degradation neutrality frameworks.

Programme-level figures should be verified against RECONCILE's current monitoring and evaluation records before use in external communications.

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