

COUNTY ASSEMBLY OF EMBU



③  
Hon. Speaker  
PLW approve for  
tabling in the  
Assembly  
07/01/2021

REPORT OF THE SECTORAL COMMITTEE ON LANDS, URBAN  
DEVELOPMENT, PHYSICAL PLANNING, WATER, IRRIGATION,  
HOUSING, ENVIRONMENT AND NATURAL RESOURCES ON THE EMBU  
COUNTY CLIMATE CHANGE POLICY FRAMEWORK

DLPC  
T.N.A.  
11/01/2021

SUBMITTED FOR ADOPTION BY THE COUNTY ASSEMBLY

Clerk's Office  
County Assembly of Embu  
P.O. Box 140-60100  
EMBU



②  
C.A.  
For further directions  
DLPC  
6/01/2021

①  
DLPC  
Forwarded  
PCA  
6/1/2021

DECEMBER, 2020

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COUNTY ASSEMBLY OF EMBU



*Approved for signing*

*SCC  
11/21*

*③  
Hon. Speaker  
We approve the  
reporting in the  
Assembly  
12/1/2020*

REPORT OF THE SECTORAL COMMITTEE ON LANDS, URBAN  
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Docs  
Forwarded  
PCA  
6/11/2021*

DECEMBER, 2020





## LIST OF ABBREVIATIONS

1.	CCRS	-	Climate Change Response Strategy
2.	CCA	-	Climate Change Act
3.	NAP	-	National Adaptation Program
4.	EA	-	Energy Act
5.	NDC	-	Nationally Determined Contributions
6.	COK	-	Constitution of Kenya 2010
7.	NCCAP	-	National Climate Change Action Plan
8.	EAC	-	The East African Community
9.	UNFCCC	-	United Nations Framework Convention on Climate Change
10.	CBD	-	United Nations Convention on Biological Diversity
11.	UNCCD	-	United Nations Convention to Combat Desertification.
12.	CECM	-	County Executive Committee Member
13.	SO	-	Standing Order
14.	CIDP	-	County Integrated Development Plan
15.	CFSP	-	County Fiscal Strategy Paper
16.	ADP	-	Annual Development Plan

## EXECUTIVE SUMMARY

At the National Level, the Country is responding to climate change by formulating domestic legislation, policies, and strategies that are pinned on international climate policies and agreements. Kenya has developed a Climate Change Response Strategy 2010, Climate Change Act 2016, National Adaptation Program 2015-2030, Energy Act, Nationally Determined Contributions (NDCs) amongst others. These are commendable efforts; the key challenge remains cascading these National documents to the County and local communities. Arguably, one of the best ways to speed up the implementation of these policy documents is to develop a “best fit” County climate change policy rooted in the National level climate change policies.

Embu County's economy is highly dependent on the natural resource base, and thus is highly vulnerable to climate variability and change. Realisation of sustainable development in the County, despite the progress made in past five years of implementing devolution is threatened by climate change and its resultant impact.

Evidence of climate change is based on statistical analysis of trends in historical records of temperature and rainfall. Temperature and rainfall records from the Kenya Meteorological Department over the last forty years provide evidence of climate change in Embu, with temperatures generally showing increasing trends. Rainfall patterns indicate increased irregularity and variability with neutral to slightly decreasing trends in annual rainfall over Embu. The County has also experienced increased frequency and intensity of extreme weather events such as droughts and flooding.

These manifestations of climate change constitute a serious threat not only to the County's natural, built economic and physical systems, on which the county's sustainable development and future prosperity depends, but also national.

To safeguard sustainable development, the County Government of Embu has developed this County Climate Change Framework Policy to provide a clear and concise articulation of overall response priorities to climate variability and change at the county level.



This Policy establishes an effective, accountable and transparent framework to facilitate a coordinated, coherent and effective response to the Embu county challenges and opportunities presented by climate change. This Policy therefore aims to enhance adaptive capacity and build resilience to climate variability and change, while promoting a low carbon development pathway. An overarching mainstreaming approach has been adopted to ensure the integration of climate change considerations into development planning, budgeting and implementation in all sectors and at all levels of government.

On perusal and scrutiny, the committee noted that the policy is aligned to the National Climate Change Policy -2016 and the National Climate Change Response Strategy and that it is made within the legal and regulatory framework and complies with measures recommended by the international bodies. And therefore, the Committee recommends its adoption to the assembly and implementation forthwith.

#### **1.0. MANDATE OF THE COMMITTEE**

The mandate of the committee is clearly stipulated out by the Provisions of Standing Order No. 204 (5) which defines among the functions of the committee as being;

- (a) *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the department;*
- (b) *To study the program and policy objectives the department and the effectiveness of the implementation;*
- (c) *To study and review all County legislation referred to it;*
- (d) *To study, assess and analyze the relative success of the department as measured by the results obtained as compared with their stated objectives;*
- (e) *To investigate and inquire into all matters relating to the department as it may deem necessary, and as may be referred to it by the County Assembly;*
- (f) *To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 198 (Committee on Appointments); and*
- (g) *To make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation*

### 1.1. COMMITTEE MEMBERSHIP

The Committee on Lands, Urban Development, Physical Planning, Water, Irrigation, Housing, Environment and Natural Resources Committee is composed of the following members;

- |    |                                |   |                  |
|----|--------------------------------|---|------------------|
| 1. | Hon. John Gichovi Gatumu       | - | Chairperson      |
| 2. | Hon. Nathan Kariuki Mwari      | - | Vice Chairperson |
| 3. | Hon. Jane Ann Muriithi         | - | Member           |
| 4. | Hon. Philip Kinyutu Nzangi     | - | Member           |
| 5. | Hon. Salesio Kimaru            | - | Member           |
| 6. | Hon. Harrison Mwaluko Kising'u | - | Member           |
| 7. | Hon. Terry C. Mbuchi           | - | Member           |

### 1.2. PROBLEM STATEMENT

This report arises from the requirement by section 19 of the Climate Change Act 2016, which provides for the County Assembly to mainstream climate change actions into County Government functions.

### 1.3. OBJECTIVES/TERMS OF REFERENCE

- To scrutinize the Embu County Government Climate Change Policy Framework as tabled in the County Assembly;
- To make relevant recommendations to the Assembly in relation to the Embu County Government Climate Change Policy Framework

### 1.4. METHODOLOGY

In its analysis, the committee applied the following methods;

- Committee meetings.
- Committee perusal of the Embu County Government Climate Change Policy Framework
- Perusal of relevant legislation.



## 1.5. TOOLS OF REFERENCE

The committee made reference to the following documents and relevant laws to come up with its observations, findings and recommendations;

- a) The Constitution of Kenya, 2010
- b) The County Governments Act, 2012
- c) The Climate Change Act no 11. of 2016
- d) The Embu Assembly County Standing Orders, 2<sup>nd</sup> Edition
- e) National Climate Change Action Plan
- f) The Proposed Embu County Government Climate Change Policy Framework

## 1.6. ACKNOWLEDGEMENT

The committee wishes to sincerely thank the offices of the Speaker and the Clerk of the County Assembly for the support accorded to it towards fulfillment of its mandate.

Further, the Committee is grateful to the Members of the County Assembly whose support enabled the Committee to accomplish this task. Special thanks to the secretariat for the support at all times.

On behalf of the Committee, I now have the honor and pleasure to present this report on the consideration of Embu County Government Climate Change Policy Framework

SIGNED.......... DATE 22/12/2020.....

**HON. JOHN GICHOVI GATUMU**

**CHAIRPERSON, ON LANDS, URBAN DEVELOPMENT, PHYSICAL  
PLANNING, WATER, IRRIGATION, HOUSING, ENVIRONMENT AND  
NATURAL RESOURCES COMMITTEE**

## **2.0. BACKGROUND**

The Embu County Government Climate Change Policy Framework was tabled in the County Assembly on 20<sup>th</sup> November 2019 and subsequently committed to the sectorial Committee on Lands, Urban Development, Physical Planning, Water, Irrigation, Housing, Environment and Natural Resources for scrutiny.

The Committee then embarked on the perusal and scrutiny of the proposed Embu County Government Climate Change Policy Framework. This was done through Committee sittings. The Committee then retreated to Nairobi from 18<sup>th</sup> January 2020 to 20<sup>th</sup> January 2020 and prepared this report.

## **2.1. LEGAL FRAMEWORK**

### **1. Constitution of Kenya 2010**

The foundation of the institutional and legal framework for climate change action is the Constitution of Kenya (2010).

*Article 2 (6) provides that; any treaty or convention ratified by Kenya shall form part of the law of Kenya*

Secondly, **Article 10** sets out national values and principles of governance, such as sustainable development, devolution of government, and public participation, that are mandatory when making or implementing any law or public policy decisions, including climate change. **Article 42** provides for the right to a clean and healthy environment for every Kenyan, which includes the right to have the environment protected for the benefit of present and future generations.

### **2. Climate Change Act, No. 11 of 2016**

The Climate Change Act, 2016 is the main legislation guiding Kenya's climate change response through mainstreaming climate change into sector functions, and it is the legal foundation of the NCCAP (National Climate Change Action Plan). Specifically, **Section 19** of the Act provides:



### *Mainstreaming climate change actions into County Government function*

19. A county government shall, in performance of its functions, integrate and mainstream climate change actions, interventions and duties set out in this Act, and the National Climate Change Action Plan into various sectors.
- (2) A county government shall, in development, updating and approval of the County Integrated Development Plan, and the County Sectoral Plans mainstream the implementation of the National Climate Change Action Plan, taking into account national and county priorities.
- (3) The Governor of a county shall designate a County Executive Committee Member to coordinate climate change affairs.
- (4) Subject to this Act and the Constitution, a county government may enact legislation that further defines implementation of its obligations under this Act, or other climate change functions relevant to the county or such other related purposes.
- (5) A county government shall at the end of every financial year, through the designated County Executive Committee Member, submit a report on progress of implementation of climate change actions to the County Assembly for review and debate, and a copy of this report shall be forwarded to the Directorate for information purposes.

### **3. Kenyan Policies**

With regards to Climate Change, Kenya has developed;

- (a) the National Climate Change Response Strategy (2010);
- (b) National Climate Change Action Plan (NCCAP 2013-2017);
- (c) National Adaptation Plan (NAP 2015-2030);
- (d) Kenya Climate Smart Agriculture Strategy (2017-2026);
- (e) Climate Risk Management Framework (2017);
- (f) National Climate Change Policy (2018) and
- (g) National Climate Finance Policy (2018)

Among other sector plans and policies that address aspects of climate change.

At the County level, Garissa, Makueni and Wajir Counties have enacted Climate Change Fund Regulations that allocate a portion of their development budgets to County-level funds

that support local adaptation and mitigation actions. Other Counties like Tharaka-Nithi and Kitui are in the process of enacting legislation on climate change.

#### **4. Regional Agreements relating to Climate Change**

**African Union's Agenda 2063** commits to climate change action that prioritizes adaptation and calls on member countries to implement the Program on Climate Action in Africa. **The East African Community (EAC) Secretariat** developed a Climate Change Policy and Strategy (2010) to guide partner states and other stakeholders on the preparation and implementation of collective measures to address climate change in the region. **The Lake Victoria Basin Commission** developed a Climate Change Adaptation Strategy and Action Plan (2018-2023) that presents a roadmap for addressing and adapting to climate change impacts.

#### **5. International conventions and treaties**

##### **(a) United Nations Framework Convention on Climate Change**

Kenya is an active player in international efforts. The international response to climate change is founded upon the United Nations Framework Convention on Climate Change. Kenya ratified the Convention on 30th August 1994.

##### **(b) The Paris Agreement**

The Paris Agreement under the UNFCCC (United Nations Framework Convention on Climate Change) aims to strengthen the global response to the threat of climate change by keeping global temperature rise this century well below 2°C above pre-industrial levels. Kenya's NDC (Nationally Determined Contributions) sets out the country's actions to contribute to achieving the global goal set out in the Paris Agreement, and includes mitigation and adaptation contributions. The Paris Agreement entered into force for Kenya on 27<sup>th</sup> January 2017, and as set out in Article 2(6) of the Constitution of Kenya (2010), it now forms part of the law of Kenya.



### **(c) The Kyoto Protocol**

The Kyoto Protocol, a greenhouse gas emissions reduction treaty linked to the UNFCCC, was ratified on 25<sup>th</sup> February 2005. The Kyoto Protocol created the Clean Development Mechanism (CDM) under which developing country projects that reduced emissions and contributed to sustainable development earned credits that could be sold to countries or companies with a commitment to reduce emissions.

### **(d) Other International agreements and treaties**

Kenya is signatory to the **United Nations Convention on Biological Diversity** (1992) (CBD) and the **United Nations Convention to Combat Desertification** (1994) (UNCCD). Kenya became Party to the CBD on 24<sup>th</sup> October 1994 and ratified the UNCCD (United Nations Convention to Combat Desertification) on 25<sup>th</sup> June 1997. These two conventions plus the UNFCCC are known as the **Rio Conventions** and are intrinsically linked because they address interdependent issues such as sustainable land management and land degradation neutrality. Kenya is a signatory to the **Montreal Protocol on Substances that Deplete the Ozone Layer**. The Protocol was agreed on 16<sup>th</sup> September 1987 and entered into force on 1<sup>st</sup> January 1989. Kenya ratified the Montreal Protocol on 9<sup>th</sup> November 1988. There are a number of other international conventions that relate to Climate Change which have been passed and Kenya is in the process of ratifying a majority of them.

### 3.0. COMMITTEE OBSERVATIONS

The following were the Committee observations;

1. **THAT** the policy is aligned to the National Climate Change Policy -2016 and the National Climate Change Response Strategy.
2. **THAT**, the policy document clearly states the fundamental problem being addressed, that is, Climate change.
3. **THAT**, the policy borrows heavily from the National Climate Change Framework Policy - 2016
4. **THAT**, the policy document addresses the responsibility of the county government to develop mechanisms for mainstreaming climate change in the counties overarching policy frameworks, that is CIDP,CFSP,ADP and other sectoral policies and plans
5. **THAT**, there are clear recommendations on climate change governance mechanisms being made in the policy.
6. **THAT**, the approval of the County Executive Committee has been granted for the domestication of the National Climate Change Framework Policy - 2016.
7. **THAT**, the policy is made within the legal and regulatory framework and complies with measures recommended by the international bodies.
8. **THAT**, the policy takes into account the existing institutional framework both at the National and County levels.
9. **THAT**, climate change will continue to undermine or reverse development gains and aspirations for further growth at the county level. Hence appropriate responses are required to enhance climate resilience and reduce human impact on climate system.
10. **THAT**, the goals and objectives of the Embu County Climate Change Framework Policy are:
  - a) Establish and maintain an effective and efficient institutional framework to mainstream climate change responses across relevant county sectors and into integrated planning, budgeting, decision – making and implementation, at the county level.



- b) Reduce vulnerability to the impact of climate change by building adaptive capacity, enhancing climate change resilience and strengthening capacities for disaster risk reduction.
  - c) Catalyze Embu County's transition to cleaner, lower emission and less carbon intensive development.
  - d) Incentivize the Embu County private sector involvement in building climate change resilience and engaging in low carbon development opportunities.
  - e) Facilitate widespread public awareness, participation, ownership and oversight of the County's climate change intervention efforts and Plans of Action.
  - f) Provide a framework to mobilize resources for the County's climate change response and ensure effective and transparent utilization of the resources.
  - g) Adopt intergenerational, special needs and gender mainstreaming approaches across all aspects of the county's climate change response.
  - h) Provide the policy framework to facilitate effective implementation of regularly updated and scientifically informed Climate Change Action Plans and other related acts.
  - i) Enhance research and use of science and technology in policy decisions and sustainable management of resources in Embu County.
11. **THAT**, the guiding principles for the policy are:
- a) Common but differentiated responsibilities and respective capabilities
  - b) Right to a clean and healthy environment
  - c) Right to sustainable development
  - d) Partnership
  - e) Cooperative government
  - f) Equity and social inclusion
  - g) Special needs and circumstances
  - h) Avoiding mal adaptation
  - i) Integrity and transparency
  - j) Cost effectiveness.

12. **THAT**, the policy statements are as follows:

- a) Climate change response measures and actions in Embu county
- b) Mainstreaming climate change in development initiatives within Embu county
- c) Public education, awareness creation and active participation by all
- d) Knowledge management and access to information.
- e) Climate change policy coordination and governance
- f) Financial provisions and other resources
- g) Mainstreaming issues of Gender, Youth and special needs groups in climate change actions in the county
- h) Policy implementation framework and costs
- i) Resource mobilization
- j) Collaboration and stakeholder's participation
- k) Monitoring and evaluation of policy implementation and
- l) Research and technology on climate change in Embu County









#### 4.0 RECOMMENDATIONS

The committee, based on the observations made came up with the following recommendations:

1. **THAT**, the County Assembly approves the Embu County Government Climate Change Policy Framework policy.
2. **THAT**, the CECM Lands should implement the policy forthwith.

## 5.0. CONCLUSION

The Committee urges the Assembly to adopt the recommendations contained in this report.

	<u>NAME</u>	<u>POSITION</u>	<u>SIGNATURE</u>
1.	Hon. Nathan Kariuki Mwari	Vice Chairperson	
2.	Hon. Jane Ann Muriithi	Member	
3.	Hon. Philip Kinyutu Nzangi	Member	
4.	Hon. Salesio Kimaru	Member	
5.	Hon. Harrison Mwaluko	Member	
6.	Hon. Hon. Terry Mbuchi	Member	

SIGNED

  
HON. JOHN GICHOVI GATUMU

DATE 22/12/2020

CHAIRPERSON, COMMITTEE ON LANDS, URBAN DEVELOPMENT,  
PHYSICAL PLANNING, WATER, IRRIGATION, HOUSING,  
ENVIRONMENT AND NATURAL RESOURCES COMMITTEE



② Approved  
SCA  
19/11/19

12

**EMBU COUNTY GOVERNMENT**



**OFFICE OF THE COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE**

Mobile: +254 771 304 003/+254 703 192 924  
Address: P. O. Box 36 – 60100 Embu Town House

Tel: 068-2231174/2231175  
Email: csembucounty@gmail.com

Ref: EC/CS/CA.CS. /VOL.IV/57

Date: 23<sup>rd</sup> October, 2019

The Clerk  
County Assembly of Embu  
P.O. Box 140  
**EMBU**

23 OCT 2019  
5:28 PM  
ALPC  
19/11/19

③ Hon. Speaker  
Please approve for  
tabling in the Assembly  
as advised by the  
DLIC

Dear *Jim*,

**RE: THE EMBU COUNTY GOVERNMENT CLIMATE CHANGE POLICY  
FRAMEWORK**

The above subject matter refers.

Forwarded herewith, please find the Embu County Government Climate Change Policy Framework after the Cabinet approval.

Thank you for your continued support.

Yours *Sincerely,*

JOHNSON N. NYAGA  
COUNTY SECRETARY  
EMBU COUNTY GOVERNMENT  
23 OCT 2019  
P. O. Box 36 – 60100,  
EMBU

**JOHNSON N. NYAGA  
COUNTY SECRETARY**

CLERK TO THE COUNTY ASSEMBLY OF EMBU  
Tabled on.....  
20 NOV 2019  
Sign.....

DLIC  
19/11/19  
No apply for legal opinion  
on the policy.

② CCA  
In addition to the policy meeting  
conducted on 19/11/19, the policy meeting  
legal threshold and should thus  
be tabled in the house and thereafter  
referred to relevant committee for  
consideration for approval.  
19/11/2019





# COUNTY GOVERNMENT OF EMBU



## CABINET MEMO NO.5

FROM: THE OFFICE OF COUNTY EXECUTIVE COMMITTEE  
MEMBER LANDS, URBAN DEVELOPMENT, ENVIRONMENT AND  
NATURAL RESOURCES

TO: COUNTY EXECUTIVE COMMITTEE



TITLE: CLIMATE CHANGE POLICY FRAMEWORK , EMBU COUNTY

## 1.0. Background Information

Since the birth of the United Nations Framework Convention for Climate Change (UNFCCC) and the process of formulating international policies to tackle climate change impacts commenced, Kenya has been actively involved. Kenya has shown commitment to protect the climate system for the benefit of the present and future generations by supporting the United Nations Framework Convention on Climate Change (UNFCCC) process, ratifying the Kyoto Protocol in 2005, and contributing to continental and regional climate change initiatives. Further, the country's new Constitution 2010 has set out a legal commitment to attain ecologically sustainable development; hence providing a firm basis to address the challenge of climate change while striving to attain the development goals set out in Kenya Vision 2030.

In addition Kenya has developed a Climate Change Response Strategy 2010, Climate change Act 2016, National Adaptation Programme 2015-2030, Energy Act, Nationally Determined Contributions (NDCs) amongst others. These are commendable efforts; the key challenge remains cascading these national documents to the county and local communities. Unarguably, one of the best ways to speed up the implementation of these policy documents is to develop a "best fit" County climate change policy rooted in the national level climate change policies.

In pursuit of this, the County Government of Embu seeks to work with all stakeholders within the County to formulate county "best fit" Climate Change policy that incorporates Natural Resource Management (NRM) issues in the county.

**The Kenya Vision 2030** which is the blueprint for the transformation nation under the social pillar envisions widespread prosperity that involves the building of a just and cohesive society that enjoys equitable social development in a clean and secure environment. The **Constitution of Kenya 2010** under the chapter on Environment, states (42) every person has the right to a clean and healthy environment, which includes the right—(a) to have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69; and (b) to have obligations relating to the environment fulfilled under Article 70. This calls for action on climate change by legal entities and individuals in Kenya and Embu County.

Embu County government will focus on the six pillars of development for the county which are Value Addition, Tourism, Housing, Energy, ICT-Business process outsourcing and Financial Services. The County will mainstream climate change issues to reduce vulnerability and to attain climate resilient communities in the County.

### **The Embu County Context**

The County of Embu's economy is highly dependent on the natural resource base, and thus is highly vulnerable to climate variability and change. Realisation of sustainable development in the county, despite the progress made in past five years of implementing devolution is threatened by climate change and its resultant impacts.



Evidence of climate change is based on statistical analysis of trends in historical records of temperature and rainfall. Temperature and rainfall records from the Kenya Meteorological Department over the last forty years provide evidence of climate change in Embu, with temperatures generally showing increasing trends. Rainfall patterns indicate increased irregularity and variability with neutral to slightly decreasing trends in annual rainfall over Embu. The county has also experienced increased frequency and intensity of extreme weather events such as droughts and flooding.

These manifestations of climate change constitute a serious threat not only to the county's natural, built economic and physical systems, on which the county's sustainable development and future prosperity depends, but also national.

To safeguard sustainable development, the County Government of Embu has developed this County Climate Change Framework Policy to provide a clear and concise articulation of overall response priorities to climate variability and change at the county level.

### **The Rationale for a County Climate Change Framework policy.**

The policy is related to other policies e.g. EMCA and the Embu county CIDP (2017 -2022). In addition The Constitution of Kenya sets out a commitment to ecologically sustainable development. Climate change poses a significant challenge to these sustainable development goals. This Policy is therefore designed to provide a framework to guide the development and implementation of specific, detailed and costed climate change interventions through regular and periodic Climate Change Action Plans to be integrated into the periodic CIDPs. By putting in place this policy architecture, the county of Embu aims to safeguard the wellbeing of its citizens, their property, and the county's prosperity in the face of a changing climate. This Policy therefore aims to enhance adaptive capacity and build resilience to climate variability and change, while promoting a climate change resilient development pathway.

### **PURPOSE**

This Policy establishes an effective, accountable and transparent framework to facilitate a coordinated, coherent and effective response to the Embu county challenges and opportunities presented by climate change. This Policy therefore aims to enhance adaptive capacity and build resilience to climate variability and change, while promoting a low carbon development pathway. An overarching mainstreaming approach has been adopted to ensure the integration of climate change considerations into development planning, budgeting and implementation in all sectors and at all levels of government.

### **Objectives**

The objectives of this Policy are to:

- (i) Establish and maintain an effective and efficient institutional framework to mainstream climate change responses across relevant county sectors and into integrated planning, budgeting, decision-making and implementation, at the county level.
- (ii) Reduce vulnerability to the impacts of climate change by building adaptive capacity,



enhancing climate change resilience and strengthening capacities for disaster risk reduction.

- (iii) Catalyse Embu County's transition to cleaner, lower emission and less carbon intensive development.
- (iv) Incentivize the Embu County's private sector involvement in building climate change resilience and engaging in low carbon development opportunities.
- (v) Facilitate widespread public awareness, participation, ownership and oversight of the County's climate change intervention efforts and Plans of Action.
- (vi) Provide a framework to mobilise resources for the County's climate change response and ensure effective and transparent utilisation of the resources.
- (vii) Adopt intergenerational, special needs and gender mainstreaming approaches across all aspects of the county's climate change response.
- (viii) Provide the policy framework to facilitate effective implementation of regularly updated and scientifically informed Climate Change Action Plans and other related acts.
- (ix) Enhance research and use of science and technology in policy decisions and sustainable management of resources in Embu County.

#### 1.1. Guiding Principles

The implementation of this Policy will be guided by the following principles:

- (x) Common but differentiated responsibilities and respective capabilities: The County Government of Embu has common but differentiated obligations in the national, regional and international effort to address climate change because of its negligible historical responsibility for causing climate change, and its limited capability to mitigate climate change and adapt to its impacts considering its stage of development,
- (xi) Right to a clean and healthy environment: under the 2010 Constitution every person in Kenya has a right to a clean and healthy environment and a duty to safeguard and enhance the environment, and so it is for the Embu county citizens.
- (xii) Right to sustainable development: the right to development will be respected considering economic, social and environmental needs. The county government of Embu will seek to achieve people-centred development that builds human capabilities, improves people's happiness and enhances quality of life.
- (xiii) Partnership: building partnerships, collaboration and synergies among various stakeholders in the county from the public, government, non-governmental organisations, civil society and private sector, as well as vulnerable communities and populations including women and youth, will be prioritized to achieve effective implementation of this Policy.
- (xiv) Cooperative government: embracing a system of consultation, negotiation and consensus building in county government administration and between the national government and the county government of Embu.

- (xv) Equity and social inclusion: ensuring a fair and equitable allocation of effort and cost, as well as ploughing back of benefits in the context of the need to address disproportionate vulnerabilities, responsibilities, capabilities, disparities, and inter- and intra-generational equity.
- (xvi) Special needs and circumstances: the special needs and circumstances of people and geographic areas within Embu County that are particularly vulnerable to the adverse effects of climate change will be prioritized. This includes, but is not limited to, vulnerable groups such as women, children, the elderly and persons with disability.
- (xvii) Avoiding maladaptation: the climate change response will be conducted in such a way to avoid maladaptation, defined by the UNFCCC as any changes in natural or human systems that inadvertently increase vulnerability to climatic stimuli.
- (xviii) Integrity and transparency: the mobilisation and utilisation of financial resources shall be undertaken with integrity and transparency to eliminate corruption and achieve optimal results in the County climate change responses.
- (xix) Cost effectiveness: the selection of climate change interventions will consider available alternatives to identify appropriate choices that provide most benefit to society at least cost.

#### **Request to CEC**

The purpose of this memo is to request the county executive committee to;

1. Note the content of this memo
2. Accept, adopt and approve this bill for the Lands, Urban Development, Environment and Natural Resources that will guide in the Management of Environment and Natural Resources in Embu County.

Josphat Kithumbu

CECM- Land, Urban Development, Environment and Natural Resources

Draft

***County Climate Change Policy Framework –  
Embu***

20/06/2019



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## INTRODUCTION

### 1.1. Background information

Since the birth of the United Nations Framework Convention on Climate Change (UNFCCC) and the process of formulating international policies to tackle climate change impacts commenced, Kenya has been actively involved. Kenya has shown commitment to protect the climate system for the benefit of the present and future generations by supporting the United Nations Framework Convention on Climate Change (UNFCCC) process, ratifying the Kyoto Protocol in 2005, and contributing to continental and regional climate change initiatives. Further, the country's new Constitution 2010 has set out a legal commitment to attain ecologically sustainable development; hence providing a firm basis to address the challenge of climate change while striving to attain the development goals set out in Kenya Vision 2030.

At the national level, the country is responding to climate change by formulating domestic legislation, policies, and strategies that are pinned on international climate policies and agreements. Kenya has developed a Climate Change Response Strategy 2010, Climate change Act 2016, National Adaptation Programme 2015-2030, Energy Act, Nationally Determined Contributions (NDCs) amongst others. These are commendable efforts; the key challenge remains cascading these national documents to the county and local communities. Unarguably, one of the best ways to speed up the implementation of these policy documents is to develop a "best fit" County climate change policy rooted in the national level climate change policies.

In pursuit of this, the County Government of Embu seeks to work with all stakeholders within the County to formulate county "best fit" Climate Change policy that incorporates Natural Resource Management (NRM) issues in the county.

**The Kenya Vision 2030** which is the blueprint for the transformation nation under the social pillar envisions widespread prosperity that involves the building of a just and cohesive society that enjoys equitable social development in a clean and secure environment. This pillar aims to improve the quality of life for all Kenyans by targeting a cross-section of human and social welfare projects and programmes. This quest is the basis of transformation in eight key social sectors, namely; Education & Training, Health, Water & Sanitation, Environment, Housing & Urbanization and Gender, Youth, Sports & Culture. This pillar also makes special provisions for Kenyans with various disabilities and previously marginalized communities.

Under the 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, it provides for a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries - developed and developing - in a global partnership. By ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth - all while



tackling climate change and working to preserve our oceans and forests.

**Constitution of Kenya 2010** under the chapter on Environment, states (42) every person has the right to a clean and healthy environment, which includes the right—(a) to have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69; and (b) to have obligations relating to the environment fulfilled under Article 70. This calls for action on climate change by legal entities and individuals in Kenya and Embu County.

Embu County government will focus on the six pillars of development for the county which are Value Addition, Tourism, Housing, Energy, ICT-Business process outsourcing and Financial Services. The County will mainstream climate change issues to reduce vulnerability and to attain climate resilient communities in the County.

### **The Embu County Context**

The County of Embu's economy is highly dependent on the natural resource base, and thus is highly vulnerable to climate variability and change. Realisation of sustainable development in the county, despite the progress made in past five years of implementing devolution is threatened by climate change and its resultant impacts.

Evidence of climate change is based on statistical analysis of trends in historical records of temperature and rainfall. Temperature and rainfall records from the Kenya Meteorological Department over the last forty years provide evidence of climate change in Embu, with temperatures generally showing increasing trends. Rainfall patterns indicate increased irregularity and variability with neutral to slightly decreasing trends in annual rainfall over Embu. The county has also experienced increased frequency and intensity of extreme weather events such as droughts and flooding.

These manifestations of climate change constitute a serious threat not only to the county's natural, built economic and physical systems, on which the county's sustainable development and future prosperity depends, but also national.

To safeguard sustainable development, the County Government of Embu has developed this County Climate Change Framework Policy to provide a clear and concise articulation of overall response priorities to climate variability and change at the county level.



## 1.2. The Rationale for a County Climate Change Framework policy.

Coming from what is set on the background. Relationship to other policies e.g. EMCA and other related policies

### CIDP (2017 -2022)

The Constitution of Kenya sets out a commitment to ecologically sustainable development. Climate change poses a significant challenge to these sustainable development goals. The county of Embu's continuing vulnerability to climate change (just like other counties) and the threat this poses to achieving long-term development goals has been clearly recognised. This Policy will facilitate a coordinated, coherent and effective response to the local, national and global challenges and opportunities that climate change presents. This will be achieved through the adoption of a mainstreaming approach that ensures integration of climate change considerations into the development planning, budgeting, and implementation processes at the county level.

A broad range of strategies and programmes have been pursued by various governmental and non-governmental entities to address the effects of climate change in the County of Embu and in Kenya at large. However, these initiatives have taken place without a coherent policy framework and therefore appear reactive and uncoordinated. Accordingly, this Policy reflects the County Government of Embu's commitment to formulating a proactive, coherent and integrated climate change response that focuses on reducing vulnerability and building the resilience of the people, property, environment and economy. The Policy will position County of Embu to capture the economic, social and environmental benefits of the transition to a low carbon climate resilient economy.

This Policy is therefore designed to provide a framework to guide the development and implementation of specific, detailed and costed climate change interventions through regular and periodic Climate Change Action Plans to be integrated into the periodic CIDPs. By putting in place this policy architecture, the county of Embu aims to safeguard the wellbeing of its citizens, their property, and the county's prosperity in the face of a changing climate. This Policy therefore aims to enhance adaptive capacity and build resilience to climate variability and change, while promoting a climate change resilient development pathway.

## 2. PURPOSE

- 2.1. This Policy establishes an effective, accountable and transparent framework to facilitate a coordinated, coherent and effective response to the Embu county challenges and opportunities presented by climate change. This Policy therefore aims to enhance adaptive capacity and build resilience to climate variability and change, while promoting a low carbon development pathway. An overarching mainstreaming approach has been adopted to ensure the integration of climate change considerations into development planning, budgeting and implementation in all sectors and at all levels of government.

## 3. GOAL, OBJECTIVES AND GUIDING PRINCIPLES

### 3.1. Goal

The goal of this framework Policy is to enhance adaptive capacity and resilience to climate change and promote low carbon development for the sustainable development of Embu County.

### 3.2. Objectives

The objectives of this Policy are to:

- (i) Establish and maintain an effective and efficient institutional framework to mainstream climate change responses across relevant county sectors and into integrated planning, budgeting, decision-making and implementation, at the county level.
- (ii) Reduce vulnerability to the impacts of climate change by building adaptive capacity, enhancing climate change resilience and strengthening capacities for disaster risk reduction.
- (iii) Catalyse Embu county's transition to cleaner, lower emission and less carbon intensive development.
- (iv) Incentivize the Embu County's private sector involvement in building climate change resilience and engaging in low carbon development opportunities.
- (v) Facilitate widespread public awareness, participation, ownership and oversight of the County's climate change intervention efforts and Plans of Action.
- (vi) Provide a framework to mobilise resources for the County's climate change response and ensure effective and transparent utilisation of the resources.
- (vii) Adopt intergenerational, special needs and gender mainstreaming approaches across all aspects of the county's climate change response.
- (viii) Provide the policy framework to facilitate effective implementation of regularly updated and scientifically informed Climate Change Action Plans and other related acts.
- (ix) Enhance research and use of science and technology in policy decisions and



sustainable management of resources in Embu County.

### 3.3. Guiding Principles

The implementation of this Policy will be guided by the following principles:

- (i) **Common but differentiated responsibilities and respective capabilities:** The County Government of Embu has common but differentiated obligations in the national, regional and international effort to address climate change because of its negligible historical responsibility for causing climate change, and its limited capability to mitigate climate change and adapt to its impacts considering its stage of development,
- (ii) **Right to a clean and healthy environment:** under the 2010 Constitution every person in Kenya has a right to a clean and healthy environment and a duty to safeguard and enhance the environment, and so it is for the Embu county citizens.
- (iii) **Right to sustainable development:** the right to development will be respected considering economic, social and environmental needs. The county government of Embu will seek to achieve people-centred development that builds human capabilities, improves people's happiness and enhances quality of life.
- (iv) **Partnership:** building partnerships, collaboration and synergies among various stakeholders in the county from the public, government, non-governmental organisations, civil society and private sector, as well as vulnerable communities and populations including women and youth, will be prioritized to achieve effective implementation of this Policy.
- (v) **Cooperative government:** embracing a system of consultation, negotiation and consensus building in county government administration and between the national government and the county government of Embu.
- (vi) **Equity and social inclusion:** ensuring a fair and equitable allocation of effort and cost, as well as ploughing back of benefits in the context of the need to address disproportionate vulnerabilities, responsibilities, capabilities, disparities, and inter- and intra-generational equity.
- (vii) **Special needs and circumstances:** the special needs and circumstances of people and geographic areas within Embu County that are particularly vulnerable to the adverse effects of climate change will be prioritized. This includes, but is not limited to, vulnerable groups such as women, children, the elderly and persons with disability.
- (viii) **Avoiding maladaptation:** the climate change response will be conducted in such a way to avoid maladaptation, defined by the UNFCCC as any changes in natural or human systems that inadvertently increase vulnerability to climatic stimuli.
- (ix) **Integrity and transparency:** the mobilisation and utilisation of financial resources shall be undertaken with integrity and transparency to eliminate corruption and achieve optimal results in the County climate change responses.



- (x) **Cost effectiveness:** the selection of climate change interventions will consider available alternatives to identify appropriate choices that provide most benefit to society at least cost.

#### 4. SCOPE

- 4.1. This Policy's focus is on the interlinkages between sustainable county development initiatives, the six pillars of Embu County (Value Addition, Tourism, Housing, Energy, ICT-Business process outsourcing and Financial Services and climate change. Climate change adversely impacts key sectors that are key to the economy of Embu County and Kenyan society at large: Environment, Water and Forestry; Agriculture, Livestock and Fisheries; Trade; Extractive industries; Energy; Physical Infrastructure; Tourism; and Health. This Policy therefore elaborates intervention measures that can help to achieve the goal of low carbon climate resilient development in Embu County.
- 4.2. It adheres to the constitutional governance framework and commitment to sustainable development, while addressing the goal of attaining low carbon climate resilient development in Embu County. To attain the latter, this policy focuses on appropriate mechanisms to enhance climate resilience and adaptive capacity, and the transition to low carbon growth.

## 5. POLICY STATEMENTS

### 5.1. Climate change Response measures and actions in Embu county

- 5.1.1. Forests are important for economic development and for environmental services. They play a vital role in the conservation of biological diversity, regulation of water supplies, sequestration of carbon, and are a major habitat for wildlife. Forestry contributes about 30 per cent of total GHG emissions mainly through deforestation and forest degradation (the land sector)<sup>1</sup> in search for fuel wood, charcoal production and creation of agricultural land.
- 5.1.2. The agricultural sector has the potential to reduce GHG emissions through sequestration of carbon in trees and soils through agroforestry, improved pasture and range land management, conservation agriculture, efficient dairy production systems, and improved manure management. This is because the agricultural sector is the largest contributor of GHGs emissions in the Kenya<sup>2</sup> and indeed in the county mainly from livestock methane emissions and land-use change.
- 5.1.3. A main source of GHG emissions in the county context are also emissions from the manufacturing industries and charcoal production. Solid and liquid wastes from domestic and commercial sources further contribute to emission of GHGs through the release of methane gas from landfills and sewerage treatment works. The mitigation potential of industry is therefore important because the economic growth targets aim to grow the county and national economy, with industry as a major contributor.
- 5.1.4. Actions to address climate change at county level can help to catalyse the transition to a green economy and generate employment in new areas within the county. A priority action will be the development of an enabling policy framework for green job creation, which will identify emerging green economy opportunities that promote private sector investment and engagement to maximise employment creation.

### ***Policy Statements***

The County Government of Embu will:

1. Promote solid waste management practices.
2. Formulate and enact County regulations on pollution, waste management together with a clear enforcement framework of the regulations.

<sup>1</sup> <https://www.iucn.org/resources/issues-briefs/forests-and-climate-change>

<sup>2</sup> <https://www.climatelinks.org/resources/greenhouse-gas-emissions-factsheet-kenya> - Kenya's total GHG emissions in 2013 were 60.2 million metric tons of carbon dioxide equivalent (MtCO<sub>2</sub>e), totaling 0.13% of global GHG emissions. The agriculture sector emitted 62.8% of total emissions, followed by the energy sector (31.2%), industrial processes sector (4.6%), and waste sector (1.4%).



3. Establish a countywide coordination framework and partnership structure involving all actors and regulators of natural resources in the County.
4. Enact and enforce regulations on natural resource management in the county.
5. Establish woodlots for production of trees as source of fuel.
6. Mainstream low carbon growth options into the planning processes and functions of the county governments.
7. Consider participating in voluntary emission reduction programmes when they support the county's development agenda.
8. Put in place mechanisms to develop and promote clean technologies in all county sectors of economic development.
9. Promote the creation of green jobs by establishing an enabling county policy framework for investment and creating business friendly regulatory environments.
10. Identifying and implementing fiscal, taxation and other policy options in priority areas with high GHG emissions so as to enhance low carbon development.
11. Put in place mechanisms to identify and develop a riparian zones inventory as well an inventory of rivers and wetlands in the county together with the enactment and enforcement of regulations that will facilitate an efficient and effective protection, sharing and utilisation of these natural resources.
12. Promote tree planting along the wetland areas for conservation as well agroforestry economic activities.
13. Support the establishment of water harvesting infra-structure.
14. Promote Smart Water Solutions (SWS) in agriculture and improving water resource management in-field soil moisture conservation, mulching and water harvesting to hi-tech precision irrigation systems.
15. Promote soil conservation measures.
16. Promote and make Ecosystem based Adaptation and agro-ecology techniques available and affordable, to smallholder farmers, enhance farmer outreach & extension, accelerate value addition and establish viable and inclusive market access strategies.
17. Formulate and enact County regulations on extractive mining
18. Regulate and ensure sustainable conservation and utilization of sand and shared natural resources.



## 5.2. Mainstreaming climate change in development initiatives within Embu county

- 5.2.1. County governments are required by law to prepare and implement County Integrated Development Plans (CIDPs), through which climate change actions can be mainstreamed for subsequent implementation by county sectors. A mechanism facilitating linkages and exchange of climate change information and data with planning processes across all levels of the county government is an important element of the mainstreaming framework.
- 5.2.2. A county climate change mainstreaming approach will provide the various coordinating and sectoral agencies of the county government with the tools to effectively respond to the complex challenges of climate change. In this context, mainstreaming implies the integration of climate change policy responses into the county sectoral planning, budgeting and management processes.
- 5.2.3. Mainstreaming in this sense requires cross-sectoral policy integration that operates both horizontally, by providing an overarching guide for all sectors; and vertically, by requiring all sectors and levels of the county government of Embu to implement climate change responses in their core functions. Mainstreaming is a strategy that provides the framework to achieve coordinated action on climate change across all county government functions.

### ***Policy Statements***

The County Government of Embu will:

1. Mainstream climate change into county planning processes, including County development policies and plans, County Integrated Development Plans, Performance Contracts, and the short to medium term budget making process.
2. Develop a framework and tools for mainstreaming climate change responses into county government planning and budget procedures.
3. Ensure that county planning processes and publication account for climate risk analyses and vulnerability assessments and identify opportunities to build climate resilience and achieve low carbon development.
4. Establish the institutional framework and build capacity to coordinate and enhance mainstreaming at the sectoral level.

### 5.3. Public education, awareness creation and active participation by all

- 5.3.1. Article 10 of the Constitution identifies public participation as a binding national value during the implementation of any public policy decision, or in the making or implementation of any law. In addition, the Embu County Public Participation Act, 2015 provides for a legal framework to facilitate public participation in the county policy processes, legislative processes, governance, service delivery in the county. Raising and maintaining the awareness of the public on matters of climate change is one way to enhance this participation. Public awareness can inform policymaking because it provides a two-way directional flow of information and feedback.
- 5.3.2. Increasing public awareness on climate change impacts and interventions will help to facilitate the role of the public as a positive agent to reinforce climate change interventions. Various mechanisms for public awareness, especially through county government initiatives, private sector and civil society led awareness creation forums to be utilized. County-wide civic education programs and conventional public awareness mechanisms, such as extension services play an instrumental role in public awareness creation. The media, including local-area vernacular radio and television stations, the print media provide an important avenue for sensitization and awareness creation, in addition to providing meteorological and other climate change information.
- 5.3.3. While public awareness takes the form of informal education, the formal education mechanisms are equally instrumental. Basic education is, as a constitutional rule, free and compulsory to every child nationally. The mainstreaming of relevant climate change knowledge into the basic education curriculum would provide knowledge and awareness to millions of children within the county. A similar approach at secondary, tertiary and adult literacy levels could increase awareness on climate change. The County Government can play an important role because it can contribute to the development of education curricula at all levels in public and private education institutions.
- 5.3.4. Public awareness on climate change should integrate knowledge on critical and crosscutting policy issues such as mainstreaming of gender, youth and special needs. This is important because public awareness is central to the subsidiarity principle, which requires an active role of the people in governance, at the lowest possible level of public administration when it is optimal to do so. Climate change interventions, such as those relating to building resilience or enhancing adaptive capacity are closely related to how people understand the impacts of climate change. Such interventions will support the transition of people from victims of and contributors to climate change, to positive agents working against climate change.

### ***Policy Statements***

The County Government of Embu will:

1. Put in place plans for identifying, refining and disseminating climate change knowledge from



and to the public and other stakeholders within the county in user-friendly formats.

2. In coordination with the National Government, mainstream climate change in basic, secondary and tertiary level education curricula.
3. Incorporate climate change knowledge into county government implemented public awareness initiatives including civic education, outreach and extension programmes.
4. Collaborate with, and support, private sector and civil society in incorporating climate change knowledge into advocacy and public awareness raising programmes within the county.
5. Strengthen the capacity and ensure sufficient technical and financial resourcing of institutions, the public and groups engaged in climate change public awareness.

#### **5.4. Knowledge management and access to information**

- 5.4.1. Generation of climate change knowledge and information, combined with effective communication strategies, can enhance public participation and awareness. A major national concern, which is neither different at the county level is the lack of adequate nor appropriate climate change information and knowledge and the lack of data available to researchers, planners, policy-makers and the public. A climate change knowledge and communication needs assessments are necessary to develop appropriate systems and processes for climate related data observation and collection, knowledge gathering, storage, utilisation and effective communication.
- 5.4.2. To enhance public participation, climate change knowledge and information management systems must generate community ownership and participation, and provide culturally and contextually relevant information, in local dialect/language where possible. Knowledge and information management should utilise appropriate high- and low-tech dissemination technologies to meet the needs of the public. The availability of knowledge and information management hubs at various levels of county government (wards, sub-county, county, etc.) would assist in knowledge management and dissemination.
- 5.4.3. As a basic right, access to information is grounded in the Kenyan Constitution 2010, and its entitlement is limited only to citizens of Kenya. This right has various elements that are key to its utility on dissemination of climate change knowledge. Information held by a private party can only be accessed if it is necessary in realisation of a specific basic right, while information held by public agencies can be accessed. However, various procedural limitations are likely to be imposed in order to safeguard integrity of certain knowledge, such as that subject to intellectual property rights, proprietary interest or of a confidential nature, or information classified for security reasons.
- 5.4.4. Procedural mechanisms on access to information require that an interested party should make a formal request, and likely make a reasonable payment to cover modest administrative costs. Minimisation of these procedures or their elimination

regarding climate change information would expand the scope of accessible knowledge and information. Since it is a constitutional requirement to publicize any important information affecting the public, the county government should classify climate change information as falling in this category and proactively provide refined information on climate change to the public.

### ***Policy Statements***

The County Government of Embu will:

1. Put in place mechanisms for and undertake climate change knowledge and communication needs assessment to develop appropriate systems and processes for climate related data observation and collection.
  2. Develop a comprehensive communication strategy to enhance dissemination of timely, credible and reliable climate change information and research findings to the public.
  3. Facilitate setting up of climate change information hubs (at the wards, sub-county and county levels) to collect primary information and act as dissemination points for knowledge and information.
  4. Put in place mechanisms to gather, document and promote application of indigenous knowledge and practices on climate change.
- 5.5. **Climate change policy coordination and Governance/ Creating an enabling regulatory framework in Embu County**
- 4.5.1 While the two levels of government (national and county) are distinct, they are interdependent and expected to function consultatively in a cooperative manner to discharge their respective and concurrent mandates. The national government has to this end developed a policy on climate change. Various functions assigned to county governments are integral to fulfilment of actions required to address climate change. In certain instances, there may be concurrent performance of climate change related functions by the two levels of government. This context requires clarity in the overall regulatory framework.
  - 4.5.2 The effective discharge of the county's climate change obligations significantly depends on the existence of an effective regulatory framework. This also bears upon the county's participation in local, national and international negotiations because an effective regulatory framework provides a context to prepare for negotiations and develop strategic county and national positions on key issues.



## ***Policy Statements***

The County Government of Embu will:

1. Put in place overarching climate change legislation to provide the framework for coordinated implementation of climate change responses and action plans at county level in alignment with national and international initiatives.
2. Put in place a County Executive Committee level climate change organ to coordinate the mainstreaming of climate change into county development processes.
3. Put in place an appropriate institutional coordination mechanism with high-level convening power to enhance inter-sectoral responses to climate change.
4. Put in place a technical institutional framework to guide policy and functional implementation of climate change legal obligations of the county government.
5. Put in place and regularly review subsidiary legislation as may be necessary to support implementation of various interventions through the county climate change legislation.
6. Regularly review and amend relevant sectoral laws and policies to integrate climate change policy considerations and implement priority actions in respective sectors.
7. Put in place mechanisms for public consultation and participation in climate change governance in all sectors.
8. Strengthen coordination and capacity for county, inter county, national and international climate change negotiations.

### **5.6. Financial provisions and other resources**

- 5.6.1. Adequate and predictable financial resources are a crucial component for achieving the county's ambitious climate change response objectives. Given the extent of projected climate change adaptation and mitigation needs, it is important to ensure that all sources of finances can be mobilized – international, domestic, public and private – including through Public-Private Partnerships (PPPs). The County of Embu therefore requires a suitable framework to attract and efficiently utilise climate finance.
- 5.6.2. A functional climate finance mechanism can help to diversify financial reserves, safeguard the interests of the Embu county population and preserve wealth for future generations. Adequate financial resources are integral to the identification, design and implementation of interventions required to achieve climate resilience, adaptive capacity and low carbon growth. The resources mobilised through such a mechanism will therefore play an instrumental role in developing and maintaining required human capacity, support governance arrangements and enhance collaboration amongst the various actors.
- 5.6.3. PPPs have emerged as viable mechanisms for leveraging private sector financing to support public policy goals. An enabling regulatory framework needs be put in place

by the county government to support PPPs. Investments that support low carbon climate resilient development can therefore be identified, prepared and implemented through the PPP framework.

- 5.6.4. The county government will need to recognise the urgency of strengthening transparency and accountability and will therefore take necessary steps to prevent corrupt practices in climate finance resource allocations for low carbon climate resilience actions.
- 5.6.5. The diversity in sources of climate finance introduces difficulties in monitoring and evaluating the implementation and impact of climate change interventions. Mechanisms to identify the sources and track how the finance has been utilised are needed to optimise the application of climate finance. These mechanisms will assess the disbursement, absorption and management of funds in a transparent and accountable manner. A framework for tracking climate finance should incorporate finance sources derived from the broad spectrum of actors, including international and domestic, public, private and civil society.

### ***Policy Statements***

The County Government of Embu will:

1. Adopt a climate finance strategy and establish an appropriate fund mechanism that enables implementation of priority actions for climate resilience and adaptive capacity.
2. Explore possible avenues to attract internal and external climate finance, including through foreign direct investment and other multilateral or bilateral funding.
3. Put in place a mechanism and criteria for balance in the allocation of mobilised climate finance to adaptation and mitigation actions.
4. Develop policies and strategies to enhance the county's capacity to engage in carbon asset activities, strengthen the viability of domestic carbon asset production and increase access to international carbon markets.
5. Promote private sector involvement in climate finance opportunities through the introduction of incentives, removal of investment barriers, creation of a conducive investment climate and facilitation of access to finance.
6. Adopt and implement sector specific anti-corruption, transparency, accountability and integrity mechanisms to safeguard prudent management of climate finance.
7. Promote Public-Private Partnerships in the climate change response.
8. Put in place a framework for coordination and monitoring and tracking sources, application and impacts of climate finance.



**5.7. Mainstreaming issues of Gender, Youth and special needs groups in Climate change actions in the County.**

- 5.7.1. The constitutional foundations of governance in Kenya aim for an equal society, and clearly assert that women and men are equal. This equality is the goal that Kenya aims to achieve in all aspects of society interaction, whether economic, social or environmental. Equally at the county level, steps must be taken to ensure that existing disparities between women and men are addressed to reduce or eliminate vulnerability and poverty that are exacerbated by climate change.
- 5.7.2. Mainstreaming of gender considerations in knowledge management is important to assure the relevance and applicability of the outputs. The impacts of climate change affect women and men in different ways, just as various women or men may be impacted differently from other members of the same gender. It is important to mainstream gender analysis and put in place mechanisms for disaggregation of knowledge on how impacts and roles, even within the same gender, affect people based on their contexts and circumstances. Given gender disparities in social and economic roles, women and men experience the effects of climate change differently. Women suffer more because of vulnerability arising from the gender division of labour and allocation of power at the household, work and other levels. Climate change exacerbates these inequalities, and it is therefore necessary to understand the risks and impacts of climate change on women and men. This disaggregation should be applied not just across genders but also amongst the members of each gender, as the factors that exacerbate vulnerability to climate change vary.
- 5.7.3. Women, because of their roles in society, can be active agents to address climate change challenges. Mechanisms are needed to enhance this role and improve coping capacity. Women's coping capacity is low and adversely affected by the gender division of labour and power at household, work and other levels.
- 5.7.4. The youth represent a crossover between the present and future generations, and therefore play a critical role in socio-economic development, including addressing climate change. It is necessary to carve out specific roles and opportunities for youth participation in decision-making in climate change governance, and to pursue opportunities that arise through climate change actions.

***Policy Statements***

The County Government of Embu will:

1. Ensure that its climate change response is equally beneficial to both women and men and enhances gender equality and equity.
2. Undertake systematic gender analysis of its climate change response, through the collection and utilisation of gender-disaggregated data, including in relation to budgetary processes.

3. Ensure that marginalisation and vulnerability arising from gender disparities are addressed at all stages of climate change response.
4. Adopt a gender mainstreaming approach at all stages of the climate change policy cycle from research, to analysis, to the design and implementation of actions.
5. Put in place mechanism to ensure and enhance the participation of the youth in climate change governance and position them to take advantage of opportunities.
6. Undertake a systemic analysis of the various special needs and ensure that planning and climate change responses mainstream participation and protection to persons with special needs.

#### **5.8. The implementation framework and costs**

- 5.8.1. Implementation of climate change policy priorities and other actions will require significant planning, including detailing the full cost to determine budgetary and other economic implications.
- 5.8.2. This Policy will be implemented through specifically developed and fully costed Climate Change Action Plans commencing with the actions suggested in the County Integrated Development Plan 2018 - 2022 and continuing through new and amended action plans developed in at least five-year intervals.
- 5.8.3. To facilitate climate change mainstreaming and realisation of the overall policy objective of climate resilient, current and future County Climate Change Action Plans will be fully aligned with and integrated into the CIDPs.

#### ***Policy Statements***

The County Government of Embu will:

1. Prepare and implement comprehensive, fully costed and periodically reviewed Climate Change Action Plans under the framework of this Policy.
2. Ensure that Climate Change Action Plans for implementation of this Policy are aligned with the regular CIDPs.
3. Facilitate continuous consultations and public awareness across all sectors, interest groups and the public.

#### **5.9. Resource Mobilization**

- 5.9.1. Funding required for financing climate change responses under this policy will be mobilised from both internal and external sources.
- 5.9.2. The County Government of Embu at all levels will be required to integrate climate change response actions into budgetary processes. This will complement and be in



addition to any external climate finance resources. Sufficient budgetary allocation for all institutions performing climate change functions will be prioritised to ensure that the necessary human, technical and financial resources are available.

- 5.9.3. This Policy underscores the County Government of Embu's commitment to increase PPP initiatives for actions that help to improve climate change resilience development.

### ***Policy Statements***

The County Government of Embu will:

1. Allocate resources for climate change actions in the county budgetary processes.
2. Build capacity to mobilise and enhance absorption of resources for climate change interventions.
3. Mobilise substantial levels of climate finance to fund implementation of this Policy and the associated Climate Change Action Plans in CIDPs from internal and external sources.
4. Put in place mechanisms to attract and leverage PPPs as a vehicle to mobilise resources and enhance private sector participation in climate change resilient development activities.

#### **5.10. Collaboration and stakeholders' participation**

- 5.10.1. Public participation is a core value and principle of national governance in accordance to the new Kenyan constitution 2010. The County Government of Embu therefore recognizes the importance of building and sustaining partnerships with the public, at all levels of society, to ensure a collective countywide ownership of climate change responses and interventions.
- 5.10.2. The County Government of Embu will continue to play the lead role in the strategic planning and management of climate change responses. The county government will foster participatory partnerships between itself and county government structures, other public entities, the private sector, civil society, development partners, media and international agencies. Steps will be taken to consolidate and strengthen the working relations with development partners. Improved sectoral and donor coordination will be formalized through periodic meetings and fora.

### ***Policy Statements***

The County Government will:

1. Put in place and operationalise a climate change public participation strategy.
2. Ensure that public participation enhances consultation and awareness of citizens, including facilitating equitable roles for women and men, persons with special needs and the youth.
3. Establish and sustain partnerships with various categories of climate change stakeholders including development partners and sectoral departments.

#### 5.11. Monitoring and evaluation of policy implementation

5.11.1 To track the implementation of this Policy, it will be essential to record and measure progress and changes, as well as the overall performance of climate change actions. Monitoring & Evaluation (M&E) will provide reliable and timely data on progress, results and shortcomings of the Policy implementation to inform decision makers, stakeholders and the public. A highly consultative and participatory M&E system will need to be adopted to facilitate periodic reviews of this Policy and its contribution to the achievement of county goals and objectives in Climate change mitigation and adaptation. Efforts should be made to link this system to the National Integrated Monitoring and Evaluation System.

5.11.2 The M&E system will monitor implementation by tracking inputs and actions to mainstream climate change by the county government entities. Performance contracts can provide a useful tool through which targets, inputs and the resultant outputs can be determined and evaluated.

#### ***Policy Statements***

The County Government will:

1. Put in place mechanisms to utilize actions plans and performance contracts as tools for review and evaluation of inputs and results under this Policy.
2. Collaborate with county government structures in setting up M&E procedures for this climate change policy.
3. Incorporate climate change indicators into the Monitoring and Evaluation System.
4. Set up a coordination mechanism involving relevant stakeholders to undertake M&E of this Policy over five-year intervals in line with the CIDPs.
5. Disseminate the outcomes of reviews and evaluations for public and stakeholder discussion, and for county assembly debate and oversight.

#### 5.12. Research and Technology on Climate Change in Embu County

5.12.1. Various stakeholders play distinct yet complementary roles in research and technology advancement. The county government of Embu will need to invests in research and technology development and have the ability to put in place policies and programmes that incentivize research. The private sector invests in Research and Development (R&D), and linkage between private sector R&D and the county government's goal of attaining climate change resilient development is important. Universities and other tertiary educational institutions will provide the ideal context for scholarly research aligned to support climate change interventions beneficial to the public and private sectors. Civil society provides a voice for advocacy on policy direction and implementation and engages in research that generates evidence. R&D



requires financial support that could be drawn from the public and private sectors.

- 5.12.2. Indigenous, local and indigenous knowledge is an important resource for adapting to climate change. Communities that depend on natural resources have a long history of adaptation that build on this knowledge. However, these systems are increasingly being challenged by a changing climate. In addition, this knowledge has often been ignored in policy and research, even though it can increase the effectiveness of adaptation strategies.
- 5.12.3. Environmentally sustainable and locally appropriate technology development is a necessary element of achieving climate change resilient development. Knowledge and use of locally appropriate tools can enhance the adaptive capacity of society and institutions and help them maintain competent function under adverse climatic conditions. Interventions are also necessary to introduce low carbon technologies that have utility to the socio-economic, environmental and political circumstances within the county. The deployment of technologies, whether new or through innovation steps, requires application of endogenous philosophies that ensure optimal utility to the county. The County Government of Embu will need to recognize the need to accelerate development and diffusion of endogenous and locally adapted technologies and promote an enabling investment environment.

### ***Policy Statements***

The County Government will:

1. Identify research and technology needs within the county; and promote strategic and systematic climate change-related research, impact and vulnerability assessments, and technology development and diffusion.
2. Put in place mechanisms to encourage and facilitate locally appropriate climate change technological development, including strategies to enhance and maintain human capacity, especially amongst the youth.
3. Enhance the capacity of the public and private sectors, civil society and research institutions to develop and utilise technological innovations.
4. Identify and implement incentives for the private sector and institutions of higher learning to undertake R&D and develop affordable and locally appropriate adaptation and mitigation technologies.
5. Enhance linkages between county government, academia, private sector, civil society and global climate change innovation institutions.
6. Put in place mechanisms to facilitate the integration of indigenous, indigenous and local knowledge into R&D and technology development.
7. Put in place mechanisms to enhance resource mobilisation for climate change R&D and technology development.

# ANNEXES

## Annex I. DEFINITION OF TERMS

The definition of Terms and Concepts used in this Country Climate Change (CCC) Policy document

Terms and definitions in this policy document will have to be consistent with those in other similar international and national documents and relevant legislation to maintain alignment. If new terms and definitions are required for this document (and inclusion in the glossary), we will have to submit requests for their creation when seeking approval for this policy.

### **Adaptation**

Adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.

### **Adaptive Capacity**

The ability or potential of a system to respond successfully to climate variability and change and includes adjustments in both behaviour and in resources and technologies.

### **Capacity building**

In the context of climate change, the process of developing the technical skills and institutional capability, particularly in emerging economies and sectors to enable them to address effectively the causes and results of climate change.

### **Carbon market**

A trading system through which entities may buy or sell units of greenhouse gas emissions in an effort to meet their national limits on emissions, either under the Kyoto Protocol or under other agreements, such as that among member states of the European Union. The term comes from the fact that carbon dioxide is the predominant greenhouse gas, and other gases are measured in units called "carbon dioxide equivalents."

### **Carbon sequestration**

The process of removing carbon from the atmosphere and depositing it in a reservoir or "sink", such as soil or trees

### **Climate**

The average pattern for weather conditions occurs over a long-time period. Weather refers to the atmospheric conditions at a specific place at a specific point in time. Climate has always varied because of natural causes. Increasingly, however, human increases in GHG emissions causing changes in climate as well.

### **Climate Change**

Changes in global or regional climate patterns, including changes in temperature, wind patterns and rainfall. Climate change in particular refers to a change apparent from the mid to late 20th



... on and attributed largely to human activities that increase levels of GHG emissions, especially atmospheric carbon dioxide produced by the use of fossil fuels. Climate change is sometimes referred to as global warming, which specifically refers to the long-term trend of a rising average global temperature.

#### **Climate Finance**

... national or international financing that may be drawn from public, private and alternative sources of financing, and is critical to addressing climate change because large-scale investments are required for adaptation and mitigation.

#### **Climate Resilience**

... linked to adaptation, building climate resilience includes reducing vulnerability to climate change, making sure that the impacts of climate change are avoided or cushioned, and enabling systems to respond to climate risks.

#### **Conference of the Parties**

... supreme governing body of the UNFCCC, which meets once a year to review the Convention's progress. The word "conference" is not used here in the sense of "meeting", but rather of "association".

#### **Deforestation**

... long-term or permanent loss of forest cover. The term implies transformation of forest into other land use, which is caused and maintained by a continued human-induced or natural disturbance.

#### **Greenhouse gases (GHGs)**

... atmospheric gases responsible for causing global warming and climate change. The major GHGs are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O). Less prevalent -- but very powerful -- greenhouse gases are hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF<sub>6</sub>).

#### **Intergovernmental Panel on Climate Change (IPCC)**

... established in 1988 by the World Meteorological Organization and the UN Environment Programme, the IPCC surveys worldwide scientific and technical literature and publishes assessment reports that are widely recognized as the most credible existing sources of information on climate change. The IPCC also works on methodologies and responds to specific requests from the UNFCCC's subsidiary bodies. The IPCC is independent of the UNFCCC.

#### **Kyoto Protocol**

... international agreement standing on its own, and requiring separate ratification by governments, but linked to the UNFCCC. The Kyoto Protocol, among other things, sets binding targets for the reduction of GHG emissions by industrialized countries.

### **Low Carbon Development Pathway**

A development plan or strategy that encompasses low-emission economic growth. Transitioning to this pathway means taking actions, where possible, to encourage GHG emissions that are lower than business-as-usual practice; and reducing the human caused emissions by moving toward a resource efficient economy that is as low-carbon as possible and enhancing carbon sinks.

### **Mitigation**

In the context of climate change, a human intervention to reduce the sources or enhance the sinks of greenhouse gases. Examples include using fossil fuels more efficiently for industrial processes or electricity generation, switching to solar energy or wind power, improving the insulation of buildings, and expanding forests and other "sinks" to remove greater amounts of carbon dioxide from the atmosphere.

### **National Adaptation Plan**

A document prepared by developing countries that identifies urgent and immediate needs for adapting to climate change.

### **National Climate Change Action Plans**

National plans of action, prepared at five-year intervals, that set out in detail the requirements and costs for the design and implementation of the various climate change interventions required for Kenya to attain low carbon climate resilient development.

### **Public Private Partnerships (PPPs)**

Public-Private Partnerships are an association between government and private sector through which private financing is utilized to perform a public function, at a profit to the private sector.

### **Sustainable development**

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

### **Technology Transfer**

A broad set of processes covering the flows of know-how, experience and equipment for mitigating and adapting to climate change among different stakeholders.

### **United Framework Convention on Climate Change (UNFCCC)**

An international treaty signed by 195 countries that entered into force in 1994. The objective of the Convention is "...stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate systems..."

### **Vulnerability**

The degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes. Vulnerability is a function of the character, magnitude and rate of climate variation to which a system is exposed, its sensitivity and its adaptive capacity.



## **Annex II: RELATED LEGISLATION AND DOCUMENTS**

In alphabetical order, here we enlist the empowering and related legislative documents (e.g. acts, regulations, standards), national and county government policies, guidelines or committee terms of reference that together form a suite or framework for a specific policy matter. These authoritative references will enable readers to understand the policy and its context.

They include;

The Constitution of Kenya – 2010

The Climate change ACT 2016 of Kenya

The National Climate Change Response Strategy (2010)

The National Climate Change Action Plan (2012 -2017)

Embu County Environment Management Act 2015

Embu County Water Act No. 15 of 2015

Embu County Public Participation Act, 2015.

Environmental Management and Co-ordination Act, 1999 (Cap. 387)

Nationally Determined Contributions

UNFCCC- National Adaptation Programme (2015 – 2030)

National Environment Policy 2014,

Traffic Act,

Energy Bill 2015

Draft Forest Policy 2015.

Charcoal Regulations (2009) of Kenya

The Forest Conservation and Management ACT (No. 34 of 2016)