

CASE STUDY: THE SAMBURU COMMUNITY PROTOCOL

COMMUNITY BACKGROUND

- The Samburu are pastoralists living across a number of districts in Kenya who are keepers of indigenous and exotic breeds of livestock.
- Their lives are interlinked with and wholly dependent on their animals.
- Their way of life also allows them to live alongside wildlife, promoting the conservation of breeds and other living resources in the environment.
- The Samburu feel that their way of life and indigenous breeds have been consistently undervalued.
- In September 2009 the Samburu developed a community protocol to address the issues.

KEY ISSUES

Indigenous breeds

- The Samburu keep important indigenous breeds such as the small East African Zebu cattle, and Red Maasai sheep and East African goats.
- Their indigenous breeds are particularly suited to local conditions because of adaptation through natural selection, as well as the Samburu's contribution to their genetic development through selective breeding.
- Until the recent introduction of exotic breeds, these were the only breeds they kept, representing hundreds of years of co-development between livestock, the environment and the Samburu way of life.
- The indigenous breeds have important cultural significance and the Samburu see them as part of their cultural heritage.

A. Conservation and Sustainable Use of Biodiversity

- The Samburu's pastoral way of life promotes the conservation of important indigenous breeds of livestock alongside wildlife.
- They assert a right to continue to live according to their values that promote the sustainable use of our livestock while ensuring conservation of the wider environment.

B. Traditional Knowledge and Animal Genetic Resources

- The Samburu have three broad types of knowledge: animal health knowledge, breeding practices and an understanding of the ecology of the region that allows them to find water and grazing for the animals.
- Ethno-veterinary knowledge: The Samburu have for centuries treated their animals for diseases and other ailments using knowledge of the medicinal plants that grow on the plains and in the forests.

- Breeding practices: To ensure strong genetic diversity, they employ a number of methods, including choosing breeding bulls and rams by judging the mother's ability to withstand drought, her color, size, activity levels and the survival rate of the offspring.
- Environmental knowledge: Samburu herders are able to guide livestock over long distances to provide grazing, water and salting resources for them.

C. Prior Informed Consent and Benefit Sharing

- The Samburu assert that as creators of this knowledge, they have a right to be consulted before it is used by any outsiders and respect should be accorded to traditional laws regarding the use of knowledge.
- Their protocol also affirms the right to have prior informed consent sought before the implementation of any activities on their land.
- They clarify that any newcomer to Samburu villages must first establish a meeting with the local elders to explain what and who they intend to engage with and to answer any questions put to them. The committee of the respective group ranch will either take a decision, or if it is about a common resource, may seek wider counsel from other elders.

D. Challenges

The Samburu face a number of challenges, including:

- Herds and flocks are being decimated through lack of pasture and water.
- Government-backed breeding schemes promoted exotic breeds that are dying from the droughts Kenya is experiencing.
- An increase in diseases is also further depleting livestock numbers.
- As more marginal areas become degraded to the point of being unable to support livestock, so the pressure on available resources increases, further straining inter- and intra-community relationships.
- An increase in population numbers is adding to the strain on local resources, including forest clearing for housing and charcoal burning, leading to rivers becoming affected.

RIGHTS & RESPONSIBILITIES

A. Rights under Kenyan Law

- Under the Environmental management and Co-ordination (Conservation of biological Resources, Access to genetic Resources and Benefit Sharing) Regulations (2006), the Samburu assert they have a right as a group of "interested persons" to be consulted with a view to obtaining our prior informed consent if livestock, plants and other resources are accessed.
- They also set out that the Regulations stipulate that activities that may have an adverse effect on the environment, lead to the introduction of exotic species, or lead to unsustainable use of natural resources, must be preceded by an environmental impact assessment.

B. Additional Community Demands

- The Samburu call on the Kenyan government, among other things, to be respected as keepers of important livestock breeds and as custodians of wildlife according to national and international principles and laws. In practice this means their free prior informed consent must be sought before any new activities are undertaken on their land, or relating to their indigenous livestock and/or traditional knowledge. Also, any intended intervention must be preceded by an environmental impact assessment, as well as cultural and social impact assessments.
- From commercial and non-commercial researchers and breeding institutions, the Samburu ask to be involved in any decisions about research and breeding that involves their breeds and/or traditional knowledge.
- They also call on the Secretariat of the UN Convention on Biological Diversity, specifically under Article 8(j) of the Convention, to recognize their contribution to the conservation and sustainable use of biological diversity; and call on the UN Food and Agriculture Organization to acknowledge the importance of livestock populations and to recognize Livestock Keepers' Rights.