



# LMARTIN PEOPLES' BIOCULTURAL COMMUNITY PROTOCOL

2024

# LMARTIN PEOPLES' BIOCULTURAL COMMUNITY PROTOCOL (BCP)

*Cover photo: Amaiya Valley facing Nasur Sipanoni*

*Photo by Lmartin People's Association*



## **Disclaimer**

The Lmartin Peoples' Biocultural Community Protocol unequivocally clarifies that the document does not incorporate the perspectives of the Nkaitaakine clan. It emphasizes that the content and provisions within the protocol are formulated independently of the views, opinions, or contributions of the Nkaitaakine clan. While acknowledging their existence and recognizing the challenges they face in self-identifying as part of the broader Lmartin community this disclaimer serves to prevent any misinterpretation or assumption regarding the representation of the Nkaitaakine clan's stance within the protocol, ensuring transparency, scope and accuracy in its portrayal of the Lmartin peoples' collective biocultural heritage.



Testament to our shared traditions, wisdom,  
environmental protection, and heritage  
preservation for future generations.

Photo: Amaya valley taken from a distance

Credit: Lmartin People Association

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## **PREFACE**

A bio-cultural community protocol is a term that covers a broad array of documents generated by communities to set out how they expect stakeholders to engage with them. These documents may refer to customary as well as national or international laws and affirm their right to be approached according to a certain set of standards. It articulates information, customary laws, and traditional authorities to help external stakeholders to better understand the community's values and customary laws. BCPs provide communities with an opportunity to focus on their development aspirations vis-a-vis their rights and to articulate for themselves, and for users, their understanding of their bio-cultural heritage and, therefore, on what basis they will engage with a variety of stakeholders in dealing with their bio-cultural heritage

The Lmartin peoples Bio-Cultural Community Protocol document serves as a collective guide, emphasizing the vital connection between our traditional knowledge, sustainable resource utilization, access and benefit sharing, and the principle of free, prior, and informed consent. Our rich traditional knowledge, honed over generations, forms the cornerstone of our community's identity. The stories told by the wind, the footsteps imprinted on sacred grounds, and the age-old rituals that dance with the seasons - all embody a profound ecological consciousness that has sustained our community for generations.

These pages contain principles that underscore equitable access to resources and the just sharing of benefits derived from our traditional knowledge. We emphasize the importance of mutually respectful collaborative approach of all stakeholders involved ensuring that decisions impacting our community are made collectively, with transparency and understanding.

As stewards of our environment, we strive to preserve our heritage while promoting harmony with nature. This protocol reflects our commitment to safeguarding our unique way of life and ensuring a balanced, respectful relationship with the world around us as we navigate the challenges and opportunities of our changing world.

This protocol is a testament to our commitment to harmonizing modernity with our age-old wisdom. May it guide us in navigating the intricate web of tradition, ecology, and progress, ensuring a future where our community thrives in harmony with the nature and those around us.

**Ronald Lelekoitien**

**Executive Director**

**Lmartin People's Association (LPA)**

## **ACKNOWLEDGEMENT**

We would like to extend our heartfelt appreciation to Lmartin community for their generously sparing time on to participate in whole project implementation process. Your valuable contributions and insights were integral to the success of the dialogue, and your commitment to addressing the crucial issues discussed is truly commendable.

Special thanks to the Lmartin People's Association for their leadership and dedication in spearheading this initiative, ensuring that the voices and aspirations of the community are heard and respected throughout the process.

We are immensely grateful to the Yiaku Laikpiak Trust for their partnership and unwavering support, providing essential guidance and resources to facilitate the protocol's creation and implementation.

Our heartfelt appreciation goes to the Siemenpuu Foundation for their generous funding, which has enabled the realization of this vital project and the empowerment of the Lmartin community.

We acknowledge the invaluable legal expertise provided by Kihoro kimani & Associates Advocates, whose expertise and assistance have been instrumental in navigating the legal complexities involved in the Lmartin biocultural community protocol development process.

Furthermore, we recognize and appreciate the involvement and contributions of other stakeholders, including Ltungai community conservancies, Olkeju Osira Wrua water resource users association, community representatives for persons with disabilities (PWDs), as well as local, county, and national government bodies. Your collaboration and partnership have been crucial in fostering a holistic approach to biodiversity conservation and community well-being.

Lastly, we express our gratitude to God for His blessings and guidance throughout this journey, as we strive to safeguard the cultural heritage and biodiversity of the Lmartin community for present and future generations.

## **ACRONYMS**

|        |                                                                |
|--------|----------------------------------------------------------------|
| ABS    | Access and Benefit Sharing                                     |
| ART    | Article                                                        |
| BCP    | Bio Cultural Community Protocol                                |
| CBD    | Convention on Biological Diversity                             |
| CBNRM  | Community Based Natural Resource Management                    |
| CBO    | Community-Based Organization                                   |
| EMCA   | Environmental Management and Coordination Act                  |
| FPIC   | Free, Prior Informed Consent                                   |
| IIED   | International Labor Organization                               |
| ILC    | Indigenous and Local Communities                               |
| KNBS   | Kenya National Bureau of Statistics                            |
| NGO    | Non-Government Organization                                    |
| PIC    | Prior Informed Consent                                         |
| PWDs   | Persons with Disabilities                                      |
| TEK    | Traditional Ecological Knowledge                               |
| TK     | Traditional Knowledge                                          |
| UNDRIP | United Nations Declaration on the Rights of Indigenous Peoples |

## **INTRODUCTION:**

The Lmartin People of Samburu is a small Ethnic indigenous hunter gatherer community in Kenya whose origin is traced back to the Illaikipiak Maasai. As the true guardian of the Ntim Nariko forest we the Lmartin people through this BCP state that all the information contained in this documentation is a true reflection of our origin and true identity. We also pronounce that this protocol serves as a testament to the profound interconnection between our traditional knowledge, cultural heritage, and the delicate ecosystems we inhabit.

Through this bio-cultural protocol, we strive not only to safeguard our unique identity but also to cultivate equitable access and benefit-sharing practices that will nurture the resilience and prosperity of our community and its biodiverse surroundings

## **OBJECTIVE**

This protocol aims to revitalize, safeguard and preserve the Lmartin people's traditional knowledge, culture, and heritage, emphasizing on fair and equitable Access and Benefit-Sharing mechanisms; ensure community's sustainable development, foster the conservation of biodiversity, safeguard the integrity of our ancestral territories and foster our resilience.

### **Necessity for Lmartin People's BCP development and documentation**

The need for restoration and preservation of the rapidly weakening and disappearing culture and way of life for the Lmartin people (Ltorobo) due to assimilation by the dominant Samburu community prompted the onset of our venture to self-identification through developing and designing the Lmartin people's bio cultural protocol. Over the years the Lmartin peoples have developed their own unique culture, way of life, environmental and cultural management system with an undocumented history of every family from the time of exodus. Due to the fact that the entire history and culture of the Lmartin Community is completely undocumented, formed an important basis for us to embark on a journey of self-recognition by documenting our systems of self-governance and self-management that have been developed and implemented over many generations, underpinned by customary laws, traditional knowledge, values, beliefs, norms, myths and taboos. This, though a big step, will only be the beginning of our community's journey to revive our culture, language and fight for recognition our identity as a community in Kenya, adopt sustainable mechanisms to enhance our self-determination capacity and sovereignty hence validating our rights as the custodians of our unique surrounding and its biodiversity.

### **The development of Lmartin People's BCP aims to fulfill the following outlined reasons:**

1. Recognition and identity: This BCP is a true reflection of our community's norms and cultural identity for our sovereignty, self-determination, recognition and protection of our human rights.
2. Preservation of Traditional Knowledge and cultural revitalization. This BCP serves as a platform for our community to safeguard our resources and associated knowledge from being pirated by documentation of unique cultural heritage while addressing contemporary issues such as environmental conservation, resource management, and community well-being.
3. Ecological Stewardship. This will be a stepping stone for us to develop sustainable resource management strategies that align with our traditional practices.
4. With the documentation of our BCP, we, Lmartin people will become aware of our customary rights over the use of biological resources and traditional knowledge.
5. The collective documentation of knowledge on traditional uses of plants, animals, and other resources is vital in maintaining our heritage for the future generations.

6. ABS from genetic resources and associated traditional knowledge. This BCP will be a tool to ensure that the benefits of local bio resources and traditional knowledge accrue to us when access is granted to external actors like, (Film makers, companies, government agencies, researchers, and conservation organizations) and that benefits are shared in an equitable manner.
7. Resilience and Adaptation in the face of environmental changes.

### **Methodology:**

- Conducted community dialogues to understand the community's traditional practices, ecological knowledge, and cultural values.
- Engaged in participatory approaches, involving community members in the co-creation of the bio cultural protocol.
- Questionnaires
- Key informant interview on TK and bio resources
- Collaborate with local leaders, elders, PWDs, and community stakeholders to ensure inclusivity and cultural sensitivity.
- Utilize interdisciplinary methods, involving experts in anthropology, ecology, sustainability, and community development.
- Community meeting: Capacity building forums, knowledge café, buzz groups and community transect walk



Lmartin Community Members attending BCP sensitization meetings where the views/inputs and opinions of the community were gathered for BCP documentation  
Photo credit to Lmartin Peoples' Association (LPA)

## **OUR PROFILE**

### **This is a short insight into the history of the Lmartin people;**

The Lmartin of Samburu are a group of people bounded by together by lifestyle, religion, cultural expression, interest, traditions, common resource use as well as geographical settlements. They inhabit Ntim Nariko forest that stretches across Samburu and Laikipia which is part of Lerroghi forest in Lorroki division Samburu County Kenya. According to the Kenya's 2009 housing population census the Martin people is estimated to be about 10,000 (KNBS, 2010). Of these, 5,000 resides in Amaya location while 3,000 are based in Longewan location and 2,000 are based in Suguta Marmar Location.

The term Lmartin is derived from the area they inhabit (Martin e Loongewan), a high altitude area that stretches to Samburu and Laikipia Counties. It also represents various small groups of communities (clans) whose roots can be traced back to the Illakipiak Maasai. History has it that during the great Maasai Wars the Laikipia Maasai were so badly defeated and decimated that the remnants scattered far and wide, as they scampered for safety. Many were received and accepted by the communities they ended up in others were assimilated by the communities they ran to for refuge and lost their traditions and identity.

For the remnants of Laikipiak who venture towards the Lorroki plateau in Samburu inhabited areas the reception was not friendly and as a result of the hostility they were forced to inhabit the forests and ekeed their living from hunting and gathering, the Samburu branded them Ltorobo (Dorobo) loosely used to mean a poor person without livestock.

The small clans mentioned above are:

- 1) Lmarmar
- 2) Lorukoti
- 3) Remoto
- 4) Supukia
- 5) Nkaitaakine

### **Migration and settlement**

The Lmartin people are Maa speakers who originated from Illaikipiak Maasai after the great Maasai war. They are neither Samburu nor Maasai due to their distinctive way of life. Unlike the fore mentioned who were pastoralists, the Lmartin had a unique lifestyle shaped by their dependence on the forest ecosystem as their dwelling place, source of livelihood and cultural practices.

Departing from the semi-arid plains of Laikipia, they Moved along Waso Ngiri River passed Loisaba towards Samburu, crossing borders and diverse landscapes they reached and occupied rocky/valley/hills and escarpment Malaso valley to Amaya. As the community traversed the landscapes between Laikipia and Samburu, they encountered diverse environments, cultures, and communities. This movement fostered a rich exchange of ideas, traditions, and skills, contributing to the cultural diversity of both the departing and host regions. They adapted to the unique aspects of their new forest environment.

These group of Lmartin made of 4 sub clans: Lmarmar, Supukia, Remoto and Lorukoti upon reaching Amaya, they established temporary or permanent settlements, adapting to the local conditions and integrating with the existing social and economic structures. Supukia moved southward and settled around Abardere range, Subukia, Marmanet and Masitoi forest in Laikipia these are the remnants of the Lmartin people who dwells in laikipia; the bulk settled in Logorate Longewan.

Lorukoti and the other two sub clans settled along lorroki in Amaya and Malaso Valley. Lorukoti are the majority clan of the Lmartin community.

Before civilization they depended on hunting and gathering as well as bee keeping for livelihood, however they currently are peasant farmers who cultivate land, keep livestock, and practice modern bee keeping.

Remoto settled in Nodo Ajijik- tinga Later on the Lmarmar moved further and settled in low lands of Suguta Marmar location areas adjacent to the Sukuta Ol marmar spring and swamp seetling around Logorate and Nkutoto E lepere areas.

As they moved along these clans set up temporary campsites, usually consisting of simple shelters made from local materials such as animal hides, branches, or rocks.



BCP data collection meeting

Photo by Lmartin People Association

They were later referred as Ntorobo from Longewan and Nkutoto elepere who feed on honey by the Samburu and other neighboring communities due to their way of life and poverty levels ie they did not have livestock which was a sign of wealth and prestige by their hosts.



Women community meeting for BCP data collection

The Lmartin as Ntorobo are known for kindness and love for animals and forest.

(Photos by Lmartin People association)

## **TRADITIONAL KNOWLEDGE**

We Lmartin people had a rich traditional knowledge which has sustained us for thousands of years. Having a deep understanding of the nature world and how to relate with it. This knowledge has been passed down through generations, enabling them to thrive in their local environments as the steward of forest ecosystem.

### **Environmental Awareness:**

Our knowledge about the environment, including the behavior of animals, plant identification, and understanding weather patterns, is shared through direct interaction with our natural surroundings. This type of knowledge is often tacit and built through a deep connection to the land. Rich in ecological knowledge accompanied by dancing music and myths

Traditionally, we were hunter gatherers who only adopted pastoralism after assimilation to the Samburu people's way of life.

Areas of the forest that contained "Reteti" were marked sacred. Sacred trees were not allowed to be cut. Trees were preserved, only encouraged branch pruning, each individual had specific trees allocated to their family for hives in the forest.

The medicinal trees herbs were never cut. Depending on the part of the tree that was medicinal; if the leaves were required, they will only pluck the leaves, instances where the bark was used as medicine they only cut a part of the bark and allowed time for the very tree to grow before harvesting the same. As for the roots they only dug the shallow roots and left the deep roots of the tree to support the growth. Medicine harvesting was only done by expert herbalist for the serious illness however for common illnesses like flu, malaria and diarrhea most community members and especially the women knew the medicine and would harvest them at the point of need.

Dried branches were collected by women for firewood. In this respect women and children were not allowed to carry panga/machete while going to while going to fetch firewood, they only collected dead or dried woods for fire wood and dwelling structure construction.

Fires were not allowed outside the homes. Forest fire were highly punished

They harvested wild honey for food from the forest thus valued its existence. Sustainable honey harvesting was practiced; No harvesting honey belonging to another person

They co-existed with wild animals in the forest; hunting was done sustainably where only specific animals were hunted for food. Wild animals were hunted only for food and the pregnant or lactating wild animals was not killed this allowed continuity and sustenance.

It was a taboo to kill a group of animals with male among them. A male animal in a group of female signified mating thus killing it would have hindered reproduction. Similarly, a male animal signified protection to the other animals which were believed to be female.

There was specific season for hunting and the hunts will be preserved traditionally for future use especially during drought.

They identified different animals using different characteristics like sounds, smell, movements, color and poise.

Springs rivers and wells were treated as sacred places. They were valued and properly took care of the signified places where our gods dwelt, they were also places of worship, where wild animals drunk from and no one was allowed to dwell near these wetland areas.

## **Communication and Knowledge transfer**

### **Communication**

Traditional methods of communication were adapted to the specific needs and environmental conditions of our lifestyle.

Smoke signals was used to convey messages over long distances; fire was lit in open landscape and the smoke alerted the people in case there was an issue

Well abled morans were appointed as messengers who passed information throughout the community until it reached each intended member.

Men made horns and alarms that were blown to call for meetings during celebration as well as to alert people in case there was danger.

Women will ululate in case of danger

### **Knowledge transfer**

Oral tradition played a crucial role in passing down knowledge, stories, and practical information. Elders often shared their experiences, hunting techniques, and details about the environment through storytelling, myths, and legends. Myths, songs, and storytelling also served as a form of entertainment. Women shared personal experiences and their roles as women with their daughters to cultivate a culture of womanhood.

Learning occurred through hands-on experience, with younger people apprenticing under skilled hunters or gatherers. Practical knowledge, such as identifying edible plants, tracking animals, and using tools, is passed down from one generation to the next through direct observation and participation

Cultural rituals or rites of passage like marriage, initiation/circumcision, harvesting ceremonies or communal prayers often involve the transfer of knowledge from one generation to another. Initiation ceremonies included teachings on survival skills, ethical guidelines, and the spiritual connection between the community and their natural ecosystem.

The spiritual and cultural aspects of honey harvesting and hunting and gathering often involve rituals and ceremonies. Knowledge related to these practices is transmitted through religious or sacred events, reinforcing the connection between the community, nature, and their way of life.

Community held Barazas for Age sets, Morans and elders

Currently they used the governing authority Chief to pass information

### **Traditional food preservation methods**

We preserved our hunt for future use through various traditional methods some which are still done to date. These methods are:

Sirika/Sureeni (Sun drying)– this is where the meat was cut into strips and dried under the sun and stored. This kind of meat was eaten without cooking. The method is still used to date.

Bene – this is a bag made from skin that stored meat

Big cool dark wooden container basket made of skin from animal Ltaam used to store honey

Fruits were preserved and stored in a calabash

Adding salt to the meat to drain water

Used pipes made from tree that preserve honey





Lmartin's people's Artifacts

Photo by LPA



## OUR TERRITORY AND BIOLOGICAL RESOURCES

### Territory

Before colonial error we occupied Angata Rongai, Lorukoti, Suguta, Nasur, and Amayai we later settled and formed a Permanent residence in Suguta, Marmar, Logorate, longewan, Amayia and Nasur up to date.

Our territory stretches from Aberdea ranges to Suguta Marmar. All the way from Nkutoto Elepere Low lands to Longewan high lands. Most of our ancestors are believed to have dwelt and rested in Malaso escarpments the most forested areas of Samburu and the hilly areas of Amayia zone.

### Biological and other resources

Common indigenous plants and their uses

|             |                         |                                                                         |
|-------------|-------------------------|-------------------------------------------------------------------------|
| Loirien     | Olea africana           | Olive tree believed to be Holy sacred tree used for cultural activities |
| Lkukulai    | Rhamnus Staddo          | Cures various ailments and used for general body conditioning.          |
| Lmakutikuti | Clerodendrum myricoides | Treats S.T.I                                                            |
| Lgilai      | Teclea simplifolia      | Cure pneumonia                                                          |
| Lkisikongu  | Pappea capensis         | Medicine for circumcised boys                                           |
| Lkiloriti   | Acacia nilotica         | Added to soup for digestion                                             |
| Ledat       |                         | Acts as pain reliever                                                   |
| Lamuriai    | Carrisa Edulis          | Strengthen born formation and is used to treat joint ailments           |
| Lmisigiyo   | Rhus natalensis         | Used for stomach treatment                                              |
| Ichingei    | EucleaSchimperi         | Used to treat stomach ailments                                          |
| Lmorijoi    | Aconkathera schimperi   | Used to make poison for arrows used in hunting                          |
| Reteti,     | Ficus wakefieldii       | believed to be Holy sacred tree used for cultural activities            |
| Lakirdingai | Croton dichogamus       | Used to treat colds and flu                                             |

### Herbal trees and medicine

Seketet, lkukulai, mpopongi, Imakutikuti, lgilai, lkisik-ongu, lkiloriti, lamuriai, ledat, laimurunyai, sokoni, le-  
parmunyo, longoruai, nyirman, nkirenyi

### Common wild animals that were hunted

Nkinyanjur (rock hyrax) – Elephant (Lkanchawoi), Greater kudu (Imaalo) Warthog (mbitiro), Elands (Sirua), Impala (Ntarakwet), Zebra (Loitiko), gazelle (Nkolii), Buffallo (losowuan), Waterbuck (Lkuro), rhino (muny).

## **The fruits that were gathered**

Lpopoi, lamai, lamuriak, lngerio, nkomee, lgeriyioi, losira, lgormojoi, lamuriak, sanankur, inyalugai, lberetia, lainanda, nkasramirami lorrondo, l morijo, lpupuo-found in low lands

## **Wild animal human conflicts in the area**

Wild animals destroy crops, they kill domestic animals

Elephants destroys habitats, lions eat domestic animals/cheetah, buffaloes destroy crops, hyena eats goats



Our wild heritage



Wild fruit our traditional delicacy



Photos by LPA



An elder preparing to go hunting; our traditional livelihood

## **CUSTOMARY LAWS, AND SPIRITUALITY**

We had traditional rules and practices that governed our way of life, relationships, and interactions with the environment. These laws held significant importance as they provided guidance on everything from resource sharing, land use to conflict resolution and social organization. Passed down orally from one generation to the next, these laws are deeply rooted in the Lmartin community's cultural heritage. They serve as a foundation for maintaining harmony within the community and ensuring sustainable practices for protecting and preserving our natural resources. Our customary laws are upheld through storytelling, rituals, and community gatherings, where elders play a central role in transmitting knowledge and wisdom to younger generations, ensuring their continuity.

### **Spirituality**

They believed in the existence of one supreme being(Nkai) to whom they offered their prayers and respected ancestral spirits

#### ***Sacred sites and Spiritual places***

Lkitasinge, lakira falls

Springs Lkitasinge and Suguta Marmar Springs

Sacred trees – Reteti, Oloirien. where we prayed and offered sacrifices to our gods.

Sacred rivers – Amaiya

Caves: Nasur & Lakira

### **Our Spiritual practices**

Prayers and sacrifices were made under sacred trees

The non- sacred trees like the Morijoi were prohibited to sit under its shade during prayers and meetings.

Prayers were made separately for each gender

Elders (men) used to pray early in the morning before sunrise (Prayed first). The elderly men prayed at the main homesteads entrance

Early morning prayers by elderly Women were incanted while facing the Sun (East)- this prayer were made at sunrise after the men had prayed. Before prayers Women would pour the milk to the sky while facing sunrise during rainy season to thank God.

During dry season women would go to wetland areas like suguta spring, Lkitasinge and Amaiya river to ask for the rains from the gods. All prayers were made while facing the sun in some occasions holding grass.

Our women those not blessed with a child visited the Suguta springs for a special prayer called (Remore) – Barren woman would go there to sing where they believed was gods dwelling place where children come from.

Milk was poured to Lkitasinge and Suguta springs water for asking God for forgiveness in case of prolonged drought.

Areas of the forest that contained sacred trees Loirien or Reteti were marked as sacred. This part of the forest was where the elders prayed and offered sacrifices to our gods inside the forest.

### **Hunting**

#### **Our hunting Places**

Ntim O Siruai, Lepento, Loiya, Loirien, Ntim nariko, Siengole, Lengarpe where water is available and wildlife frequented.

## **Our traditional hunting practices**

Hunting was one of our main traditional sources of livelihood. We commonly hunted animals like elephants, impala, elands, antelopes, warthogs, water bucks, rock hyrax, hare etc. Hunters will use specific hunting techniques to lure their preferred wildlife from their hiding places as well as skillfully kill them. Tools that were used during hunting were the Lpunat (specifically for hunting elephants) bows, arrows, spears, arrows, swords and wooden clubs. Poison from specific poisonous trees (Lmorijsi) were used for hunting. The wind direction was a key weather element that aided in hunting. One had to go against the wind for their hunt not to notice their presence from their natural scent or odor. Some hunters smeared themselves with mud to have a natural earth smell so that animals could not detect or smell their presence. Some animal crossing your path while going for hunting indicated a bad omen. Birds like Ltilo's sound will notify them of bad or good that awaits them depending on the sound it produced.

Nashiridama (ant eater) was sign of good omen. Those who saw it lived longer, it symbolized long life.



Our hunting weapons  
Photos by LPA

## **Grazing zones**

Loiya, Lepento, Ntim O Siruai, Kao, Lengarpe, Lepento, Angata Lerai, Angata Barikoi, Angata Nairobi, Nasur, Amaiya, Morkomol.

## **How livestock rearing and grazing was adopted**

Lmartin as hunters and gatherers they hunted, killed and ate elephant meat, therefore they owned elephant tusks/ivory, The ivory they retrieved from the elephants was exchanged with from Samburu pastoralists and that's how they started keeping livestock; a life style they had admired for long. On the other hand, some members from the Lmartin community were employed as laborers to work for British farms during colonial era the little salaries/wages they were entitled to from their employer was received in the form of livestock from the British settlers' people thus the gradual adoption of pastoralism.

## OUR TRADITIONAL LIVELIHOODS

We the Lmartin people were traditionally hunter and gatherers and inhabited the forests but over time and with the rapid shrinking of the Forests ecosystem due to destruction and encroachment, we adopted a more sedentary form of live with many opting to copy livestock keeping predominant Samburu tribe that they have interacted with over time. Bee keeping has always been a livelihood source for the community. The most recent emerging form of livelihood sources include livestock keeping, subsistence crop farming, and poultry keeping.

### Bee keeping

Lmartin people were known bee keepers a practice which was transferred to generations. Bee keeping is still one of our main economic activity. Traditionally, bee keeping was done using traditional bee hives. Some occurred naturally in the forest; in hollow trees trunks, abandoned anthills, holes in the ground, inside caves or rocky crevices/spaces while others were hand made by drilling a hole in specific tree log.

Lmartin community held that

Bee keeping was of such importance that there are recorded

After the hive was made the owner will identify a specific tall tree within his territory to put his hive for safety purposes. The hives were cleansed using Lng'ilai leaves to attract the bees. They used a hook(Lkonjoor) and rope to climb tall tree to inspect and harvest honey. Ltaarge/Lkonjoor(Tall straight stick from olive tree was used to access honey from one tree to the next. Honey harvest was done depending on the availability of forage and vegetation and repeated harvest also depended on the forage and sometimes on the demand for the same.

Waited for flowering of trees the flowers weather

Made wood carvings in the forest as hives which were hanged on the tree

Hunted wild honey

They use smoke from firewood of specific trees (sankurkur, lpopongi) and also cow or elephant dung. After harvesting pure honey is stored in a big basket made of animal skin

The honey is put in a cool place away from direct sunlight

### ***Types of bee hives***

| Local Name                      | Description                                                                                                             |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| Lkidong E lmukonge              | This was made from soft trunk of Lmukonge tree. This tree made a very nice hive that easily attracted bees to colonize. |
| Ljig(rock catchments)           | Bees that Colonized spaces in between rocks                                                                             |
| Mulugi                          | Hollow crevices in trees trees owned by individual if you invade you are fined                                          |
| Lpopongi                        | Hives from logs – Lpopongi tree                                                                                         |
| Nkapune                         | Inside Caves                                                                                                            |
| Ltarakwai, loirien              | Log hives                                                                                                               |
| Lchuuchin (Abandoned ant hills) | Holes in the ground and abandoned ant hills.                                                                            |

## Types of honey

| Type                  | Description                                                           | Uses                                                                                                            |
|-----------------------|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Singiit               | Whitish /reddish honey its thick                                      | Was used basically as a sweetener and also as food                                                              |
| Lchangaro             | Honey mixed with lavae                                                | Was squeezed to produce milk (changaroo) that was fed to young children                                         |
| Ndikaso               | Pollen honey                                                          | For certain species of trees used as food and for others species for brewing beer others were used as medicinal |
| Ltupuko               | Empty honey combs                                                     | Used to lure or attract bees to new or un--colonized hives                                                      |
| Lmergweet             | White honey with sweeter taste specifically from croton tree's nectar | Was used basically as a sweetener and also as food                                                              |
| lkingei               | Pollen honey                                                          | Was used basically as a sweetener and also as food and also for brewing alcoholic drinks                        |
| Ririoi                | Pure creamed honey                                                    | Was used basically as a sweetener and also as food                                                              |
| Nkenkei naisho naibor | clean honey                                                           | Was used basically as a sweetener and also as food                                                              |

## The Honey guide

The honey guide was and it still is very important for the Lmartin honey hunters, the honey guide is very accurate in the identification of where bee colonies are located and is also documented to be able guide even honey badgers to bee colonies.

The Lmartin people devised ways of encouraging the honey guide to lead them to multiple bee colonies, this is achieved by ensuring that once the honey guide leads them to a bee colony they take all the hive products. By leaving nothing for the honey guide, the honey guide is prompted to lead them to other bee colonies.



## **SUSTAINABLE NATURAL RESOURCE MANAGEMENT:**

### **Our traditional way of forest management and conservation**

The forested areas and hills were divided into sections and named into family names where the particular family was given authority to protect, conserve their specific region. The elected elders from each clan managed and enforced traditional laws on forest management. These were opinion leaders and gave direction to the whole community.

They preserved trees, they did not cut trees encouraged branch pruning, they had specific tree hives for individual in the forest

They harvest wild honey for food from the forest thus valued its existence No harvesting honey belonging to other person After harvesting bees no fire left

They valued and took care of wetlands and seasonal rivers

The hunting was done sustainably where only specific animals were hunted for food. Hunting and the hunts will be preserved traditionally for future use especially during drought.

The medicinal trees herbs were never cut they only harvested the part that was used for treatment like leaves, barks or roots.

Parents will share the TEK to their children to encourage forest conservation

They discouraged forest fires; No one was allowed to light fire outside the homestead and more so in the forest. Forest fire were highly punished through a council of elders.

Sacred trees were not allowed to be cut they signified presence of supreme being

Women and children were not allowed to carry machetes they only collected dead or dried woods for fire wood and dwelling structure construction

No one was allowed to live inside the forest

Selected Men (moran) were identified to patrolled and monitor the forest for safeguard

Selected group of elders formed forest committee management who spearheaded conflicts on forest resources were shared arbitrary during community meetings and amicable solutions were reached

They had formulated by laws protect forest

Warnings were given to forest offenders through community meetings by the elders and those who failed to heed from the warning were cursed out of the community There were set punishments in case one failed to adhere to forest conservation laws Fines were issued on anyone that destroyed the forest or harmed wild animals

### **Ecological norms**

Rich in ecological knowledge accompanied by dancing music and myths

No deforestation

They co-existed with wild animals in the forest

There were sacred trees that were never cut

No living next to water sources

No killing of lactating wild animals

It was a taboo to kill a group of animals with male among them

They sustainably hunted wild animal for food



Community cultural festive season



Craftsmanship of Lmartin architecture;  
Traditional House



Our traditional bee hive

## OUR CULTURAL HERITAGE

### Our Cultural identity

Unlike our neighboring pastoralist community of Samburu and Illaikipak Maasai, we resided along forest areas where we depended on hunting and gathering as well as bee keepers for sustenance. We entirely fed and depended on wild animals, wild fruits and wild honey

**Dressing:** The Lmartin people adorned in skins (Lemwati Nkejek) Lkilani, Lkiripan, Muna and they wore copper ornaments on their neck and beaded skin on their ears. We also tied beads on our children hands.

**Wear nderr** - a skin of small animal that lived in caves the same animal was hunted for food

**Language:** We the people of Longewan and Nkutoto Elepere are Maa speakers however our pronunciation/accent differ from the normal Maa accent and we have specific words identified to the Lmartin people:

**Naming:** Our naming is unique and different from our

| Samburu    | Lmartin    | English            |
|------------|------------|--------------------|
| -Tamata    | Tooko      | Drink              |
| - Ngeriyoi | Loirien    | Olea Africana tree |
| - Lgarab   | Olbitir    | Warthog            |
| - Ltome    | Olkanchaoi | Elephant           |
| - Loitiko  | Oloitiko   | Zebra              |
| - Sere     | Reyiet     | Riverine           |
| - Suur     | Sanag      | Thicket            |
| - Mijooni  | Olmuate    | Deserted homestead |
| - E serian | Supa       | How are you        |

\* For the Samburu Eserian is a general greeting for all, but in Lmartin Supa is specific for male greeting and Eserian is for the female gender.

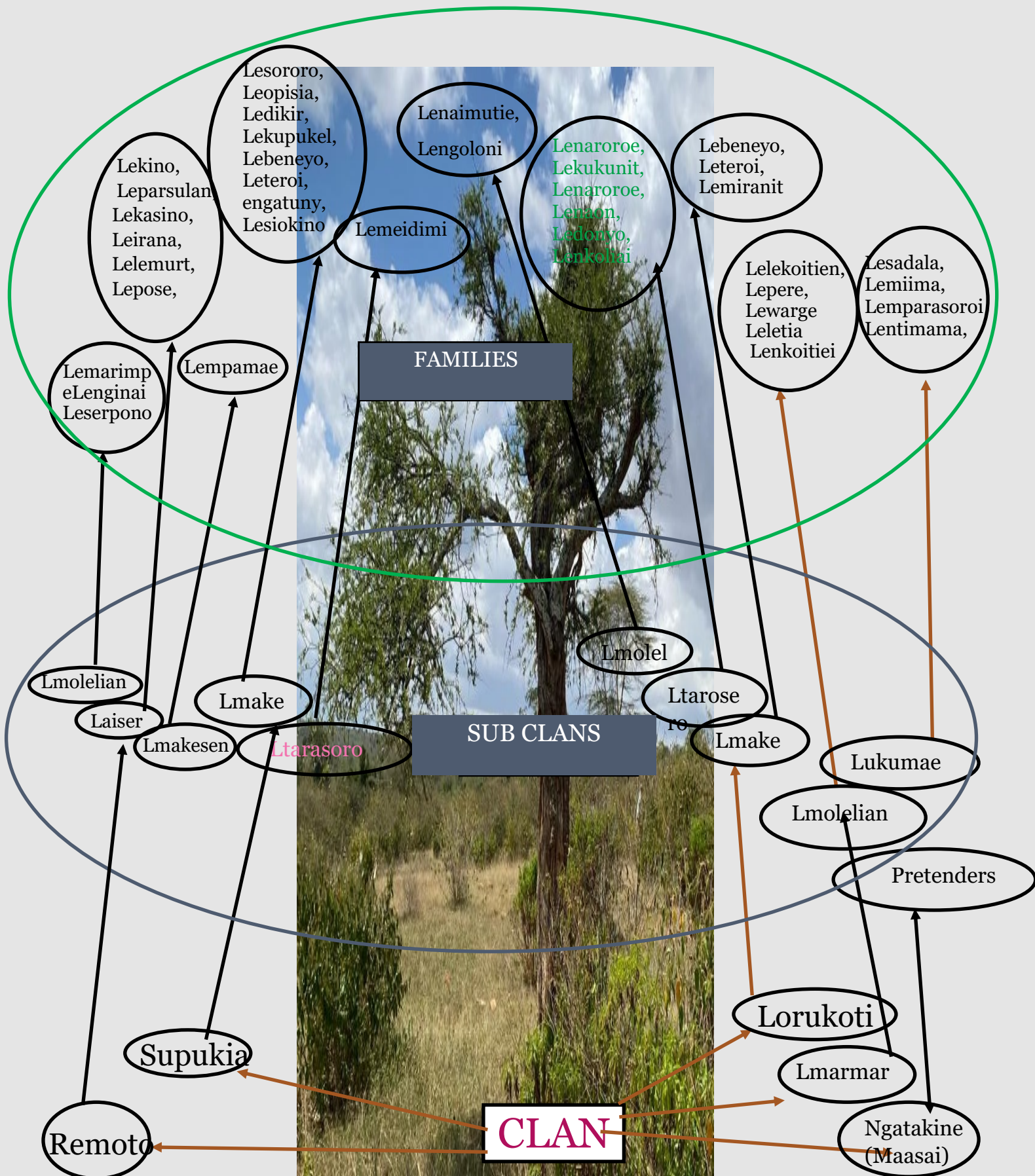
neighboring communities. Names were given by women at birth, these names were validated and blessed by the elders at the child first birth day through a community cultural ceremony.

**Spirituality:** We prayed early in the morning while facing East (the Sun)

**Livelihood:** We owned unique hunting weapons and used poisoned arrows and bows for hunting wild animals. We gathered fruits, roots and backs for food. We also harvested wild honey as our main source of food.

## SOCIAL CULTURAL PRACTICES AND CUSTOMS

## Our family tree



# Social roles

## ***GENDER ROLES AND NORMS***

### ***Elders***

Custodian of culture. Head of the community. In the past elder act as shield to community. Elders also formulate policies that guide and control both ages; men, women, youth/moran and children. Enforce law and order in the community. Decision making and dispute resolution. Spiritual leader blesses the children and curse the offenders. They share baraza and community dialogues

Played a game called ntotoi as they discussed of how to take care of the community

### ***Men***

Head of the family. Decision makers in the house hold. Disciplined the family offenders. Hunting and gathering of wild animals and fruits for the family, Bread winners, Provide food and protection to women and children. Own family wealth including wife and children

### ***Women***

Take care of children and their husbands in the homestead. Assistant family head, Bear children and look after them. Collect firewood and fetch water. Look after home. Building huts. Make beads and customary ornaments. Prepare food for the family. Alert men in the community of any dangers(scream) They decorate morans and girls

### ***Youths/morans***

Security armed with bows, arrows and spears to protect both livestock and community against attack from enemies. They hunted wild animals such as buffalos, rhino and other animals. Eyes of the community. Entertain community during festivities

### ***Children***

Look after livestock. Help in house hold chores. Currently they help in agricultural activities. Children are believed to come from god therefore anybody within the society have authority to send child in case there is a need.

## **Rite of passage**

### ***Child birth and naming***

The child owner(man) had initial preparation; they brought animal oil, honey and tobacco. Women announce the child birth (kitoishote 4 times)

***Kitiishote Nabo, Kitiishote are,***

***Kitiishote uni, Kitiishote ong'uan***

If the boy is born in absence of the father, on return the father will act as if the child is his enemy. The mother will take the child outside the home stead, the father will approach the son and pretend to shoot him with an arrow(it was a form of mock fight), then father will enter the house first before the mother takes the child inside the house.



Lmartin children

Children were given first name by women which is a nickname, at the child's first birthday the ceremony is prepared where the elders gather and validate given name by the women or give a different name to the child and bless the name.

### ***Initiation/circumcision***

The circumcision ceremony was organized by elders during the rainy season following the phases of the moon. Both girls and boys were previously circumcised. Lmartin community seized girl circumcision after it was abolished by the Kenyan government.

### **Phases of the moon**

***1<sup>st</sup> phase (Are Lapa) New moon ceremonies can only be held on 4<sup>th</sup> day after the new moon.***

***2<sup>nd</sup> phase moon is overhead***

***3<sup>rd</sup> phase moon facing sun rise***

***4<sup>th</sup> phase (Sopiain) Full moon cultural celebrations are held.***

The boy is sent to an age set to seek permission for initiation. The elders give an okay to the ceremony before its commencement. The extended family start building huts.

The boy kills the bird

Brewing of local liquor (nemugushoe)

Singing songs for the boy (Leborta) Given skin

They bring calves and the boy is Shaved (neronyi) and a black cloth (Shuka) is fitted to him.

The elders who will hold the boy's legs and back and the boy is asked if he has crossed the line (ikirekenyi)

Singing continues to 4pm and the boy is taken to nearby water source and come back to initiation

There is water placed outside that is poured on his head and he is initiated

The circumcised boy was not allowed to interact with women until they graduated to be morans.

### ***Age Sets***

| Age Sets (Men)     | Age group | Role in the community                                                                                                                                                                                                                                                                                     |
|--------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ltwat              | 1875      | Deceased Age Set which is now part of the Lmartin community's ancestry, with all its members having passed on.                                                                                                                                                                                            |
| Ltareto            | 1890      |                                                                                                                                                                                                                                                                                                           |
| Ltiyieki/Lkileku   | 1900      |                                                                                                                                                                                                                                                                                                           |
| Lmekuri/Lkishenkop | 1915      |                                                                                                                                                                                                                                                                                                           |
| Lkimaniki          | 1925      | Are considered as senior Elders and their main role is ensuring adherence to the Community traditions and way of life. They guide during traditional ceremonies. They also act as the final decision makers in matters conflict resolutions. On blessing and cursing they are considered the final level. |
| Lkiramati          | 1935      |                                                                                                                                                                                                                                                                                                           |
| Lkishili           | 1949      |                                                                                                                                                                                                                                                                                                           |
| Lnyibolu           | 1962      |                                                                                                                                                                                                                                                                                                           |
| Lkitoip/Lkiroro    | 1976      | Are considered young Elders and play a critical role in guiding the conduct of the younger generations and ensuring that they conform to strict discipline in line with what the community expects them to do. They also bless and curse if need be.                                                      |
| Lkilorit/Lmeoli    | 1990      |                                                                                                                                                                                                                                                                                                           |
| Lkishami           | 2005      | These are warriors who defend the community. They look after animals. Lkishami have been allowed to marry while the Lkisieku are still considered young morans and not allowed to marry. However, Lkishami provides reinforcement to Lkisieku in case of community defense.                               |
| Lkisieku           | 2019      |                                                                                                                                                                                                                                                                                                           |

## Marriage

One was not allowed to marry from their clan. The Boy's family looked for suitable girl for their son. they send a message to the girl's family and later goes for negotiations.

Women from the boy's family gave the girl a copper ornament chain (Lpisiai) to indicate and engagement and a symbol of the girl belonging to their son and no other man could propose to her. Women come carrying honey in the guards the very honey will be used to brew liquor. The men of the girl's family will gather and talk about the family that want to marry their daughter. If the man is considered suitable for their girl, they give an okay and the boy's family gave a part of their hill (Ldonyo) to the girl's family so that they would own and harvest all the honey found on given area.

After assimilation to the Samburu way of life; the girl's family requests for certain number of cows, the boy's family comes with said number of animals as dowry.



## **Death**

The dead were applied oil from Buffaloes (Lowowan) and Eland(Suruai) wrapped in a skin and leaves then laid under olive tree shade and left for wild animal to feed on. People feared death and it rarely happened, if it did it was mostly on elderly people and small children. After the death of a family member, the entire family will relocate to a new dwelling place because of fear for the dead.

Morning of the next day the corpse is taken to the nearby bush to be eaten by wild animals

Today people mourn the corpse stays in the house overnight and buried the following day. They celebrate and the family members are shaved after one month

## **Cultural norms**

Tied some beads on children hands, putting some grasses on top of house

During death of a relative people used to shave their hair

Men(elders) were the ones who gave blessings and cursing

Circumcision was done for both male and female

Young men don't eat alone

Men had traditional ceremonies called Mayian where they prayed for each other

Barren women were given a baby boy to get a child. The boy would bring blessing to the homes and the house will be blessing with a child of their own

They dwelt around rocky places and forest where they got food ie honey and wild animals

Children greeted the elders by bowing their heads

## **Myths &Taboos**

It is a taboo to inherit a brother's wife

It was a taboo for disabled person to be a leader in the community

When a boy child is sired (nkerai eleyioni)

Some animals were considered a taboo if they entered the house eg hyena,bull and Ltilo

Killing of an innocent person who is not an enemy of the community

Associating with a person who killed someone from same clan was a taboo

The corpse

Lngeriyo – olive tree was considered a taboo to sit under it's shade

Their children could not drink tea but took milk

The girls were not allowed to enter their fathers house and not allowed to greet their fathers directly bow down their heads

Killing was prohibited and the perpetrators were not allowed in peoples homestead or community until a sheep was killed in the forest and you are smeared with sheep oil from the very sheep and "moyog"

## **The place of PWDs in community**

Traditionally the community did not embrace the PWDs and there was a perception that it must have been because of bad omen.

## **COMMUNITY GOVERNANCE AND DECISION-MAKING:**

### ***Traditional system of governance***

During precolonial period we were led by a Council of elders consisted of members selected from different families who were believed to have leadership attributes. This council was headed by Lerikani who was considered the most powerful man in the community and he headed a committee of for leaders in the following categories: Laiguanani Loringa who led a group of elders followed by Laiguanani Lpayiani who was in charge of men, Leguanani lolmuran (warriors) who led the morans and the Leguanani loloyiok who was in charge of the uncircumcised boys. Women and children were never given leadership positions. The Clan has family heads that led together with council of elders. The Family heads were responsible for enforcing laws and orders in their clans. Elders made all decision pertaining to the community as well as solving conflict arising in the community. Discipline was ensured among the young and elders Women had their own representative who aired out the issues affecting them before the council of elders.

In colonial era we were led by hierarchical structure of leaders that was headed by a paramount chief, council of elders and other social groups of leaders. The first chief was called Leratia Lesadala from the Lmarmar clan. Laiguanani Paramount chief – represented the four clans and was inaugurated at the Rumuruti grounds the paramount chief worked hand in hand with the community Messenger- loiguanak Kangai.

Currently we are led by a council of elders consisting of a leader from each age groups/set who are responsible for enforcing traditional laws and order. We are also under leadership structure of Kenyan government; National government-county and Nyumba Kumi in the community.

### ***Our procedure of Self -management***

The paramount chief was responsible of administration of the community and was highly respected by both elders and morans. Elders organize community with the help of paramount chief for self-management

The council is composition of selected head of families or clans

The resources are shared equally

Warriors were mandated to secure properties of locals

We embracing of unity, peace and love among the community

The governing council was responsible for making laws to and enforcing them

The Leratia managed the community through barazas and was elected by community elders.

### ***How leaders were elected***

Leaders were selected by elders who carefully analyzed and identified individuals from families known to have leadership skills according to their good deeds and humble way of life.

The elders then called for community meeting/baraza and listened to the opinions of the rest of the community members about the selected individuals. They will then come to mutual understanding and agreement whichever is agreed on by the elders during the baraza will carry the day.

### ***Leadership qualities***

The following traits were keenly analyzed before one was elected to be a leader in the community by elders'

Good mobilizer, courageous, resilient, respectful, good orator, knowledge of their ecosystem, physical strength, humility, integrity, charisma, and decisive.

## **How conflicts were resolved in the community**

The conflicts within the extended family members were discussed and resolved within the family by the elders of the family. If the mediation failed, the issue will be handed to the community council of elders who will call for an open community Baraza, presided over the conflict through negotiation and persuasion and make a final decision about the conflict.

Conflicts involving other community members or external parties; the whistle was blown to alert the community incase conflict arises

Elders met and had a lengthy discussion with the conflicting parties on the conflict issue through Persuasion, mediation or reconciliation and come to a way forward depending on the outcome of the discussion.

After the conclusion elders called for a community baraza and the offender was fined according to their deeds. In most cases, the offender was instructed to brew local liquor for the elders to drink or hunt an animal that was slaughtered and eaten by elders.

Forest offenders were summoned by the community council of elders in a community meeting. Depending on the magnitude of



Elders in a conflict resolution meeting



Women in conflict resolution meeting

the offence the offender will be asked to brew a local liquor (Naisho Suguro) for elders to drink. The offender will also be given warning not to repeat the offence. If the person does not heed to the warning and continuously repeat the offence the elders will perform a special ceremony to curse the offender; the elders curse was the worst of all punishments in some instances the cursed individuals ended up dead in 3 days' time.

## **THE DEATH OF LMARTIN MOTHER(Lmartin tale)**

The mother of Lmartin was too old and her children wanted to eliminate her so they decided to pretend that each one of them want to take her the day of migration. When the day came, each child held her hand and said "I am taking my mum" the others did the same and they kept on pulling and pushing her side to side' the mother felt loved by her children. The pulling continued until she eventually died thinking it was out of love. None of the children was cursed!

"A home without a woman is like a forest (Ntim) without flowers". Goes Lmartin Saying.



Two of Lmartin community's old and very resourceful women

Celebrating the resilience and



## **RELATIONSHIP WITH OUR LAND**

We the Lmartin people are deeply interconnected with our land, this is where we call home. The land not only provide resources for our economic activities but also holds significant cultural and spiritual value, forming an integral part of our identity and way of life. Our land is an essential resource for our livelihoods and cultural identity. We have a deeper understanding of the ecosystems we inhabit, fostering sustainable practices that balances our needs with environmental preservation.

The forest was center of our existence. Trees were respected. The sacred trees could not be approached unless there was a cultural celebration, there were those whose shade one could not sit under; these trees connected us spiritually to our supreme being and ancestors. The approximate land cover for Lmartin community is 19,000 hectares.

Before colonial era our land was ours, we could hunt sustainably from our Ntim Nariko. It was our source of honey and wild fruits, each hill carried our wealth, we proudly identified our self with our land. However, this delicate balance is increasingly threatened by external forces such as deforestation, climate change, and encroachment, posing challenges to both our well-being and the health of the land we inhabit. Recognizing and respecting our rights to our ancestral lands is essential for fostering conservation efforts and ensuring the preservation of these invaluable connections for future generations.

### **NTIM NARIKO**

Ntim Nariko forest is a dry forest with open grasslands; it is one of the remaining dry forests comprising of trees and shrub savannah covering 6,000 acres. The forest covers the highlands of Longewan stretching to the lowlands of Amaiya, Nasur and Suguta marmar. The Location of Ntim Nariko forest stretches across Samburu and Laikipia which is part of Leroghi forest in Lorroki division Samburu County Kenya. The Lmartin community has solely inhabited Ntim Nariko forest and watched over it for centuries, as their only ancestral home and source of livelihood as a hunter-and-gatherers community.

The community with the cooperation of Ltungai conservancy management that borders the forest manages the forest.

The ecosystem acts as a vital passage for wildlife between the arid lands of Laikipia, Samburu and Pokot and the elevated regions of the Aberdares. Furthermore, it supplies essential resources for our community, including sustenance and materials for survival. Additionally, it offers diverse livelihood prospects such as livestock grazing, ecotourism, beekeeping, and traditional honey harvesting, deeply intertwined with our medicinal, spiritual, and cultural practices over generations. Under Kenya's laws, forests are possessed by the Kenyan government and typically managed by the Kenya Forest Service (KFS), as stipulated in the Forest Act of 2005.

We have lived along the Ntim Nariko forest since time immemorial and have seen much of our land stolen and we being evicted by our neighboring communities the Samburu and Pokot. Some parts of these lands were turned into other Protected Areas.

1992 the Pokot fought, defeated and evicted us from Nasur, our displaced ancestors moved to Amaya leaving the Pokot to occupy the then fertile Nasur location. 1995 those who moved back to Nasur were also evicted. They then settled in Amaya.

In 2005 they experienced another clashes from the Pokot they were displaced and moved to Longewan. 2006 happened the worst of all clashes (Munjo); the Pokot needed to expand their territories and create space for resources of their livestock. The displacement of the Lmartin people has been continuous to date. As we pen the pages of this BCP we still face evictions and insecurity in our land has been rampant. The Pokot have taken over our land and the Nasur Location is occupied by the Pokot despite having an Lmartin as the local chief of the area. Both the county, and the national administration of our entire community operates in Longewan center because of the insecurity in the area.

## **Land ownership**

There are 3 group ranches( Namely Logorate, Longewan A, Longewan B (NASUR) in the Lmartin community. We have transitioned from community ownership of land to individual ownership with 2 group ranches (Logorate and Longewan A) Sub divided into individually owned parcels of land and acquired land title deeds but majority of us have been evicted from our land and we no longer stay on them. As a community majority of us live in dire conditions, landless and dependent on others, or turned into 'beggars.' Due to unending attacks from the Pokots who are in search of resources, land for expansion and settlement.

## **OUR ECO—CLIMATIC ZONES**

LMARTIN community has four different categories of eco-climatic zones inside Ntim Nariko forest as follows:

### **1. ANGAT ZONE-**

This characterized by Open grassland and plains with no or very few trees. i.e Angata Lerai are characterized by mild to high temperatures as well as moderate rainfalls.

### **2. NTIM ZONE**

These are characterized by thick thickets trees and shrubs that have thick not easily penetrable that has richness in biodiversity in form of trees, shrubs and wild animals. i.e Ntim Nariko.

### **3. OLORUKO ZONE**

This is characterized by a mid-escarpment with a mixture of hilly and flat landscape with hot and humid temperatures.

### **4. ARATA ZONE**

Arata zone - Comes from a high area and is sloppy descent towards the lowland can also be a place where water stagnates is characterized by sloppy depressions and lowlands within the area that fall in mid hills.

### **5. LTIRIMIN ZONE**

These are valleys that are characterized by mild to high temperatures as well as moderate rainfalls.

Ltirimini- These are drifts and ravines intertwined with valleys that have mild to high temperatures with moderate rainfalls. i.e Amaiya valley

## CALENDAR OF EVENT ASSOCIATED WITH OUR DIFFERENT SEASONS

Our yearly calendar was stipulated to suit different cultural events and weather patterns. Honey harvesting mostly done in August and October

Circumcision – Lekuju orok was done when there was plenty of honey. Was mostly done in June of every year for both boys and girls. It was believed to be a clean month with both plenty of food and a lot of honey harvest from the forest. The event was also done by following the four phases of the moon until it disappears.

During the Eclipse of the moon- all community celebrations were halted because we believed that month to be unclean after the death of the moon

### ***Mutai (Story of draught)***

Long long time ago, far end of Ntimu Nariko where the founding fathers of the Lmartin people resided, an enemy attacked! The unending scorching sun that hit our forefathers' forehead turned our endowed land into a shadow of former self. There were no buffaloes to hunt, no wild fruits to gather. The buzzing sound of the bee was a sound to be hold; the precious friend the bee was nowhere to be seen. Our fine forest shaded all its green leafy leaves; only whispers of wind and clouds of dust was witnessed at that time. The cries of the starving children and women were heard from a distance. The men were emaciated, you could count the ribs bones on their chest from as far as East is from the West. Deaths were uncountable and the people turned to feeding on the skins of the animals they had hunted which were their clothing and bedding; they eventually had none left to wear, they walked naked. The elders thought the calamity had befallen them and the gods were offended because they failed to protect their Ntimu Nariko from their enemies. They gathered and swore to protect the sacred places in the forest. They held a communal prayer ritual to the gods. There after they felt the first drop of rain on their foreheads. The cries and allusion of joy from women were heard in the air; the gods had heard our forefathers' prayers. It rained! and our Ntimu Nariko was restored. There has never been any greater disaster in our Land like the Mutai that befall our founding fathers.



Lmartin plain grass land during dry season

## SEASONS

1. Lamei - Dry season
2. Nkakuai - Onset of rains
3. Lgergerua and Lorikine form Lari - Long rains
4. Lpuusani) - Short dry season
5. Ltumuren - Short rains

## SEASONS

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                              |                                                   |                                                                                                                                                                                                                                                                                           |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SEASONS</b>                       | Dry season - Lamei                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Onset of rains ((Nkaku-ai)                                                                                        | Long rains - lari                                                                                                                                                                                                                                                                                                                                                                            | short dry season Lmorusasin/ Lpuusani)            | Short rains - Ltumuren                                                                                                                                                                                                                                                                    |
| <b>MONTHS</b>                        | Jan Feb March                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Last 4days of March                                                                                               | April(Nkakuai), May (Ng'eng'erua), June/ July(Lorikine)                                                                                                                                                                                                                                                                                                                                      | August, September                                 | Oct, Nov, Dec                                                                                                                                                                                                                                                                             |
| <b>ACTIVITIES DONE TRADITIONALLY</b> | <p>January Kara obo-</p> <p>Indicated by clear sky with no clouds. No movement of birds</p> <p>People migrated to a specific place with ripe honey due to presence of some flowers</p> <p>Hunting and eating preserved foods ie honey, meat and fruits</p> <p>Ltaam (store honey in bags used)</p> <p>Migration to search for greener places</p> <p>Dry grass and wells . Excess heat</p> <p>Preparing tools and weapons for hunting</p> <p>Sharing communal resources and strengthening social bonds.</p> | <p>It begins in march with a four days' rain followed by windy dusts and mowing of he-goat.</p> <p>Cloudy sky</p> | <p>Hide in caves, preparation of beehives</p> <p>harvesting of honey</p> <p>Wild fruit and mushroom gathering</p> <p>very green</p> <p>Small trees emerge from ground</p> <p>Hunting small game like rabbits and birds.</p> <p>Drying and smoking and preserving excess meat from the hunt.</p> <p>Gathering and storing herbs for medicinal use.</p> <p>Gathering and preserving fruits</p> | <p>Rain with stones was experienced in August</p> | <p>Harvesting (a lot) of honey and storing for use during dry season</p> <p>Intensive hunting of fat wild animals and preserve for use during dry season</p> <p>Gathering fruits, nuts</p> <p>Construction or repair of shelters.</p> <p>Storing surplus resources in communal caches</p> |
| <b>CULTURAL ACTIVITIES</b>           | Communal prayers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                   | <p>Circumcision of both boys and girls</p> <p>Marriage</p>                                                                                                                                                                                                                                                                                                                                   |                                                   | Cultural events like marriage                                                                                                                                                                                                                                                             |
| <b>ACTIVITIES DONE CONTEMPORARY</b>  | <p>Migration to new places in search of water and pasture</p> <p>Death of livestock</p> <p>Land preparation for farming</p>                                                                                                                                                                                                                                                                                                                                                                                | Not predictable                                                                                                   | <p>Flowering of trees (rankau&amp;nkomei)</p> <p>Moving back home</p> <p>Planting weeding</p> <p>Breeding of animals</p> <p>Plenty milk production</p>                                                                                                                                                                                                                                       |                                                   | <p>Harvesting of farm produce</p> <p>Breeding of animals</p> <p>Grazing in the forest/land</p>                                                                                                                                                                                            |
| <b>CULTURAL ACTIVITIES</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                   | Boys initiated                                                                                                                                                                                                                                                                                                                                                                               |                                                   | Cultural events                                                                                                                                                                                                                                                                           |

## **COMMUNITY DEVELOPMENT AND WELL-BEING:**

### ***Milestone in changing times***

We, the Lmartin people have experienced significant changes in our way of life and have transitioned to practicing small scale farming, livestock keeping, and bee rearing. This transition represents a shift from traditional hunter gatherer lifestyles to settled agricultural practices. We have settled into permanent or semi-permanent villages. We also own land individually. This transition occurred due to various factors such as changes in environmental conditions, population growth, poverty, and the influence of external cultures.

Domestic bee rearing has become a common practice, with communities keeping beehives for honey production at homestead using modern bee hives. Beekeeping serves as both a food source and a source of income through the sale of honey and related products.

Agriculture has become a central activity, with the cultivation of crops such as grains, vegetables, and fruits. This shift has allowed for a more reliable and stable food supply. We now engage in livestock keeping, raising animals like cattle, goats, sheep, and poultry for, meat, milk, trade and other products. Settlement has led to changes in social structures, with a more permanent and defined community life.

Our children go to school to get the white man's education and girls are also educated. Most marriages are by choice (few arranged marriages) the family no longer decides who the children will marry, however they still give suggestions.

FGM was illegalized and girls are not circumcised. Women are given leadership positions in both community and government institutions. We go to hospital for medical issues that are beyond our local herbalists.

Community based eco-tourism where we provide people visiting our community with unique and authentic experiences while contributing to the preservation of natural resources and the empowerment of local communities.

The conservation nature of the forest is by community forest scouts who patrol the forest and monitor the sustainable use of the forest resources by the community within and around the forest areas. The community also engage in forest utilization activities like bee keeping and concerted effort to promote tree planting both at individuals household and community level

Northern Rangeland Trust (NRT) through community conservancy manages the forest.

### ***This is our preferred development path***

Domestic bee rearing, livestock keeping, poultry farming and bead work are necessary economic activities that will ensure our continued existence as a community.

Education and capacity building

Representation in county and national government,

Fighting female genital mutilation

In order to maintain the unique relationship between the community and the forest for sustainability we will:

Uphold traditional way of life and prayer, respect sacred trees.

Elders to re-introduce old community rules to govern the forest in partnership with Kenya Forest Service.

Creating awareness on forest conservation and climate change mitigations through community barazas

***We the Lmartin people have learned the following lessons from earlier development initiatives***

The need to ensure there is balance between the cultural rights of Lmartin people and the forested, water catchment areas so that one side should not be rendered vulnerable

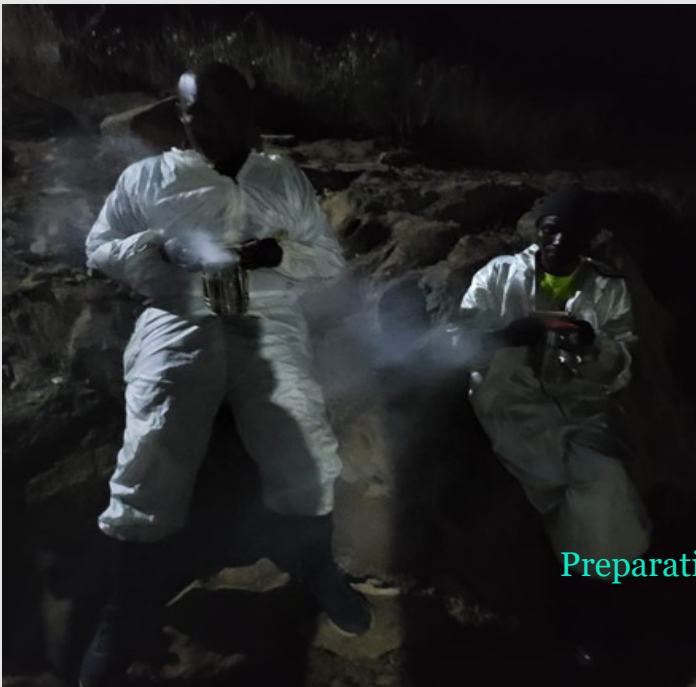
The government authorities to involve the community in decision making for long term solutions

Deforestation, forest cultivation and charcoal burning should be reduced in order to save primary forest.

Introduction of traditional policies protecting the remaining primary forest should adhered

To conserve our culture and traditions





Preparation for honey harvesting



Pure Comb honey from Lmartin People Bee hives. Lmartin are traditionally bee keepers and have embraced the modern bee keeping technologies for enhanced production and environmental conservation.



Bottled processed honey ready for labelling, this is a product of the Income generating activity venture that Lmartin people have ventured into to diversify their income sources.



## COMMUNITY AGREEMENT AND COMMITMENT

The Lmartin Bio-Cultural Community Protocol serves as a foundational document that will establish a collective effort to harmonize traditional knowledge, cultural values, and ecological practices with contemporary legal and ethical frameworks at county, national and international levels. It represents our understanding and commitment among us regarding the sustainable use, conservation, and equitable sharing of our bio-cultural resources.

In this respect, through this BCP we have outlined the principles, rights, and responsibilities governing the interactions with external entities, and how it will contribute to the overall well-being and resilience of the community and the environment.

Through this Agreement, we the Lmatin people of Samburu delineate guidelines for responsible resource management, ensuring that the exploitation of natural resources aligns with cultural values and ecological sustainability.

*In Lmartin Bio-cultural Community Protocol, we outline the principles and rights enshrined in County, National, and International legal frameworks as follows:*

### **1. Access and Benefit Sharing (ABS):**

We the Lmartin community develop ABS agreements that outline the terms under which external entities can access and use the community's traditional knowledge and biological resources within our ecosystem. We specify that we are entitled to fair and equitable benefit-sharing mechanisms, including financial and non-financial benefits related to and access to our TK and biological resources.

We base our argument on the following legal framework for support:

The conservation of biological diversity (CBD), emphasizes the sustainable use of its components, and the fair and equitable sharing of benefits arising from the utilization of genetic resources.

CBD Article 15: of CBD addresses access to genetic resources and the fair and equitable sharing of benefits arising from their utilization.

The Nagoya Protocol emphasizes the need for mutually agreed terms (MAT) regarding the access and utilization of genetic resources. In this case, the external entities would negotiate terms that define how benefits will be shared. This may include monetary compensation, technology transfer, capacity-building initiatives, or other forms of benefit-sharing.

Benefit-sharing: If the external entities develop commercial products (medicines, agricultural products, etc.) based on the genetic resources or traditional knowledge obtained from our community, a fair and equitable share of the benefits should flow back to the community. Our community be recognized for their contribution as well as gain tangible benefits from the utilization of our resources and knowledge.

Compensation and Benefit-Sharing in accordance to (Article 32) of CBD: If the project does proceed, the Lmartin community should be fairly compensated for any adverse effects on our lands and resources. Additionally, there should be mechanisms in place for benefit-sharing, ensuring that our community gains from any economic activities related to the project.

### **2. Free, Prior, and Informed Consent (FPIC):**

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is an international agreement that aims to promote the conservation and sustainable use of biological diversity. It specifically addresses the fair and equitable sharing of benefits arising from the utilization of genetic resources, with a focus on ensuring that benefits reach the providers of these resources, including indigenous and local communities.

Prior Informed Consent (PIC): Before accessing the genetic resources or traditional knowledge of our community, the external entities must obtain our informed consent. This involves transparent and mutually agreed-upon negotiations between the external parties and the Lmartin people, ensuring that we understand the implications of providing access.

When it comes to decisions that affect the Ntimu Nariko, we have the right to participate in the decision-making processes at the national, county and local levels. This includes decisions related to land use, resource management, and environmental conservation.

International Labor Organization (ILO) Convention 169:

The principles of ILO Convention No. 169, which Kenya has ratified, concerning the rights of indigenous and tribal peoples. Emphasize the need for free, prior, and informed consent in any development projects that may affect the indigenous community. **Article 5** emphasizes the importance of consulting with indigenous and tribal peoples through appropriate procedures, in order to obtain their free and informed consent before implementing measures that may affect them. This includes decisions related to the use of their traditional knowledge.

***This is how we want to be consulted***



In our case, we, the Lmartin community have traditional knowledge about the uses of certain plant species for medicinal purposes, cultural practices, or other applications.

If researchers or companies from outside expresses interest in accessing this traditional knowledge and genetic resources for research and commercial purposes. They should implement a process that ensures the community's free, prior, and informed consent before any external entities engage in

activities that may affect our traditional knowledge or

resources.

- \* The external entity must seek permission from relevant government ministry and other relevant authorities ie ministry of Wildlife, culture and heritage, NEMA, National government of Kenya and County government of Samburu/Laikipia.
- \* The company must engage in a comprehensive consultation process with the Lmartin community, providing all necessary information in a culturally appropriate manner.
- \* Obtain the free, prior, and informed consent of the Lmartin community before proceeding with the project.
- \* Implement measures to mitigate potential negative impacts on our lands, resources, and traditional practices.

## **Representation**

Our Biocultural Protocol outlines a straightforward agreement within our community on securing representation in both county and national government. This agreement operates within legal frameworks to ensure our community's voice is heard and respected at all levels of governance. We call upon both the county government of Samburu and national government of Kenya to protect and promote our interests and rights to ensure our equitable participation, recognition, and empowerment within governance structures, thereby fostering inclusive decision-making processes that honor our cultural heritage and rights as a community. These rights are outlined in Article 119, 120 and 174 of Constitution of Kenya:

Article 174—Devolution is a key feature of the Kenyan Constitution, and it allows for the decentralized governance of various functions, which can empower local communities, including indigenous ones. This is relevant for indigenous communities as it allows for local governance structures that may better address their unique cultural and development needs. The article states: (a) promote democratic and accountable exercise of power; (b) foster national unity by recognizing diversity; (c) give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them; (d) recognise the right of communities to manage their own affairs and to further their development; (e) protect and promote the interests and rights of minorities and marginalized communities;

Article 119 - County Assemblies: mandates county assemblies to enact legislation to ensure that the interests of marginalized groups, including indigenous communities, are taken into account in the county's planning and development. Article 120 - County Executive Committees: requires county executive committees to reflect the diversity of the county, including the representation of marginalized groups. This provision can be instrumental in ensuring the inclusion of indigenous perspectives.

Article 100 outlines affirmative action principles, particularly in regards to representation in Parliament. It stipulates that Parliament shall enact legislation to promote the representation in Parliament of women, persons with disabilities, youth, ethnic and other minorities, and marginalized communities. This legislation is aimed at ensuring that these groups are fairly represented in Parliament, reflecting Kenya's commitment to diversity, inclusion, and equal participation in governance.

## **Community Capacity Building**

This agreement incorporates provisions for capacity-building initiatives within the community to enhance our ability to engage in negotiations, protect their rights, and manage their resources sustainably. Promote education and awareness programs to empower community members about their rights and the importance of preserving their bio-cultural heritage. The Lmartin people shall have the right to appropriate training and capacity building and access of information regarding our biological resources. This right is supported by:

Article 17 of the CBD focuses on the exchange of information among parties to the Convention, particularly regarding the status and trends of biodiversity. This provision emphasizes the importance of sharing information relevant to the conservation and sustainable use of biodiversity.

The Nagoya Protocol on capacity-building and Technology Transfer: encourages the transfer of relevant technologies to the provider country or community. In the case of the Lmartin community, this could include providing training and technology transfer to enhance our capacity for sustainable resource management, ensuring that we can continue benefiting from our resources in the long term.

United nation Declaration on Rights of Indigenous Peoples (UNDRIP) Article 13 highlights the right of indigenous and tribal peoples to design and implement their own educational systems and programs. This can include the incorporation of traditional knowledge into formal and informal education.

Wildlife Conservation and Management Act, 2013 provide support for capacity building initiatives within indigenous communities to enhance their participation in wildlife conservation and management activities.

## **Traditional Knowledge**

In recognition of the invaluable contribution of traditional knowledge held by our community, we, the Lmartin people, hereby affirm our unwavering commitment to safeguarding and preserving this cultural heritage. Through this BCP, we pledge to uphold the rights and dignity of our community, ensuring our traditional knowledge remains protected from exploitation, misappropriation, and unauthorized use. Through this community agreement, we also pledge to ensuring its continuity for future generations. Furthermore, we wholeheartedly endorse the implementation and enforcement of laws and regulations that uphold our rights as indigenous peoples and safeguard our collective intellectual property rights, such as patents, trademarks and cultural expressions.

This right is reinforced by:

CBD Article 8(j): Traditional Knowledge, Innovations, and Practices of Indigenous and Local Communities. Article 8(j) of the CBD specifically addresses the traditional knowledge, innovations, and practices of indigenous and local communities. It emphasizes the importance of respecting, preserving, and maintaining this knowledge. Article 10(c) underscores the need for ensuring that traditional knowledge, innovations, and practices of indigenous and local communities are taken into account in relevant biodiversity conservation and sustainable use policies. It explicitly acknowledges the role of indigenous and local communities in the conservation and sustainable use of biodiversity.

World Intellectual Property Organization (WIPO) Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge, and Folklore: This initiative aims to protect traditional knowledge, including that of indigenous communities, from misappropriation and unfair commercial use.

ILO Convention 169 on the protection of traditional knowledge. Article 8: recognizes the right of indigenous and tribal peoples to maintain their own social, economic, cultural, and spiritual practices, including their traditional knowledge. In addition, Article 17 recognizes the unique cultural heritage of indigenous and tribal peoples, including their traditional knowledge, and calls for measures to respect, preserve, and promote this heritage.

## **Our land**

We the Lmartin community hereby declare that we assert our inherent rights to our ancestral lands and territories. We affirm our commitment to protect and preserve these lands for present and future generations. We stand united in our determination to assert our sovereignty and self-determination over our lands, resources, and way of life. This declaration serves as a reaffirmation of our Indigenous rights and as a testament to our ongoing struggle for justice, recognition, and respect. We also call upon the County and National government of Kenya to uphold article 26 and article 19 of UNDRIP:

Article 26 of UNDRIP states:

1. Indigenous Peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 19 further states that “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them”.

We put an emphasize that government consultations with the Lmartin community for the purpose of obtaining their Free Prior and Informed Consent (FPIC) on any matter affecting our land and resources.

## **LEGAL AND REGULATORY FRAMEWORKS:**

Through thoughtful collaboration and adherence to established legal principles, we seek to empower our community, foster sustainable development, and forge enduring partnerships rooted in mutual respect and benefit-sharing through the following legislations:

### **NATIONAL FRAMEWORKS**

#### ***Constitution of Kenya, 2010:***

The Constitution of Kenya, promulgated in 2010, contains several provisions recognizing and protecting the cultural rights of indigenous communities, including hunter-gatherer communities.

Article 11 - Recognizes the diverse cultural heritage of the people of Kenya. It acknowledges the promotion of all aspects of Kenya's diverse culture, including traditional values and institutions. It emphasizes the promotion and protection of all forms of traditional knowledge and practices, including the cultural rights of indigenous communities.

Article 44 -Specifically mentions the right of communities to enjoy their cultural practices, and this is particularly relevant to indigenous communities. Guarantees the protection of cultural and environmental rights. It acknowledges the right of every person to a cultural life, including the right to participate in the cultural life of their choice.

Article 69 - Provides for the representation of marginalized groups, including minorities and indigenous communities, in elective bodies. This provision ensures that the voices of indigenous communities are considered in the political sphere.

Article 170 - This article recognizes the role of customary law in the legal system of Kenya. It allows communities to use, apply, and teach their customs and traditions.

Article 46 - Indigenous communities often have unique knowledge systems. This article recognizes the right of every person to access information held by the state or by another person and required for the exercise of any right.

Article 159 recognizes and promotes traditional mechanisms for dispute resolution, including those based on the customs and traditions of indigenous communities. It recognizes the authority of traditional systems of justice in resolving disputes, provided that they do not contravene the Bill of Rights or any other provision of the Constitution

Article 232 –Outlines the values and principles of public service, including the recognition of diversity and the need to promote and protect the interests and rights of marginalized communities.

Article 201 further establishes the National Values and principles of Governance. It includes recognition of the diversity of the people of Kenya and promotes the values of human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination, and protection of the marginalized.

Article 260 - According to this article, a "community" refers to any group of people who have "a common language, traditions, and cultural or religious beliefs, and who regard themselves as being one community." It emphasizes the importance of self-identification and shared characteristics.

In this regard we the Lmartin people fits this definition by factors such as our language, traditions, cultural and religious beliefs which is within the context of the Kenyan Constitution.

Article 63 of the Constitution of Kenya relates to community land, recognizing the rights of communities to own, manage, and control their land in accordance with their customs, traditions, and practices. Sub-article (1): This sub-article states that community land is vested in and held by communities identified on the basis of ethnicity, culture, or similar identity.

Sub-article (3): This sub-article requires the state to recognize and protect the rights of communities to their ancestral lands and to guarantee their rights to own property and to access justice. Sub-article (3) outlines the principles for the management and use of community land, including equitable access to land and the sustainable utilization of natural resources.

Resolution of Community Land Disputes: Sub-article (4) provides for mechanisms for the resolution of disputes concerning community land, including through arbitration, alternative dispute resolution mechanisms, or the courts. Sub-article (7): It states that land held by communities shall be treated as public land for the purposes of this Constitution and shall not be disposed of except in accordance with the provisions of this Constitution and any legislation enacted by Parliament.

Article 56 of the Kenyan Constitution addresses affirmative action to address the needs of marginalized groups. It outlines provisions for representation in elected bodies, state appointments, and public service. Additionally, Article 100 outlines affirmative action principles, particularly in regards to representation in Parliament. It stipulates that Parliament shall enact legislation to promote the representation in Parliament of women, persons with disabilities, youth, ethnic and other minorities, and marginalized communities. This legislation is aimed at ensuring that these groups are fairly represented in Parliament, reflecting Kenya's commitment to diversity, inclusion, and equal participation in governance. Article 27 emphasizes the principle of equality and non-discrimination, which includes provisions for affirmative action.

### ***The Community Land Act, 2016***

The Community Land Act, 2016, focuses on recognizing and protecting the land rights of communities, including indigenous communities. It acknowledges and recognizes the customary land rights of indigenous communities, emphasizing the historical connection these communities have with their traditional lands. As per the act, Kenya establishes a system of community land registers to document and formalize the land rights of indigenous groups. The Forest Guardians create their register, providing evidence of their historical occupation and use of the land. The provision further outlines the process for the registration of community land, including requirements for documentation and participation by community members.

### ***The Wildlife Conservation and Management Act, 2013***

The Wildlife Conservation and Management Act of 2013 includes rules that encourage people living near wildlife areas to get involved in protecting animals and their habitats. This means local communities can have a say in how wildlife is managed and can benefit from conservation efforts. It promotes cooperation between these communities and government agencies to ensure that wildlife is protected while also considering the needs and interests of the people living nearby Kenya Forest Service Act, 2016:

Section 33 of the Kenya Forest Service Act, 2016, outlines the establishment of Community Forest Associations (CFAs). Under this provision, CFAs are formed for the purpose of promoting community participation in the sustainable management of forest resources. The section specifies that CFAs shall consist of members representing communities living adjacent to or depending on forest resources, with a mandate to collaborate with the Kenya Forest Service in managing forests sustainably. CFAs are tasked with various responsibilities, including but not limited to, forest conservation, monitoring and reporting on forest activities, promoting environmental education, and fostering community engagement in forest management initiatives. Additionally, the section delineates the procedures for establishing CFAs, including the election of office bearers and the formulation of constitutions governing their operations, thereby providing a legal framework for community involvement in forest management efforts across Kenya.

The Act therefore provides the Lmartin community the rights to be involvement in sustainable resource management of Ntim Nariko forest which we have been traditionally protecting and conserving for sustainable use.

### ***The Environmental Management and Coordination Act (EMCA)***

The Environmental Management and Coordination Act (EMCA) of 1999 is a Kenyan legislation that provides for the conservation and management of the environment and for connected purposes. Chapter 3 of the Act includes provisions that recognize the importance of bicultural community protocols for indigenous and local communities. These protocols outline traditional knowledge, practices, and customary laws related to environmental management and conservation. EMCA acknowledges the rights of these communities to participate in decision-making processes concerning natural resources and ensures their inclusion in environmental management plans.



*Lmartin Youths showcasing their traditions during the Kenya minority's day celebration at BOMAS of Kenya*

*Photo by LPA*

## **INTERNATIONAL FRAMEWORKS**

The Lmartin community outlined in this Biocultural Community Protocol (BCP) acknowledges the following principles and rights derived from international legal frameworks:

### ***United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP):***

This declaration recognizes the rights of indigenous peoples to maintain and strengthen their own institutions, cultures, and traditions. It emphasizes the right to self-determination, including the right to freely pursue their economic, social, and cultural development.

(Article 3): The Indigenous peoples have the right to determine their own economic, social, and cultural development. This means that decisions about their way of life, hunting and gathering practices, and community development should be made by the community itself, respecting their cultural values. Right to Participate in Decision-Making (Article 18): When it comes to decisions that affect the Indigenous peoples, they have the right to participate in the decision-making processes at the national and local levels. This includes decisions related to land use, resource management, and environmental conservation.

Article 26 of UNDRIP states: "Indigenous peoples have the right to the lands, territories, and resources which they have traditionally owned, occupied, or otherwise used or acquired." It further states that the Indigenous peoples have the right to own, use, develop, and control the lands and resources they possess traditionally. This would protect their access to the forests and ensure that external entities respect their land rights.

Article 10(1): "Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned."

Article 19(1): "States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

(Article 11): The Indigenous peoples' unique cultural practices, including traditional hunting and gathering, should be respected and protected. This ensures that their cultural heritage is preserved, and they can continue practicing their way of life without interference.

### ***Convention on Biological Diversity (CBD)***

Kenya, as a signatory to the Convention on Biological Diversity (CBD), has made commitments to recognize and respect the rights of indigenous peoples in relation to biodiversity conservation. This includes acknowledging their traditional knowledge, innovations, and practices relevant to the conservation and sustainable use of biodiversity.

Kenya's commitment to the CBD involves ensuring the meaningful participation of indigenous peoples in decision-making processes related to the management of natural resources and biodiversity conservation.

Additionally, Kenya is expected to implement measures to protect the rights of indigenous peoples to their lands, territories, and resources, in accordance with Article 8(j) of the CBD which recognizes the importance of respect, preservation, and maintenance of traditional knowledge, innovations, and practices of indigenous and local communities. It explicitly acknowledges the role of indigenous and local communities in the conservation and sustainable use of biodiversity.

Article 10(c) of the CBD further emphasizes the sustainable use of components of biological diversity, taking into account traditional practices that are relevant for the conservation and sustainable use of biodiversity. Article 15 of the CBD emphasizes the importance of ensuring that benefits derived from the utilization of genetic resources are shared in a fair and equitable manner, particularly with the countries and communities that have traditionally conserved and sustainably used these resources and they should be in accordance with the prior informed consent of the indigenous and local communities.

## ***Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization:***

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is an international agreement that aims to promote the conservation and sustainable use of biological diversity. It specifically addresses the fair and equitable sharing of benefits arising from the utilization of genetic resources, with a focus on ensuring that benefits reach the providers of these resources, including indigenous and local communities. We, the Lmartin people has traditional knowledge about the uses of certain plant species for medicinal purposes, cultural practices, or other applications. Researchers or companies from outside the community who express interest in accessing this traditional knowledge and genetic resources for research and commercial purposes must obtain prior informed consent and mutually agreed terms before accessing our TK and genetic resources from our community and ecosystem.

### **Definitions:**

**Prior Informed Consent (PIC):** Before accessing the genetic resources or traditional knowledge from the Lmartin community, the external entities must obtain our informed consent. This involves transparent and mutually agreed-upon negotiations between the external parties and the Lmartin people, ensuring that we understand the implications of providing access.

**Mutually Agreed Terms (MAT):** The Nagoya Protocol emphasizes the need for mutually agreed terms regarding the access and utilization of genetic resources. In this case, the Lmartin people and the external entities would negotiate terms that define how benefits will be shared. This may include monetary compensation, technology transfer, capacity-building initiatives, or other forms of benefit-sharing.

**Access Benefit-sharing:** If the external entities develop commercial products (medicines, agricultural products, etc.) based on the genetic resources or traditional knowledge obtained from us, a fair and equitable share of the benefits should flow back to the community so that we are not only recognized for our contribution but also gains tangible benefits from the utilization of our resources and knowledge.

## ***International Labor Organization (ILO) Convention 169***

Acknowledging the principles of ILO Convention No. 169, which Kenya has ratified, concerning the rights of indigenous and tribal peoples. We the Lmartin people outline principles and rights under this legislation emphasizing on the need for free, prior, and informed consent in any development projects that may affect our community.

We base our focus on this convention which highlights the rights of indigenous and tribal peoples, including their right to participate in decision-making processes that may affect their rights on issues related to land rights, cultural integrity, and consultation and consent on matters that affect them. Article 7 recognizes the rights of indigenous and tribal peoples to decide their own criteria for the identification of their members. This includes the right to determine the ways in which their traditional knowledge is transmitted, developed, and maintained. Article 15(2): "The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management, and conservation of these resources." Article 16(2): "When the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent." (Article 6 and 15): When any development projects or policies are proposed in our territory, the proprietor of the project is obligated to consult with the Lmartin community before implementing any legislative or administrative measures that may affect us.

## CHALLENGES AND SOLUTIONS

### Our Local Challenges

We the Lmartin community faces various challenges: the struggle to maintain our way of life in a rapidly changing world where modern development and conservation efforts may not always align with our community's needs and customs. The following outlined challenges highlight the need for greater recognition of our rights, protection of our lands, and support for our sustainable way of life amidst changing times:

***Lack of recognition as a distinct community:*** As a community we are either grouped under the Samburu community, or the Laikipiak Maasai which has lead to marginalization and exclusion from decision-making processes, limiting access to essential resources and services in both national and county government of Kenya. This has also undermined our cultural identity and traditional practices, making it harder for us to preserve our way of life and pass down our traditional knowledge to future generations.

***Discrimination and marginalization:*** As a small community we face discrimination and marginalization from larger communities such as the Samburu, Laikipiak Maasai, and the Pokot, primarily due to our smaller population size and limited political and economic power. Despite sharing the same geographical region and often relying on similar resources for livelihoods, we are frequently excluded from decision-making processes and sometimes denied access to other essential resources. This marginalization perpetuates socio-economic disparities, with we the Lmartin people facing unequal opportunities for education, healthcare, and employment compared to our larger neighbors. Furthermore, cultural differences and historical tensions exacerbate these inequalities, as the dominant communities often view the Lmartin people as inferior or less deserving of rights and recognition.

***Culture abandonment:*** After being assimilated into the Samburu culture, many members of the Lmartin community have abandoned their own culture. This means they have stopped practicing their traditional customs, rituals, and language, and instead adopted those of the Samburu people. This shift often occurs because the dominant culture imposes its practices and beliefs on the smaller community, leading individuals to feel pressured to conform in order to be accepted. As a result, the unique identity and heritage of the Lmartin community are gradually eroded, and future generations may lose touch with their cultural roots.

***Land related conflicts:*** The Lmartin community land boundaries were revisited, leaving us with a significantly reduced portion of their ancestral territory which resulting in the displacement of people. This loss not only disrupted our way of life and cultural practices but also undermined our economic stability and access to vital resources such as water and grazing land. The injustice of such actions is compounded by the fact that the Lmartin community often lacks the legal and political mechanisms to challenge these land grabs effectively. As a result, they are left marginalized and disenfranchised, struggling to assert their rights and maintain their identity in the face of ongoing dispossession especially by the Pokot.

***Deforestation:*** Lmartin ecosystem is exposed to potential risk. The Ntim Nariko forest has been affected by human settlement and forest degradation (legal/illegal logging, forest fire, overgrazing, charcoal burning etc) and insecurity issues from the neighboring community especially the Pokot which has deterred rangers from Ltungai community conservancy from protecting and managing the forest.

***Insecurity:*** We the Lmartin community have faced frequent cattle raids by neighboring communities such as the Pokot and Samburu. These raids involve armed groups from the Pokot and Samburu coming into our territory to steal livestock, which is has been our main source of wealth and livelihood. The raids often result in violence, loss of lives, and destruction of property creating fear and instability among us.

This insecurity disrupts daily life, hampers economic activities, and undermines efforts to build a peaceful coexistence among the different communities in the region. Women are killed while fetching firewood, Children are left behind with no one to look after them, Increased cases of widows; husbands are killed during wars and raids, increased rape case some which goes unreported. People with disabilities faces extreme dangers during these raids, they cannot run for their life thus end up being killed or left with injuries, some are left at home with no one to look after them during displacement.

**Human wildlife conflict:** As forest dwellers we live close to wildlife habitats and rely on the forest land for food and livelihoods. We face many instances where animals like elephants, or baboons damage crops, attack livestock, or even hurt people, this has been a serious problem for our community. Sometimes, we may end up harming or killing these animals to protect ourselves and our resources, which has often lead to further tensions and negative impacts on the environment.

**Climate change:** Our seasonal calendar has become increasingly unpredictable and dry spells lengthen, forest resources have dwindled, making it difficult for us to sustain ourselves. The scarcity of water and declining vegetation has also lead to conflicts over limited resources, exacerbating tensions among our people and neighboring groups. Additionally, changes in weather patterns disrupted our traditional bee keeping practices, further challenging our resilience and adaptation strategies as the Lmartin community.

### **Proposed solutions and adaptive strategies**

- \* Advocating for official recognition as a separate and unique entity within the national and county governments of Kenya. This recognition would ensure that the Lmartin community has a voice in decision-making processes, granting us access to essential resources and services.
- \* External entities that want to use our bio resource as well as TEK should ensure our free prior informed consent in respect to our customary law is obtained before any decision is taken that affect our traditional knowledge or access is granted to our ecosystem. Additionally, they should ensure that we receive a fair and equitable share of the benefits arising from the utilization of our traditional knowledge and bio logical resources.
- \* Ensuring Natural water point and catchment areas are faced with electric fence and properly managed.
- \* To support initiatives that promote cultural pride and identity like having cultural exchange celebrations that includes programs that celebrate and preserve traditional practices, language, and customs.
- \* In partnership with the county and national administration our community should be involved in implementing measures to enhance security and promote peace on land related conflicts including increased policing, community dialogue and conflict resolution mechanisms, as well as initiatives to address underlying socio-economic grievances that fuel these conflicts. This includes advocating for fair and transparent land demarcation processes that respect our traditional territories and implementing policies and legal frameworks that protect Lmartin community land tenure and prevent the privatization of natural resources such as forests.
- \* Capacity strengthening of the community on sustainable land management practices and promoting alternative livelihood strategies like reforestation efforts, promoting drought-resistant crops, and introducing sustainable livestock management techniques to reduce pressure on natural resources and foster conservation practices that can mitigate the effects of climate change on the local environment
- \* Both local, county and national government should take measures to improve security in the area, including enhancing law enforcement and fostering dialogue and cooperation between the communities involved. Moreover, empowering local ranger teams from the Ltungai community conservancy to effectively protect and manage the forest is crucial, which may involve providing training, resources, and support to strengthen their capacity.
- \* Setting up of community forest management Committees in ensuring the conservation and sustainable use of our bio resources and traditional knowledge as well as collaborative approach involving multiple stakeholders, including government agencies, local communities, and conservation organizations, is essential to safeguarding the Lmartin ecosystem and restoring the health of the Ntim Nariko forest

## **Conclusion:**

The Lmartin community biocultural protocol encompasses a vision for our future, outlining aspirations and plans crucial for our well-being. Despite facing discrimination, conflicts, and the threat of evictions from neighboring communities, the protocol stands as a testament to our resilience and determination to preserve our cultural heritage and traditional way of life. Key points within the protocol emphasize the Lmartin community's deep connection to our land, the sustainable use of natural resources, and the importance of recognizing our rights and contributions to biodiversity conservation. Looking ahead, the vision is one of empowerment, where the community is recognized and respected, actively participating in decision-making processes that affect our lives and environment. Through the implementation of the biocultural community protocol, the Lmartin community's aspirations center around regaining recognition and respect for their identity and rights. We seek to secure our livelihoods, promote harmony with nature and foster peaceful coexistence with our neighbors, ultimately paving the way for a future where our rights are upheld, and our cultural identity thrives.



Lmartin elder Mr. Andrew Lelekoitien during one of the community transect walk.

## ***Glossary***

**Access Benefit-sharing:** The principle that benefits derived from the utilization of genetic resources or traditional knowledge obtained from the Lmartin community should be shared with the community in a fair and equitable manner.

**Ancestral Lands and Territories:** Lands and territories traditionally owned, occupied, or used by the Lmartin community, with inherent rights asserted over them for present and future generations.

**Bio-Cultural Protocol:** A document or set of guidelines that integrates biological and cultural elements, often created collaboratively with community input, to manage and preserve natural resources while respecting cultural traditions.

**Biological resources:** refer to the diverse array of living organisms and genetic materials found within Lmartin ecosystem, including plants, animals, microbes, and fungi that are integral to the cultural heritage, traditional practices, and livelihoods of the Lmartin people.

**Buzz Groups:** Small groups within Lmartin(Clans) tasked with brainstorming on BCP to generate ideas and insights.

**CBD (Convention on Biological Diversity):** An international agreement aimed at promoting the conservation and sustainable use of biological diversity while recognizing and respecting the rights of indigenous peoples in relation to biodiversity conservation.

**Climate Change:** Changes in weather patterns and environmental conditions, including unpredictable seasons, prolonged droughts, and declining vegetation, affecting the Lmartin community's traditional livelihoods and resilience.

**Community Forest Management Committees:** Committees responsible for the management and conservation of community forests.

**Community Barazas:** Public meetings headed by arear Chief where community members discuss issues of importance and make decisions through consensus-building and dialogue.

**Community-Based Eco-Tourism:** involves initiatives by Lmartin community in providing authentic cultural experiences while promoting conservation and sustainable development.

**Community Stakeholders:** Individuals, groups, or organizations with a vested interest or stake in the well-being and outcomes of the community.

**Cultural Heritage:** Refers to the traditions, customs, beliefs, practices, and artifacts that are passed down through generations within the Lmartin community.

**FGM (Female Genital Mutilation):** practice of partially or completely removing the external female genitalia for non-medical reasons.

**Forest Scouts:** Community members tasked with patrolling and monitoring forest areas to ensure sustainable use of resources and prevent illegal activities.

**Free, Prior Informed Consent (PIC):** Involves transparent and mutually agreed-upon negotiations between external parties and the Lmartin community before accessing their genetic resources or traditional knowledge.

**Human-Wildlife Conflict:** Conflicts arising from interactions between humans(the Lmartin People) and wildlife,

**Land-related Conflicts:** Conflicts over land ownership, boundaries, and resource access, which the Lmartin community faces due to disputes with neighboring communities and historical injustices such as land grabs and displacement.

**Lmartin People's Association:** A community organization or group within the Lmartin community dedicated to representing the interests of its members.

**Ltungai Community Conservancies:** community conservancy group involved in the Forest management.

**Mutually Agreed Terms (MAT):** Terms negotiated between external entities and the Lmartin community regarding the access and utilization of genetic resources, ensuring fair and equitable benefit-sharing.

**Nagoya Protocol:** An international agreement focused on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization.

**Olkeju Osira Wrua Water Resource Users Association:** An association involved in water resource management, operating within the Lmartin community area.

**Small Scale Farming:** Agricultural practices conducted on a smaller scale, typically involving the cultivation of crops and/or raising livestock for subsistence.

**Sustainability:** The concept of meeting present needs without compromising the ability of future generations to meet their own needs, often emphasizing environmental, social, and economic considerations.

**Traditional Knowledge (TK):** Indigenous knowledge, practices, and innovations held by the Lmartin community, protected from exploitation and unauthorized use.

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