



COUNCIL OF GOVERNORS



INDUCTION HANDBOOK FOR THE COUNTY OFFICIALS IN CHARGE OF TOURISM AND WILDLIFE

48 Governments 1 Nation

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ABBREVIATIONS AND ACRONYMS

CBD	Convention on Biological Diversity
CEC	County Executive Committee
CECM	County Executive Committee Member
CEKEB	Central Kenya Economic Bloc
COG	Council of Governors
COK	Constitution of Kenya
CIDP	County Integrated Development Plans
CITES	Convention on International Trade in Endangered Species
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CGA	County Government Act 2012
FCDC	Frontier Counties Development Council
GDP	Gross Domestic Product
GHG	Green House Gases
ILO	International Labor Organisation
JKP	Jumuiya ya Kaunti za Pwani
KTB	Kenya Tourism Board
KWS	Kenya Wildlife Service
LREB	Lake Region Economic Bloc
SEKEB	South Eastern Kenya Economic Bloc
SDG	Sustainable Development Goals
M.I.C.E	Meetings, Incentives, Conferences and Exhibitions
MoTW	Ministry of Tourism and Wildlife
NAP	National Adaptation Plans
NCCAP	National Climate Change Action Plan
NOREB	North Rift Economic Bloc

FOREWORD

The Council of Governors (COG) is a non-partisan organization established under Section 19 of the Intergovernmental Relations Act (IGRA 2012) comprising the Governors of the forty-seven County Governments. The Councils' functions include the promotion of visionary leadership, considering matters of common interest to Counties, sharing of information on performance of the Counties in execution of their functions and collective consultation on matters of interest to County Governments, among others.

The Council of Governors (COG) Secretariat provides a mechanism for consultation and coordination between the National and County Governments in the realization of the devolution agenda. In particular, the COG Secretariat is made up of 18 committees one of them being the Tourism and Wildlife committee, which works closely with the 47 County Governments and the various stakeholders in the sector including the Ministry of Tourism towards the realization of the Country's tourism potential. The two governments have worked together over the years to develop the relevant policies, legislations, strategies, and guidelines that support the growth and development of tourism and continued to facilitate capacity development for stakeholders at different levels.

This Induction Manual was developed by the Tourism committee within the context of the upcoming 2022 elections that would mean a transition in the elective positions of the County governments including the Governors, County Executive Committee Members and Chief Officers. The County Governments have constitutionally mandated responsibilities specific to the Tourism and Wildlife sector and therefore it was necessary that the Council through the Tourism committee develop sector specific manuals to facilitate effective transition.

The induction manual takes into account the significant milestones that have been realized by the County governments in performance of their functions. These including but not limited to: (i) Development of Tourism and Wildlife Recovery Strategies; (ii) Enactment of tourism and wildlife related Acts, Policies and Regulations (iii) Promotion and Development of local tourism among others.

On behalf of the COG Tourism Committee, I present this Induction Manual to you. The manual provides a good reference guide with regard to the devolved functions in the tourism sector; the attendant policies, legislations and strategies; sector governance and institutional arrangements; the various county and intergovernmental structures; and the various gains and milestones realized this far.

I wish to thank the entire team of the COG Secretariat that spearheaded the development of this Manual under the leadership of Brian Muthoka. Additionally, I gratefully acknowledge the valuable comments provided by the various tourism stakeholders

Chairperson

COG Tourism Sector Committee

ACKNOWLEDGMENT

This induction manual report is a culmination of efforts and contributions of the Council of Governors (COG), the 47 County Governments and the National Government institutions related to the Tourism and Wildlife sector.

The Induction Manual preparation process was led by the technical officers from the Tourism and Wildlife Committee of the Council of Governors. The Council of Governors authors include Mr. Brian Muthoka (Technical lead), Ms. Wendy Mutania, Ms. Veronica Wanyora and Ms. Ambasa Okech who led the drafting, editing and reviewing of the manual to its final state.

The team would also like to thank the National Government institutions that participated in the process through virtual discussions and validation meetings. These include the Ministry of Wildlife and Tourism, the Kenya Tourism Board, the Global Tourism Resilience and Crisis Management Centre and the Kenya Wildlife Services. The input provided by the Tourism stakeholders proved very useful.

Finally, the County officials in charge of Tourism and Wildlife were involved in development of the induction manual. The team greatly appreciates the input provided by the County Executive Committee Members, Chief Officers and Directors in charge of Tourism and Wildlife.

In conclusion, the Council acknowledges that these contributions will have significant impact in facilitating the transition process into the third generation of county governments; I would like to note that the ultimate goal of the Manual is not only to improve the management of the County Tourism and Wildlife Departments, but also to improve performance and service delivery.

Mary Mwiti

Chief Executive Officer
Council of Governors

EXECUTIVE SUMMARY

Devolution introduced a new system of government from the previous central government to establishment of 47 County governments. This meant that power and resources were brought closer to the citizens in order to enhance service delivery. It has been 9 years since its inception which has seen County governments establish various structures in order to effectively provide services devolved to them through the Constitution of Kenya 2010.

The National and County Governments have a critical role in the growth and development of the tourism sector. Since the inception of the devolved system of governance, the 47 County Governments have discharged the tourism function with positive developments along with continued challenges and emerging issues. Premised on this, the Council of Governors through the tourism and wildlife committee has put together a tourism and wildlife sector specific induction manual considering aspect of service delivery in line with the spirit of devolution.

Chapter one focuses on constitutional assignments for the Tourism and Wildlife sector exercised by the County Governments including the specific articles and the various provisions and the transfer of functions as highlighted in the Fourth schedule of the Constitution of Kenya 2010. The section also addresses the National sectoral direction, the regional and international treaties and the key Tourism sector statistics and financing

Chapter two highlights the policy and legislative environment including the National sector policies and legislations and the County sector policies and legislations. These include the Tourism Act 2011, Wildlife Conservation and Management Act 2013, Climate Change Act 2016 and the National Museums and Heritage Act 2012. The Counties have enacted various legislations in line with the national sector policies as indicated in the induction manual. The chapter also describes the various sector frameworks and guidelines and their implications to the Counties.

Chapter three constitutes the Tourism Sector Governance, highlighting the National government ministries and the State Agencies relevant to the sector and their various mandates. The section also points out the various county departments as established in the County Government Act and their delegated responsibility for the county tourism function.

Chapter four focuses on County Planning and Service Delivery aimed at spurring the growth and development of the tourism sector. It emphasizes performance management as prescribed through various sections of the County government Act 2012 and the Performance Management Act 2012. These include the County Integration Development Plans, County Spatial Plans, County sectoral plans, Departmental strategic plans and Work plans.

Chapter five outlines the various gains and milestones achieved by Counties in implementing the devolved Tourism and Wildlife functions. It also provides insights to some of the sector specific challenges and emerging issues identified during the period under review.

CHAPTER ONE: GENERAL OVERVIEW

Introduction

Tourism is a key driver to Kenya's economic development agenda as captured in the Vision 2030, the long-term development blueprint and contributes significantly to social, cultural and environmental aspects in the Country. Tourism is one of the major economic pillars in Kenya and is currently the third largest tourism economy in Sub-Saharan Africa after South Africa and Nigeria. The sector is the second largest contributor to foreign exchange earnings. Prior to the COVID 19 pandemic, the tourism sector contributed up to 8.1% of total GDP of Kenya Shilling 163.6 billion in 2019 which declined to Kenya shilling 91.7 billion in 2020. The Sector contributes 9.2% of the total employment per annum equivalent to 1.1 million jobs and is a catalyst for investment and growth in other sectors. The movement of such a massive number of people and the associated expenditure has a profound impact on national, regional and local economies across the world, and more specifically in the country. Spending by visitors on facilities and activities such as sporting and cultural events, shopping, accommodation, restaurants, visitor attractions and as business visitors at conferences, provides a massive stimulus to local economies and employment.

The country has shown an impressive performance in the tourism sector since 2015. More specifically, the country's tourism arrivals grew by 3.9% from 2.02 million tourists in 2018 to 2.05 million tourists in 2019 after a 37.33% increase from 1.47 million in 2017. Domestic tourism in Kenya grew from 3,645,144 in 2017 to 3,974,243 in 2018, recording a 9.03% growth.

Kenya's resource base for tourism is enormous. The country's tourism attractiveness stems from its diversity. Some of the features which make Kenya a preferred tourism destination include abundant wildlife living in their natural ecosystems, over 500 km of all year warm sandy coastal beaches, a rich and diverse cultural heritage and unique historical and archaeological sites among others.

Proactive and coordinated action of the National and County governments will see to the realization of the great tourism potential of the country.

This manual highlights the constitutional assignments of the Tourism and Wildlife sector as provided in the Constitution of Kenya 2010, the specific Articles and Schedules that relate to the Sector; status of the transfer of functions; the national sectoral direction including the various regional and international commitments and targets in the sector, sector strategies and plans; and a summary of the key sector statistics and service delivery

Objectives:

1. Understand the Constitutional Obligations related to the Tourism Function
2. Appreciate Tourism policy and legal environment, sectoral direction and implication to functions of County Governments
3. Understand rationale for mainstreaming sustainable green tourism considerations into policy and planning processes.

1.1 Constitutional assignment of function and implications of articles that directly relate to the function/sector.

The primary source of legislation for the committee's activities is the Constitution of Kenya 2010. The distribution of functions between the National and County Governments in Kenya is featured in the Fourth Schedule of the COK 2010.

The National Government is charged with overall responsibility over tourism policy and development. The Constitution requires that the National Government provides capacity building and technical assistance to Counties in execution of its functions, tourism development included while County Governments are responsible for local tourism as part of their general mandate.

Article 69 of the COK provides that, the State shall,

- c.) Protect and enhance intellectual property in, and indigenous knowledge of, biodiversity and the genetic resources of the communities;
- d.) Encourage public participation in the management, protection and conservation of the environment
- e.) Protect genetic resources and biological diversity

Part 2 of the Fourth Schedule of the Constitution of Kenya 2010, devolves functions and powers as relates to County Governments including;-

Table 1: Constitutional Assignments of the Tourism Sector

Article	Provision
4	Cultural activities, public entertainment and public amenities including museums; county parks, beaches and recreational facilities
7	Trade development and regulation, including local tourism.
10	Implementation of specific National government policies on natural resources and environmental conservation including_ 1. Soil and water conservation; and

1.2 Gazette notices.

The **Kenya Gazette** is an official publication of the government of the Republic of Kenya, a government gazette. The *Kenya Gazette* publishes the following:

1. Notices of new legislation
2. Notices required to be published by law or policy
3. Announcements for general public information

Publication takes place every week, usually on Friday, with occasional releases of special or supplementary editions within the week.

Some of the Tourism and Wildlife related gazette notices are presented in the table

Gazette No.	Title	Short Description
Gazette No. 1549	LAKE BOGORIA NATIONAL RESERVE MANAGEMENT PLAN, 2019-2029	It defines the principles and strategies that Lake Bogoria National Reserve's stakeholders have designed to address conservation, tourism development and management, community partnership, wildlife security, and operational issues in Lake Bogoria National Reserve and its adjacent areas.

1.3 Status of transfer of functions as guided by the fourth schedule

Table 2 : Status of Transfer of Functions

Article	Provision
4	Draft delineation of monuments and museums function PURSUANT to Section 15 of the Sixth Schedule to the Constitution, read with section 12(b) of the Intergovernmental Relations Act, 2012, and further to Legal Notices Nos. 16 and 137 to 183 of 2013 and Legal Notice No. 2 of 2016, provides for; Distribution of facilities. (1) The monuments set out in the Second Schedule are distributed under the National Government; (2) The museums set out in the Third Schedule are distributed under the county government in the manner specified; and (3) The facilities set out in the Fourth Schedule are shared between the national

government and the specified county governments for the conduct of respective functions.

However, the concept that guided the exercise of delineation of monuments and museums function of the draft legal notice is flawed. The draft legal notice purports to transfer a majority of the museums to the National government despite them being constitutionally assigned to the County governments

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Local tourism development;

1. County tourism planning and management including tourism policy management, formulation of tourism development strategic plans, establishment of legal and institutional framework on tourism management
2. Implementation of national policies and regulations through implementation of national tourism policies, regulations, strategies and programmes, implementation of bilateral, regional and international agreements on tourism and domestication and implementation of bilateral, regional and international agreements on tourism
3. setting objectives of the regional tourism development in their respective areas;
4. Managing national reserves under their jurisdiction and
5. Establishment of wildlife conservancies either owned by individual landowners or communities.

In addition, the function of tourism promotion and marketing is also undertaken at the county level. The main focus is promoting the Counties as tourism destinations

Whereas the role of both levels of government in Kenya's tourism development is clearly identified, gaps exist that would hamper coordinated development of a competitive tourism industry in the country. There is need for an institutional framework and arrangement to facilitate a seamless functional linkage between the two levels of government.

The framework would require clear delineation of tourism development functions between National institutions and devolved government units, institutional and functional alignment and coordination mechanisms between both levels of government and strengthening the capacity in the Counties towards performing their constitutional mandates.

Pending Issues in the Unbundling and Transfer of Tourism and Wildlife Functions

ISSUE	STATUS	RECOMMENDATION
Legal Notice to guide assignment of Museum Function	Finalization of the transfer process through the legal notice. The Fourth Schedule devolved museums to County Governments.	Fast track the finalization of the transfer and assignment of functions in Museums.
Unbundling of the Tourism	Currently, the function of local tourism	Fast track finalization and

Function	is yet to be properly unbundled to assign transfer of the local specific roles to the two levels of government. This has led to some National Government entities carrying out County Functions in this sector. Additionally due to this oversight, there is a gap in the capacity building of the counties to equip them with the necessary competences to effectively carry out the function.	Review of existing policies and legislations in the sector to align them with devolution.
Benefit Sharing under the Wildlife Management and Conservation Act 2013	Wildlife user Rights held by National Government. No Benefit sharing from Wildlife resources to County Governments.	Amendment of the Act to provide for a framework of benefit sharing from wildlife. Counties play an integral role in conservation.
Alignment of the Tourism Act 2011 to devolution.	Section 66 establishes the Tourism Fund. Monies received under section 105 (4), fees and other monies charged upon tourism activities and services by the National Government	Amendment of the Act to allow County Governments collect the Tourism fees in effort to boost local Tourism which is assignment to County Governments.

1.4 NATIONAL SECTORAL DIRECTION

Table 3 : National Sector Targets

Vision 2030

Vision 2030 is our country's long-term national planning strategy for transforming Kenya into a "middle income country providing a high quality of life to all its citizens by 2030".

The government of Kenya recognizes tourism as a leading economic sector that will help us achieve the Vision 2030. It seeks to attain 10% economic growth annually through the Tourism sector.

It identifies various opportunities for the Tourism sector including; **development of health and medical tourism, under-utilized parks initiative, business and conference tourism initiatives, development of niche products**

programme and destination marketing programmes among others.

This Vision is being implemented through successive five year Medium Term Plans.

National Tourism Blueprint 2030

The National Tourism Blueprint 2030 provides a framework and strategic direction for the Ministry of Tourism, its state agencies and stakeholders in the tourism industry.

It is the transformational framework for the tourism sector that seeks to propel the Tourism sector's growth through a coordinated approach to tourism product development, institutional and stakeholder management, marketing, and the development of people in tourism.

The National Tourism Strategy 2022-2027

The five year Tourism strategy dubbed 'the new vision for Kenya's tourism' shall prescribe the principles, objectives, standards, indicators, procedures and incentives for the development, management and marketing of sustainable tourism.

The Tourism Sector Plan 2018-2022

The Tourism Sector has set ambitious targets over the plan period to be able to contribute towards the realization of the Vision 2030 goal of 10% economic growth annually, Sustainable Development Goals as well as the aspirations of the Africa Agenda 2063.

These targets include; **increase tourism arrivals from 1.45 million in 2017 to 2.5 million visitors by 2022; increase tourism earnings from Ksh. 119.9 billion in 2017 to Ksh. 175 by 2022 and increase bed-nights by domestic tourists from 3.5 million in 2016 to 6.5 million by 2022.**

The plan identifies 9 Key Result Areas (KRAs) including Policy and Legal Framework; Tourism Product development; Tourism and Wildlife Standards; Financing and Investments; Conservation and protection of tourism and wildlife resources; Research and Training; Marketing; Collaboration/Partnerships; and Organizational capacity.

The Sector plan provides the situational analysis of the implementation status of programmes/projects, supporting policies, institutional reforms and the legal frameworks.

The National Wildlife Strategy 2030

The National Wildlife Strategy 2030 provides a framework for coordination and implementation of **Article 69 of the Constitution of Kenya (2010)**

Formulation of the Strategy was necessitated by the urgent need to address emerging issues including; increasing human population pressure and poverty, habitat loss, rapid

development in key wildlife areas and over utilization has accelerated the decline of wildlife populations.

Pillar 4 highlights the various activities that are intended to be undertaken to develop effective implementation frameworks and monitoring structures and effectively coordinate and implement the strategy at national and county level

Big 4 Agenda

The Tourism and Wildlife sector is an enabler to the Big Four Agenda through its contribution to the tourism industry through the demand created along the tourism value chain. This is achieved through supply of locally produced inputs to tourism entities sourced from the manufacturing and agro-processing sector.

1.5 Regional and international treaties and protocols

To address issues of mutual concern and enhance global cooperation, the international community has developed regional and international laws. Kenya has ratified several regional and international instruments, protocols and commitments therefore assuming responsibility in meeting the various obligations set out to promote tourism. This is in line with Article 2, (5) and (6) of the Constitution that provides that the general rules of international law form part of the laws of Kenya, and that any treaty or convention ratified by Kenya shall form part of the law of Kenya.

Objective:

1. To enhance awareness of incoming County Executive Committee Members and Chief officers on the Government's treaty obligations.

The regional and international treaties, protocols and agreements that Kenya is a signatory to and has ratified are as highlighted below:

1. Sustainable Development Goals

Sustainable Development Goals are global goals set up in 2015 during the United Nations General Assembly that seek to be a blueprint to achieve a better and more sustainable future for all intended to be achieved by 2030. They address the global challenges we face, including, climate change and environmental degradation

The Sustainable Development Goals **on good jobs and economic growth (8), full and productive employment and decent work for all (12), Life below water (14), and life on land (15)** relate directly to the Tourism and Wildlife Sector. Tourism has the potential to contribute, directly or indirectly to all of the goals

The SDGS encourage action towards promoting sustained, inclusive and sustained economic growth, full and productive employment and decent work for all; ensuring sustainable consumption and production patterns and conserving and sustainably using the oceans, seas and marine resources for sustainable development.

2. Agenda 2063

Agenda Africa 2063 is Africa's strategic framework that aims to deliver on its goal for inclusive and sustainable development and is a concrete manifestation of the pan-African drive for unity, self-determination, freedom, progress and collective prosperity.

The framework addresses critical issues for boosting Africa's tourism, including: removing visa constraints; undertaking joint marketing including packaging and promotion of cross-border attractions; promoting joint projects for infrastructure development and investment, such as promoting cross-border investment in hotels, airport, roads and capacity building for people working in the tourism industry.

3. Convention on International Trade in Endangered Species (CITES)

CITES is multilateral treaty aimed at protecting endangered plants and animals. It was drafted as a result of a resolution adopted in 1963 at a meeting of members of the International Union for Conservation of Nature.

Kenya is a signatory State to the CITES Convention and the Government has designated Kenya Wildlife Service, the CITES Management Authority and CITES Scientific Authority of the country for purposes of implementation of the Convention. In Kenya, we have seen the Government and the Parliament take major steps to bring the poaching of elephants and illegal trade in ivory to an end through its recent destruction of confiscated elephant ivory and rhino horn.

4. Convention on Biological Diversity

The Convention on Biological Diversity (CBD) entered into force on 29th December 1993. The objectives of this Convention, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

These targets are also envisioned in **Article 69** of the COK which necessitates that the National and County Government protect biological diversity and encourage public participation in the management, protection and conservation of the environment

5. International Labour Organization (ILO)

The General conference of International Labour Organization is a convention that lays down standards of general application concerning working conditions applicable to workers in hotels, restaurants and similar establishments. Kenya has been a part to the ILO since 1965, which is devoted to promoting social justice and internationally recognized human and labour rights, through a decent work agenda.

It is applicable to workers in hotels, restaurants and similar establishments, and applies to workers employed within; hotels and similar establishments providing lodging; and restaurants and similar establishments providing food, beverages or both.

6. The Paris Agreement

This is an international treaty on the climate crises, was reached during the United Nations Climate Change Conference on 12th December 2015 in Paris. It sets long-term goals to guide all nations to:

6. Substantially reduce global greenhouse gas emissions to limit the global temperature increase in this century to 2 degrees Celsius while pursuing efforts to limit the increase even further to 1.5 degrees
7. Review countries' commitments every five years and;
8. Provide financing to developing countries to mitigate climate change, strengthen resilience and enhance abilities to adapt to climate impacts.

Kenya has ratified and domesticated the Agreement and has put in place various measures to combat climate change including updating the Nationally Determined Contributions to 32% from 30% towards abating Green House Gas Emissions, development of the National Climate Change Response Strategy 2010, the National Climate Change Action Plan (NCCAP) 2013-2017) in 2012, the National Adaptation Plan (NAP) as drivers to mitigation and adaptation to Climate Change.

The tourism sector is highly vulnerable to climate change and at the same time contributes to the emission of greenhouse gases (GHG), which cause global warming. Accelerating climate action in tourism is therefore of utmost importance for the resilience of the sector.

1. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW)

CEDAW is an international treaty adopted in 1979 by the United Nations General Assembly that provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life

The Convention defines discrimination against women as any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Kenya ratified the CEDAW on 9th March 1984, therefore it forms part of the laws as enunciated in **Article 27** of the Constitution of Kenya provides for Equality and freedom from Discrimination and **part 3** which provides that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.

2. Convention on the Conservation of Migratory Species of Wild Animals

The Convention was signed in 1979 and provides a global platform for the conservation and sustainable use of migratory animals and their habitats.

1.6 Key Sector Statistics – Financing and Service Delivery.

Introduction

Towards stimulating Tourism Recovery, Sports, Culture, Recreation and Arts the Government of Kenya has allocated to Ksh. 15.8 billion for the Sports, Arts and Social Development Fund to support sports development and tourism recovery, Ksh 3.2 billion for the Tourism Fund; Ksh 1.8 billion for Tourism Promotion Fund; and Ksh 125 million for refurbishment of the regional stadia, according to the **Budget Estimates 2022/23**.

The **County Governments Budget Implementation Review Report** for the first nine months of 2022 provides approved budget allocation estimates for specific sectors for each County Government indicating the approved budgets vs the actual allocations. It is important to note since tourism and wildlife is budgeted under other joined departments in the Counties, has led to low priority and performance of the Sector leading to inadequate allocation of and reallocation of budgets in Tourism in majority of the Counties

According to the **Economic Survey 2022 by Kenya National Bureau of Statistics**, the Tourism Sector registered a recovery in 2021 as manifested in increased domestic tourism and international visitor arrivals. This was attributed to the easing of travel restrictions and rising rates of COVID-19 vaccination. International arrivals expanded by 50.3% to 871.3 thousand in 2021, supported by the reopening of Kenya's source markets and relaxation of travel restrictions.

Overall, hotel bed nights occupancy expanded by 45.1% to 5.5 million in 2021. Hotel bed night's occupancy by residents of Kenya rose by 49.2% to 3.8 million and accounted for 69.4% of the total hotel bed night's occupancy in 2021. This indicates that the tourism sector was majorly supported by domestic tourism in the review period. The number of international conferences held increased from 28 in 2020 to 292 in 2021 while local conferences held increased from 1,176 in 2020 to 8,117 in 2021. The number of visitors to national parks and game reserves increased by 50 % from 1.0 million in 2020 to 1.5 million in 2021. Similarly, the number of visitors to museums, snake parks and historical sites more than doubled to 403.7 thousand during the same period.

Visitor Arrivals

International visitor arrivals grew by 50.3 percent from 579.6 thousand in 2020 to 871.3 thousand in 2021. International visitor arrivals during the first quarter registered a decline of more than half from 389.6 thousand in 2020 to 157.8 thousand in 2021. International visitor arrivals in the fourth quarter more than doubled from 140.7 thousand in 2020 to 299.3 thousand, the highest in 2021. The lowest visitor arrivals were recorded in the second quarter at 148.2 thousand during the same period.

Annual international visitor arrivals increased by 50.3 per cent from 579.6 thousand in 2020 to 871.3 thousand in 2021. Visitors on holiday more than doubled to 300.3 thousand,

accounting for 34.5 per cent of all international arrivals in 2021. Similarly, visitors on transit and those on business increased by 29.0 per cent and 34.2 per cent to 48.0 thousand and 229.7 thousand respectively, in 2021.

The number of visits recorded in County-owned tourism facilities (FY2021/22) was 249,050, a sign that the tourism industry is recovering.

Hotel Bed Occupancy

The overall rate of bed occupancy went up from 18 per cent in 2020 to 20 per cent in 2021. In 2021, hotel bed occupancy was highest in December at 27 per cent followed by June at 25 per cent. The World Rally Championship (WRC) held in the month of June 2021 attracted participants from all over the world thereby contributing to increased bed occupancy during this particular month. In 2021, the month of April registered the lowest bed occupancy rate at 14 per cent.

The coastal beach remained as the most preferred destination by tourists. Hotel bed-nights occupancy in the zone rose by 31.0 per cent to 1,967.8 thousand in 2021. Hotel bed-nights occupancy in Nairobi and Central increased by 75.6 per cent to 1,007.7 thousand and 739.8 thousand, respectively, in 2021. Hotel bed-nights occupancy in Maasai land doubled to 362.3 thousand in 2021.

Hotel Bed Nights Occupancy

Overall, there was a notable increase in bed night's occupancy in the Coast region in 2021. Hotel bed night's occupancy in the North Coast increased by 34.1 percent to 847.5 thousand while that at South Coast increased by 26.7 percent to 908.9 thousand in 2021.

Kenyan residents dominated hotel bed nights by 74.5 percent in Coast, 59.7 percent in Game Lodges and 46.2 percent in Nairobi. The percentage share of hotel bed nights occupancy increased from 6.6 percent in 2020 to 7.9 percent in 2021.

Visitors to Selected Museums, Snake Parks and Historical Sites

Overall, the number of visitors to attraction facilities more than doubled to 403.7 thousand in 2021. Visitors to Kisumu National Museum increased four times to 52.8 thousand while those to Nairobi National Museum increased three times to 102.6 thousand in 2021. Similarly, visitors to Fort Jesus more than doubled to 101.6 thousand in the review period. The increase in the number of visitors was due to reopening of museums and heritage sites across the country following their closure for 6 months in 2020 due to the COVID-19 pandemic.

Conference Tourism

Conference tourism is largely associated with travel for business purposes. The number of international conferences held rose from 28 in 2020 to 292 in 2021. Consequently, the number of delegates attending international conferences increased from 1,044 in 2020 to 9,093 in 2021.

Local conferences increased from 1,176 in 2020 to 8,117 in 2021. The average occupancy rate of conference facilities improved by 2.7 percentage points to 7.9 per cent in 2021.

Training in Hospitality

The number of Trainees at Kenya Utalii College declined from 729 in 2020 to 243 in 2021. Students pursuing short courses increased from 214 in 2020 to 243 in 2021. There were no trainees attending the in service refresher course in 2021.

CHAPTER TWO:

POLICY AND LEGISLATIVE ENVIRONMENT

Policies and legal frameworks at both National and County level guide the implementation of functions in the Tourism and Wildlife sector. The Counties are required to implement specific national government policies in performance of the domestic tourism function. In development of their planning tools and legislations, counties domesticate these legislations as a constitutional requirement, thereby creating an enabling legislative environment.

Objectives

1. Understand the Policy and Legislative Environment of the Tourism and Wildlife Sector
2. Appreciate the key sector frameworks and guidelines in the Tourism sector

The sector specific laws, policies and legislations for both the National and County government are as provided below;

2.1 National sector policies

Table 4 : National Sector Policies and their Provisions

SECTOR POLICIES	PROVISION IN RELATION TO COUNTY FUNCTIONS
The Draft Revised National Tourism Policy 2020	The National Tourism Policy was reviewed to align and integrate it to new developments like new constitution, county governments and changing trends of tourism and travel globally to achieve sustainable tourism that contributes to a better quality of life for all people now and for posterity. The objectives of this Policy are to: (a) Provide a framework for integration of tourism sector considerations into the various sectoral policies and national development planning as well as decision making processes. (b) Strengthen the legal and institutional framework for effective coordination and management of the tourism sector. (c) Ensure adoption of sustainable tourism that

enhances economic development, environmental sustainability and social justice. (d) Promote and support the provision of incentives and other economic instruments that enhance investment in the sector. (e) Promote and enhance collaboration, cooperation, synergy, partnerships and participation in the tourism sector by all the stakeholders.

The Wildlife Policy 2020

This policy seeks to provide the framework for legislation that enables the country conserve and manage wildlife better, for the present and future generations.

The specific objectives of the Policy are to: -

(a) Conserve in perpetuity, Kenya's wildlife resources, as a national heritage; (b) Increase access, incentives and sustainable use of wildlife resources, while ensuring equitable sharing of benefits; (c) Promote partnerships and incentives for wildlife-based enterprises; (d) Facilitate collaboration for effective governance and financing of the wildlife sector between communities, private conservancies, counties, national government and international partners; and (e) Promote management of viable wildlife populations and their habitats in Kenya.

Section 4.2 of the Policy provides for the Management of National Parks, Reserves and Sanctuaries. It states that the Government shall develop engagement frameworks with Counties to ensure the preservation of the ecological integrity of parks, reserves and sanctuaries.

Section 4.7.3 states that the Government shall mainstream human wildlife conflict into county spatial planning processes; support the development and implementation of ecosystem based management plans for key wildlife landscapes; and build the capacity of local communities to manage problem animals.

2.2 National sector legislation

Table 5 : National Sector Legislations and their provisions

SECTOR LEGISLATIONS	PROVISIONS IN RELATION TO COUNTY FUNCTIONS
Tourism Act 2011	This is an Act of Parliament that provides for the development, management, marketing and regulation of a sustainable tourist industry in Kenya. It provides for the control of tourist activities through licensing and registration. It requires the Minister to formulate and publish in the Gazette a national tourism strategy at least once every five years and provides for the establishment of various institutions including: the Tourism Regulatory Authority, the Tourism Protection Service, the Kenya Tourism Board, Tourism Research Institute, the Tourism Fund, the Tourism Finance Corporation and the Tourism Tribunal. It establishes and provides functions of the Tourism Regulatory Authority, the Kenya Utalii College, the Kenya Tourism Board The roles and functions of County Governments are however not defined in the Tourism Act 2011 in the performance of their constitutional mandates.
The County Tourism Bill 2019	Section 4 of provides for the duties of the County Executive Committee Member which shall be — (a) Formulate a local tourism strategy at least once every five years, in accordance with which the tourism sector in the respective county shall be developed, marketed and managed; (b) Market the county as a desirable tourist destination;

- (c) Encourage and facilitate the sustainable development of local tourism in the county;
- (d) Formulate guidelines and prescribe measures for sustainable local tourism in the county;
- (e) Identify local tourism market needs and trends within the county and advise the Authority and tourism stakeholders accordingly;
- (f) Regulate local tourism activities and services within the county in accordance with the national tourism strategies;
- (g) Issue, suspend or revoke licences for local tourism activities and services;
- (h) Monitor and assess local tourism activities and services within the county to enhance continuous improvement and adherence to sound principles and practices of sustainable tourism; and
- (i) Perform any other functions that are necessary for the fulfillment of any of the county executive committee member's functions under this Act.

Section 6 of the County Tourism Bill 2019 provides that_

(1) A person shall not undertake any local tourism activity unless that person has a licence issued by the county executive committee member.

(2) A person seeking a licence or a variation of a licence shall apply to the county executive committee member in such manner and form as may be prescribed by the county executive committee member in county legislation.

(3) An application for a licence or for the variation of a licence under subsection (2) shall be accompanied by such fees as may be prescribed by the Authority the county executive committee member in county legislation.

Section 15 of the Bill provides that_

(1) A county may enact county legislation to make

provision for local tourism in the respective county.

(2) Where a provision of legislation enacted by a county is inconsistent with this Act, that provision shall prevail.

The Wildlife Conservation and Management Act (2013)

The Act applies to all wildlife resources on public, community and private land, and Kenya territorial waters. succeeded in enhancing wildlife conservation across the country; significantly reducing wildlife poaching, especially in respect of endangered species, such as elephants and rhinos; establishing a distinct institution, namely, KWS, to be responsible for wildlife conservation and management countrywide; and establishing the Kenya Wildlife Service Training Institute (KWSTI) that continues to play an important role in capacity development for human resources in the wildlife sector.

Section 18 of the Act provides for the establishment of Community Wildlife Conservation Committees which shall be established in each County. The functions of the Committees shall include-

1. Review and recommend payment of compensation on claims resulting from loss or damage caused by wildlife
2. Develop and implement, in collaboration with KWS and Community Wildlife Associations, mechanisms for mitigation of human wildlife conflict
3. Bring together relevant stakeholders to harness participation in conservation and management programmes of wildlife.

Section 21 a of the the Wildlife Conservation and Management (Amendment) Bill 2019 provides that The Cabinet Secretary and the KWS shall, as the case may be and in each financial year, provide adequate funds for the management of the affairs of each County Wildlife Conservation and Compensation Committee.

The Climate Change Act 2016

This is an Act of Parliament that provides a regulatory framework for enhanced response to climate change. The Act applies in development, management, implementation and regulation of mechanisms to enhance climate change resilience and low carbon development for the sustainable development of Kenya. It places duties on the national government and county governments to mainstream climate change responses into development planning, decision making and implementation and to respond in various other ways to climate change.

The NCCAP (2009) states that tourism is a highly sensitive industry because climate change affects a wide range of the environmental resources that are critical attractions for tourists, such as wildlife diversity, biodiversity, and water levels. Furthermore, climate change has an important influence on the environmental conditions and incidents that can deter tourists such as very high temperature, infectious diseases wildfires, increased wildlife mortality and insects and waterborne pests.

The Government seeks to mainstream wildlife conservation into the NCCAP as is provided in the Wildlife Policy 2020

National Museums and Heritage Act 2012

This is an Act of Parliament to consolidate the law relating to national museums and heritage; to provide for the establishment, control, management and development of national museums and the identification, protection, conservation and transmission of the cultural and natural heritage of Kenya.

The Act provides for the establishment and duties of the National Museum of Kenya.

2.3 County sector policies and legislations

Table 6 : County Sector Policies and Implementation Status

COUNTY	NAME OF LEGISLATION	STAGE
Baringo	Tourism and Marketing Conservancy Bill	
Bungoma	Bungoma County Tourism Policy 2020	
Bomet	Bomet County Tourism Policy	County Assembly
Elgeyo marakwet	Wildlife Conservation and Management Act	
	Tourism Management Strategic Plan 2020-2024	
Embu	Embu Tourism Development Act, 2018	
Isiolo	Tourism Act 2016	County Assembly
Kakamega	Kakamega County Tourism Act 2014	
Marsabit	Tourism Act Tourism Policy	
Kericho	Kericho Tourism Act 2014	
Kisii	Tourism Policy	
Kisumu	Tourism Bill	
Kwale	Tourism Strategy	
Machakos	Machakos Tourism Policy Tourism strategies Draft Tourism Sector Plan	County Assembly
Makueni	Makueni County Tourism Policy 2021	
Meru	Meru County Wildlife Conservancies Management Act 2014	
	Meru County Vision 2040	
Murang'a	Murang'a County Tourism Policy	County Assembly, forwarded to CECM
Nairobi	Nairobi County Tourism Policy	Draft
Nakuru	Nakuru County Tourism Act	
	Nakuru County Tourism and Marketing	

	Regulation 2021	
Nandi	Nandi Tourism Bill Nandi Tourism Policy 2021	Passed by County Assembly and in the process of gazettment
Narok	Narok Tourism Act Maasai Mara Community support Fund Act 2020	
Nyeri	Tourism Policy	Draft
Samburu	Samburu County Community Conservancies fund Act 2019 Samburu County Community conservancies fund (amendment act) 2021 Samburu County Conservancies grants Policy 2016	
Taita taveta	Tourism Bill Tourism Policy (draft)	Final stage of development
Tana river	Tana River County Tourism Act 2021 Tana River Wildlife Act	
Trans nzoia	Trans Nzoia Tourism Bill 2020(draft)	
Uasin Gishu	Uasin Gishu County Tourism Bill 2018 Uasin Gishu County Tourism Policy 2021 Uasin Gishu Wildlife Act 2013	
Vihiga	Vihiga County Tourism Policy (2018)	

1. Key sector frameworks and guidelines

1. County COVID-19 social economic re-engineering recovery strategy 2020/21- 2022/23

In responding to the pandemic Counties have come up with County specific COVID-19 prevention measures. The COVID-19 pandemic adversely impacted on various sectors particularly tourism sector. Some of the strategies employed towards recovery of the sector include:

1. Allocating resources for investment and rehabilitation of tourism-supporting infrastructure, including sports stadia, modern meetings, incentives, conferences and exhibitions (M.I.C.E) venues, and roads leading to the physical tourist attraction sites including cultural heritage sites.
2. Diversify tourism products across all counties to include cultural, sports, agro-tourism, M.I.C.E, naturebased, community-based, adventure, culinary and beach-

- based tourism products; jetties and floating facilities; amusement parks; and construction and development of public beaches.
- 3. Develop tourism information and data centres.
- 4. Upgrading medical facilities to promote medical tourism.
- 5. Construct modern theatre and art gallery to support development of talent in music, visual and performing arts, and upgrading of sports stadia to develop talents in sport across counties.
- 6. Enforce sanitation and hygiene standards in all accommodation facilities and tourist attraction sites in line with the national guidelines for reopening of hospitality establishments to ensure business continuity.
- 7. Developing products specifically tailored to enhancing domestic tourism which is less susceptible to shocks. Such products to be affordable, and packages designed to maximize domestic tourist utility.
- 8. Leverage on regional blocs for joint marketing of tourist attractions

9. National Wildlife Strategy

The National Wildlife Strategy 2030 provides a framework for coordination and implementation of **Article 69 of the Constitution of Kenya (2010)**

Formulation of the Strategy was necessitated by the urgent need to address emerging issues including; increasing human population pressure and poverty, habitat loss, rapid development in key wildlife areas and over utilization has accelerated the decline of wildlife populations.

Pillar 4 highlights the various activities that are intended to be undertaken to develop effective implementation frameworks and monitoring structures and effectively coordinate and implement the strategy at national and county level

10. Magical Kenya Tourism and Travel Health and Safety Protocols for The 'New Normal'

The guideline promotes the general and specific protocols in tourism and hospitality establishments, facilities and enterprises for safety of their staff, clients and the general public whom they interact with amid and post covid-19 pandemic. Some of the broad protocols include;

- 1. Tourist accommodation, food and beverage outlets shall institute a Food Safety Management System (FSMS) to prevent contamination to clients, staff and supply chain workers.

2. Tourism practitioners shall redesign the physical work space and work processes to ensure compliance with physical distancing of not less than 1.5 meters apart and institute hygiene operations, sanitation & minimized contact between persons
3. Develop internal guidelines for managing staff/guest interaction within the facility and surrounding environment in line with this protocol
4. Develop and implement documented SOPs for handling suspected Covid-19 cases and ensure patient confidentiality and prevent stigmatization of the affected Persons
5. Regulated tourism and hospitality practitioners shall have valid relevant TRA license, health and county licenses and obtain certificate/permit or stickers signifying compliance with the provision of this protocols to be considered for reopening, and
6. Tourism Regulatory Authority in collaboration with tourism stakeholders to continuously monitor the tourism work environment and recommend necessary enactment or amendment of existing laws to safeguard visitors/guests, staff and the general public in the tourism value chain

7. Domestic Tourism Recovery Strategies 2020

The Ministry of Tourism and Wildlife through the Global Tourism Resilience and Crisis Management Centre, Eastern Africa, Kenyatta University, developed the Domestic Tourism Recovery Strategy for Kenya, to help tap into the domestic tourism potential to boost the much needed tourism revenues. The recovery strategy outlines strategic actions to sustainably grow and develop domestic tourism including;

1. Tourism Marketing and Promotion Campaigns
2. Infrastructure Development and Betterment
3. Diversification of the Tourism Products and Markets
4. Strong Partnerships and Collaboration
5. Image Rebuilding and Destination Repositioning
6. Review Taxes, Charges, Levies and Regulations Impacting Transport and Tourism
7. Ensure Consumer Protection and Confidence
8. Campaigns to Encourage Domestic Tourism
9. Provide Direct Incentives

Implications for County Governments in the Domestic tourism growth Strategies for Kenya are as provided in the implementation matrix table below.

Table 7 : Implications for County Governments in the Domestic Tourism Growth Strategies

DOMESTIC GROWTH STRATEGIES	TOURISM IMPLEMENTATION	RESPONSIBILITY
Provision of tourist facilities suitable for domestic tourists	Increase and quantify number of affordable accommodation facilities	• Private Sector • County Governments
Create strong desire to travel	Documentaries on destinations and experiences	• KTB • County Governments
Partnership between the national government and the County government in promotion of domestic tourism	Promotion of domestic tourism across counties	• National Government • County Governments
Major improvements in domestic tourism supply	• Build domestic tourism infrastructure • Investment in renovation of accommodation, food and beverage, transportation, communication, sightseeing, entertainment and shopping	• Private Sector • National Government • County Governments • MoTW
Central role of national and county governments as partner or stakeholder in expanding the tourism sector and achieving the desired outcomes of national tourism policy on domestic tourism	Prepare and launch a tourism planning toolkit for national and county governments domestic tourism development and growth programmes	• National Government • County Governments • MoTW

10. Digitizing Travel and Tourism Industry in Kenya

The Ministry of Tourism and Wildlife through the Global Tourism Resilience and Crisis Management Centre, Eastern Africa, Kenyatta University, further developed the Digitizing Travel and Tourism Industry in Kenya, as summarized in the Matrix below:

Table 8 : Product Digitizing Travel and Tourism Industry in Kenya Matrix

Strategies in digitizing travel and tourism in Kenya	Implementation	Responsibility
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1. Knowledge and Experiences Capturing and Sharing for Kenya Tourism Industry			
	Capturing, packaging and sharing knowledge from all forms of travel and tourism	1. Knowledge identification 2. Capturing 3. Validation 4. Formatting 5. Packaging	• KTB • County Governments • Private Sector
2. Interpretation of the tourism product			
	Visitors Centre/ Discovery Centre (Digital and human)	Visitor Centers typically act as the starting point for people looking to explore the destination. They should be located where visitors can access information easily	1. KTB 2. Private Sector 3. County Governments
	Guided Tours/Walks (Digital and human)	Sightseeing, educational/interpretive and other guided tours and walks should offer rich content to visitors.	1. Private Sector
	Signage/ Bulletin Boards (Digital and static)	Signage forms one of the most cost-efficient forms of management advertising in a destination. Provision of travel information, i.e. the facilitation of easy movement visitor safety.	1. Private Sector 2. County Governments
3. Digital Marketing			
viii	Social Media Marketing Content marketing Email marketing Search engine marketing (SEM) Search engine optimization (SEO) Pay-per-click advertising	Content from GIS maps, interpretation and knowledge and experience capturing could help in ranking the destination website continuously favorably online through the provision of quality content and using relevant investments. 1. Sharing interesting and relevant content 2. Engaging audiences in	1. KTB 2. County Governments 3. Private Sector

	(PPC) - a model of internet marketing in which advertisers pay a fee each time one of their ads is clicked Affiliate marketing	conversations 3. Using social media for customer service, including answering questions and addressing complaints 4. Using social media advertising to reach new audiences and convert prospects 5. Building brand recognition and loyalty through engagement, commenting and sharing 6. Collaborating with influencers to reach out to new markets and increase recognition and trust 7. Analyzing data to better understand the needs, wants, and behaviors of customers and prospects 8. Gathering user-generated content to share 9. Connecting with audiences on a more personal level and building relationships Using these marketing techniques, the destination will create and distribute valuable, relevant and consistent content to attract and acquire a clearly defined audience – with the objective of driving profitable customer action through Infographics (graphics that include statistics, charts, graphs, and other information); Webpages, Podcasts and Videos. Customer relationship management and loyalty or reward programmes	
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		Creation of an Integrated Tourism Management System that is georeferenced	
4. Geospatial presentation of Tourism resources in Kenya			
ix.	Creation of digital tourism resources	1. A report will be compiled on tourism resources in Kenya. This will be distributed using books, brochures, CDs, magazines and Flash disks. 2. Maps on tourism in Kenya will be developed in desktop and online platforms 3. Story maps and other presentation documents will be developed on the online platform. 4. Live streaming of tourism resources on the internet platforms 5. Provide information on tourism resources for the development of a fully functional and digitized Tourism Information Centers across the country 6. Provide information on tourism resources for establishment of electronic display books/brochures/catalogues 7. Provide information on tourism resources for development of proper signage, including displays and information booths in major	1. TRI 2. County Governments 3. Academia 4. KTB 5. Private Sector

		cities 8. Provide information on tourism resources for Mobile app for tourism in Kenya.	
5. Fight against the spread of disinformation – Media -			KTB

6. Product Improvement and Diversification Recovery Strategy

The Ministry of Tourism and Wildlife through the Global Tourism Resilience and Crisis Management Centre, Eastern Africa, Kenyatta University, came up with the Product Improvement and Diversification Recovery Strategy for Kenya as summarized in the Matrix below:

Table 9 : Product Improvement and Diversification Recovery Strategy

Product Improvement and Diversification Strategies	Implementation	Responsibility
Packaging tourism information and experiences		

1.	Improvement and packaging of existing and new products and markets	Enhance and package the following new and improved products: 1. Beach tourism 2. Wildlife Tourism 3. Business and Conference Tourism 4. Cultural and Heritage tourism 5. Homestays, Airbnb and general sharing economy concept 6. Health and wellness tourism e.g. hot springs, natural forests and products linked to traditional healing, use of natural medicines etc. 7. Medical Tourism 8. Ecotourism 9. Sports tourism 10. Shopping tourism 11. Avitourism (Birding) 12. Photography 13. Voluntourism (Communities and wildlife/nature conservation) 14. Flora related tourism	KTB County Governments Private Sector
18.	Develop new facilities and refresh and revamp existing facilities	1. Identify gaps in the supply of new types and standards of accommodation, e.g. self-catering and timeshare facilities 1. Diversify the accommodation base in national reserves/parks and conservation/protected areas, e.g. self-catering, expand and upgrade camping facilities	2. Private Sector 3. County Governments
4.	Enhance and expand types of activities	1. Improve on the existing activities and introduce new ones in parks and reserves, such as biking, walking, cultural experiences, special interest tours (e.g. birds, trees, and insects), etc. 2. Enhance existing adventure	KTB Private Sector County Governments

		activities and expand the types of activities offered at key nodes, e.g. through activity centers, to include: 1. Mountain/rock climbing 2. Hiking 3. Mountain biking 4. Slackpacking 5. River rafting 6. Zip lining/bridge swings/bungee jumping 7. Scuba diving 8. Entomology 9. Scientific research	
6.	Knowledge capturing	1. Capture knowledge from people's minds into tangible, explicit knowledge assets. 2. Record experiences from all forms of tourism in Kenya in a format that can be stored, further processed, adapted, and shared within and outside the destination. Media formats will include video, images, and graphics. 3. Include interpretation at the visitor Centers 4. Integrate story telling into existing tourism experiences	TRI Academia KTB Private Sector County Governments
6.	Product packaging	1. Development of a comprehensive tourism products and services database 2. Development of Packages or itineraries which will provide a one stop shop, at one, fairer all-inclusive price. 3. Create new experiences through packaging, to give a competitive advantage through marketing or advertising	KTB Private Sector

		The following are a range of products and services that can be linked in a package: 1. Food and beverage 2. Accommodation 3. Built attraction – museum, art gallery, theme park etc. 4. Natural attraction – waterfalls, scenic vistas etc. 5. Transportation 6. Programming – gourmet cooking, tea/coffee tasting, wood carving etc. 7. Guided tour 8. Entertainment – theatre performance, stage show, concert 9. Event/festival 10. Shopping 11. Activity – hiking, kayaking, alpine skiing, snowmobiling 12. Local culture	
15.	Promotion of tourism products	1. Link products to the right market type and segment 2. Promote the development of authentic Kenyan products 3. Collaboration to assist with bidding for international conferences and meetings 4. Employ targeted marketing to niche tourism segments such as targeted advertising and packages tailored to each niche segment	KTB Private Sector
Information provision and Geospatial presentation of Tourism resources in Kenya			
3.	Information provision and Mapping of tourism resources in	1. Determine the spatial quantity, capacity, quality, status and distribution of tourism attractions, amenities, activities,	TRI Academia KTB Private Sector

Kenya		accessibilities and ancillary services around the country that will be accessible across the world 2. Conduct an inventory assessment of heritage assets and identify existing sites/products that require improvement 3. Develop a visitor information and interpretive strategy and policy (includes directional, information and interpretive signage). 4. Improve the extent and quality of visitor information provided for when in the reserve, e.g. improved visitor guides, additional and better-quality maps with suggested routes and travel times 5. Develop visitor centers at strategic locations to serve as activity hubs (with activity operators and guides), information centers and provide services to visitors (i.e. food and beverages, shopping such as crafts and basic provisions) 6. Develop and improve Apps that facilitate and provide comprehensive information across all modes of transportation nationwide. This will make trip bookings, journey planning and navigating around Country easier for free, independent travelers through the use of smartphone apps and other technologies. The App will	
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		give suggestions and navigate tourists to attraction sites at ease. 8. Employ technology in marketing tactics such as devising applications for marketing promotion as well as monitoring and analyzing post-travel reviews and feedbacks on online media, by setting up an entity/a department that will be responsible of all online interactions. 9. Resolve negative reviews and complement positive reviews, provide incentives for tourists to post reviews, such as discount for entrance fees/at souvenir shops, and conduct analysis and recommendations for the marketing team	
14.	Activities, attractions, amenities, accessibilities and ancillary services mapping	<i>Case of Activities mapping</i> Compile a database of tourism-related activities taking place across Kenya Classify activities by type and significance (i.e. international, regional, national, local and community) Identify existing activities with potential to grow in significance and develop strategies to achieve growth Improve the geographic spread of activities Improve the spread of activities during the year Create signature activities Identify important activities codes	TRI Academia KTB Private Sector

		that are already established in Kenya Develop an activities policy (classification of activities, funding mechanisms, support that can be provided at national and county level etc.)	
Pricing Revision for Tourism Products in Kenya			
5.	Set the best prices for non-market commodities	1. Non-market commodities in tourism including nature/ environment - based resources such as parks / reserves, recreational spaces, and museums	MoTW TRI Academia Private Sector County Governments
7.	Recommend the best prices for commodities with market	8. Commodities with markets (such as hotel rooms, food / drinks, transport / communication) that can easily be derived through traditional business pricing methods.	TRI Academia Private Sector County Governments
Identification and promotion of community-based tourism			
13.	Promote community-based tourism	14. Identify opportunities for community-based tourism to be developed and improved around wildlife, nature and scenic products 15. Promote engagement with host communities in development and management of community-based tourism or CBT such as agricultural tourism, horticulture tourism and homestay tourism. 16. Raise awareness of values and benefits of local heritage among the host communities such as promoting the benefits of tourism industry, training in communication skills, and educating them on how to benefit from their local	TRI Academia KTB Private Sector County Governments

		attractions and cultures	
22.	Adapt the Albergo Diffuso model in rural Kenya	23. Development of unutilized rural homes for tourism	TRI Academia County Governments
Institutional structure			
27.	Improve on the role of the National and County Governments in tourism management	28. Encourage County governments to be more involved in developing tourism in their counties 29. Clear identification of roles and responsibilities of the county Tourism departments and clearly define the scope of work and accountability of each entity 30. Training of County representatives responsible for tourism 31. Clear reporting mechanism should be designed to streamline the communication process between the National and the County governments by defining reporting lines and monitoring mechanisms including scope and occasion for intervention by national government and the procedure to address project derailment/implementation 32. Include host communities for inclusivity in tourism development. Hold regular meetings between county governments and the communities to discuss issues related to tourism development. Online platform for ideas sharing can be explored.	MoTW County Governments

CHAPTER THREE:

TOURISM SECTOR GOVERNANCE

1. Organization of the sector (Institutional Arrangements) and their roles

3.1.1 National government ministry

1. Ministry of Tourism and Wildlife

The Mandate of the Ministry of Tourism and Wildlife as derived from the Executive Order No. 1 of June 2018 on organization of the Government of the Republic of Kenya is:-

1. Tourism Policy and Standards
2. Wildlife Conservation and Protection Policy
3. Protection of Wildlife and Heritage
4. Management of National Parks, Reserves and Marine Parks
5. Development and Promotion of Tourism
6. Wildlife Conservation Training and Research
7. Wildlife Conservation and Protection Education and Awareness.
8. Training on Tourism Services.
9. Tourism Financing.
10. Tourism Research and Monitoring.
11. Protection of Tourism and Regulation.
12. Marketing of Kenya to Local and International Tourists.
13. Wildlife Biodiversity Management and Protection.
14. Collaboration with Wildlife Clubs of Kenya.
15. Management of Wildlife Dispersal Areas in collaboration with Partners.

The county governments are the custodians of tourism resources hence they have vital role to play in tourism development in the country. Further, county governments have other important functions that affect tourism sector such as provision of county infrastructure, enacting county legislation and licensing of entertainment facilities. County governments also have a potential of benefiting significantly from tourism revenues and other associated benefits.

The National Government institutions therefore should endeavor to support County Governments in the development of local tourism products through technical assistance .

3.1.2 State agencies (semi-autonomous agencies)

1. The Tourism Regulatory Authority

The Authority is established by the Tourism Act 2011. The functions of the Authority as prescribed in the Act shall be to—

- (a) Formulate guidelines and prescribe measures for sustainable tourism throughout the country;
- (b) Regulate tourism activities and services countrywide, in accordance with the national tourism strategy;
- (c) Register, licence and grade all sustainable tourism and tourist-related activities and services including cottages and private residences engaged in guest house services;
- (d) Develop and implement, in consultation with relevant stakeholders, criteria for standardization and classification of tourism facilities and services;
- (e) Develop and regulate, in consultation with the ministry for the time being responsible for matters relating to education, tourism and hospitality curriculum, examination and certification;
- (f) Develop and implement a code of practice for the tourism sector;
- (g) Ensure the development and implementation of high quality tourism sector;
- (h) Vet and recommend expatriates seeking employment in the tourism and hospitality sector;
- (i) Monitor and assess tourist activities and services to enhance continuous improvement and adherence to sound principles and practices of sustainable tourism;
- (j) Undertake, annually, an assessment and audit of tourism activities and services, measures and initiatives at the national level, and prepare and publish an annual national tourism sector status report, in consultation with the Minister and the relevant lead agencies; and
- (k) Perform any other functions that are ancillary to the object and purpose for which the Authority is established

2. The National Museums of Kenya

The National Museums of Kenya (NMK) is a state corporation established by an Act of Parliament, the Museums and Heritage Act 2006. The Function of the NMK as provided in the Act include_

2. serve as national repositories for things of scientific, cultural, technological and human interest;
3. serve as places where research and dissemination of knowledge in all fields of scientific, cultural, technological and human interest may be undertaken;
4. identify, protect, conserve and transmit the cultural and natural heritage of Kenya; and
5. promote cultural resources in the context of social and economic development.

3. The Kenya Tourism Board

The Tourism Board as established by the Tourism Act 2011 shall be —

- (a) Develop, implement and co-ordinate a national tourism marketing strategy;
- (b) Market Kenya at local, national, regional and international levels as a premier tourist destination;
- (c) Identify tourism market needs and trends and advise tourism stakeholders accordingly; and
- (d) Perform any other functions that are ancillary to the object and purpose for which the Tourism Board is established.

4. Kenya Wildlife Services (KWS)

KWS is established by the Wildlife Conservation and Management Act 2018. The functions of the service shall be to_

- a.) conserve and manage national parks, wildlife conservation areas and sanctuaries under its jurisdiction
- b.) set up a county wildlife conservation committee in respect of each county
- c.) collect revenue levies and charges due to the national government from wildlife and as appropriate, develop mechanisms for benefit sharing with communities living in wildlife areas
- d.) develop mechanisms for benefit sharing with communities living in wildlife areas;
- e.) promote and undertake extension service programmes intended to enhance wildlife conservation, education and training, among others

4. The Wildlife Research and Training Institute

The Wildlife Research and Training Institute is established by the Wildlife Conservation and Management Act 2018. Functions of the institute as stipulated in the act include_

6. collect and analyze wildlife data and information, to support planning and decision making by different stakeholders
7. undertake research through remote sensing and geographic information system to enhance wildlife conservation and management
8. determine, in consultation with the Service and the relevant lead agencies, the carrying capacities of the various wildlife conservation areas and their conservation needs and priorities
9. provide training and capacity development programmes, courses in wildlife conservation and management and related disciplines and award diplomas and certificates
10. give information on early warning, disaster management, impacts and mitigation and adaptive strategies to climate change in wildlife conservation areas, among others

5. Kenya Utalii College

The Tourism Act 2011 establishes the Kenya Utalii College. The College shall have power to—

- (a) Establish, with the approval of the Minister, such campuses or centres for training and capacity building as are necessary and in furtherance of the objects of the College;
- (b) Fix, demand and receive fees and other charges for services rendered;
- (c) Regulate and supervise the discipline of students of the College;
- (d) Enter into association with other institutions of learning, within or outside Kenya, as the College may consider necessary or appropriate and in furtherance of the objects for which the College is established;
- (e) Make such regulations as may be necessary for regulating the affairs of the College;

The Kenya Utalii College has incorporated environmental management issues in its entire course which is important to enhancing sustainable tourism development.

1. County Government Departments

Section 30 (1) (d) of the County Government Act 2012 provides that the County Governor shall appoint, with the approval of the county assembly, the County Executive Committee in

accordance with Article 179(2) (b) of the Constitution. The Governor shall constitute the county executive committee portfolio structure to respond to the functions and competencies assigned to and transferred to each county

Functions of the County Executive Committees include-

1. Implement county legislation
2. Implement, within the county, national legislation to the extent that the legislation so requires
3. Manage and coordinate the functions of the county administration and its departments and
4. Perform any other functions conferred on it by the Constitution or national legislation

2.) A county executive committee may prepare proposed legislation for consideration by the County Assembly

3.) The County executive committee shall provide the county assembly with full and regular reports on matters relating to the County.

Section 45 of the County Government Act 2012 provides that with the approval of the county assembly, the Governor shall appoint the County Chief Officers of Tourism and Wildlife. This is an office in the County Public Service. The Chief Officer is responsible to the respective CECM for the administration of a county department as provided under section 46.

Further, Section 46 (1) of the County Government Act 2012 provides that a County executive committee shall determine the organization of the county and its various departments, and for that purpose may— (a) establish, continue or vary any department, and determine the objects and purposes of the department; (b) determine the number and nature of departments at the decentralized units; (c) abolish any department; and (d) determine or change the name of any department.

The Executive manages, coordinates and is accountable for all county government resources, functions of the county administration and the delivery of devolved services and is required to facilitate and engage citizens in the process.

The County departments have delegated responsibility for the county functions headed by CEC Members. Each department has a Chief Officer reporting to the CECM also appointed by the Governor, and county public service staff including County Directors, recruited through the County Public Service Board.

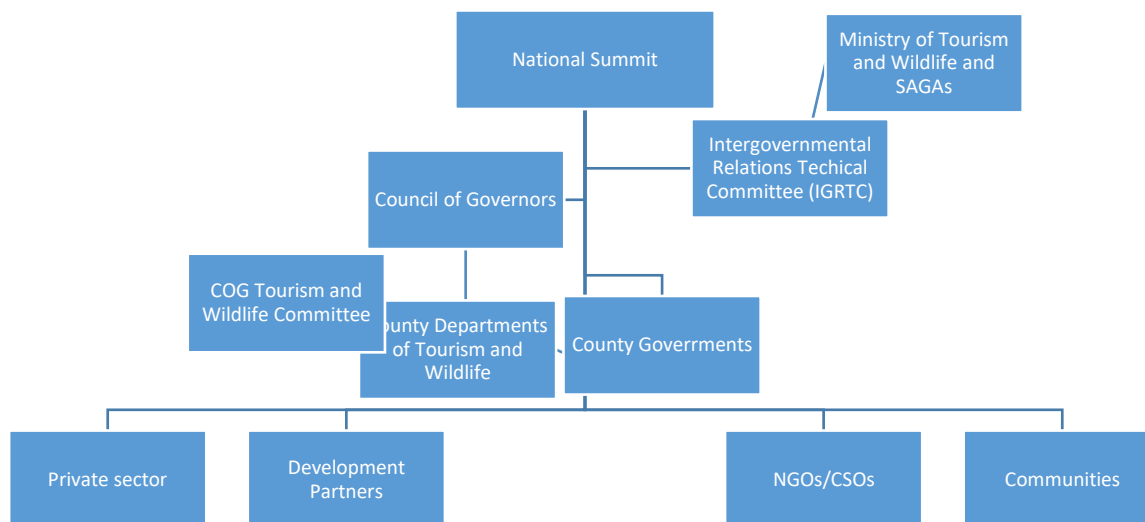
The Counties have established departments in the Counties responsible for the Tourism and Wildlife sector that have however been grouped with other sectors. These include; **the Tourism, Trade and Cooperative development departments, Tourism, Culture, Social Services and Sports departments** and others having merged with distant sectors including **Fisheries, Energy, Agriculture and Livestock departments.**

This level of disparity on the sectors with which Tourism is combined with affects the amount of attention given to promoting the sector and the various county tourism functions.

1. Sector stakeholders' involvement (Partnership and Coordination structures and arrangements)

The Tourism and Wildlife sector boasts of diverse players from the National Government entities, Tourism directorate in all the 47 County governments, private sector, Academia, Civil Societies and community associations .

In spirit of Coordination and Cooperation between two levels of Government, there has been established intergovernmental forums while at the Counties they are expected to map and establish stakeholder forums for matters to do with county planning , citizen participation and creating synergies with various partners.



Tourism and Wildlife coordination framework

2. Intergovernmental Relations and Cooperative devolved governance

3.4.1 Council of Governors (sector committees)

Section 19 of the Intergovernmental Relations Act 2012 establishes the Council of Governors which consists of the Governors of the Forty-Seven Counties. The Council shall elect a chairperson and a vice chairperson from amongst its members. The chairperson and vice chairperson of the Council shall serve for a term of one year and shall be eligible for re-election for one further term of one year.

The functions of the Council shall be to provide a forum for—

- (a) Consultation amongst county governments
- (b) Sharing of information on the performance of the counties in the execution of their functions with the objective of learning and promotion of best practice and where necessary, initiating preventive or corrective action;
- (c) Considering matters of common interest to County Governments;
- (d) Dispute resolution between Counties within the framework provided

- (e) Facilitating capacity building for governors;
- (f) Receiving reports and monitoring the implementation of inter-county agreements on inter-county projects;
- (g) Consideration of matters referred to the Council by a member of the public;
- (h) Consideration of reports from other intergovernmental forums on matters affecting National and County interests or relating to the performance of Counties; and
- (i) Performing any other function as may be conferred on it by this Act or any other legislation or that it may consider necessary or appropriate.

(2) The Council shall have powers to establish other intergovernmental forums including inter-city and municipality forums.

(3) The Council may establish sectoral working groups or committees for the better carrying out of its functions.

In accordance with **Part 3 of Section 20 of the Intergovernmental Relations Act 2012**, the Council of Governors has established **18 committees** one of them being **the Tourism and Wildlife Committee**.

The Tourism and Wildlife Committee was constituted to handle all the matters relating to Tourism and Wildlife Management, therefore the committee has the responsibility of formulating the intergovernmental framework of engagements with the National Government through the Intergovernmental working groups, identifying the key issues in tourism, providing the legislative and administrative actions and consolidating the best practices from Counties in collaboration with the stakeholders.

3.5 Intercounty agreements and resource sharing

The Constitution contemplates the establishment of County Economic Blocs intended to spur economic growth and maximize utilization of existing opportunities within the respective regions through policy harmonization and resource mobilization.

Section 6, 6(3), 6(4) of the County Governments Act, 2012 enables County Governments to enter into contracts to form partnerships and enter into contracts with entities and this may include County Economic Blocs.

Section 23 of the Intergovernmental Relations Act provides that the National or a County government may establish a joint committee with a specific mandate where such a committee is necessary for the achievement of— (a) the objects and principles of devolution provided in Articles 174 and 175 of the Constitution. It sets the basis for the formation of inter-county co-operation structures and therefore where such structures require institutionalization for proper management, governance and achievement of the objectives for which such structure is established, the county governments can through the County Assemblies and as provided for **under Article 185** of the Constitution establish the legislative framework for the institutions.

Currently there are 7 established economic blocs with county membership as follows:

Table 10 : County Established Economic Blocs

ECONOMIC BLOC	COUNTIES
North Rift Economic Bloc (NOREB)	Uasin Gishu, Trans Nzoia, Nandi, Elgeyo/Markwet, West Pokot, Baringo, Turkana and Samburu.
Central Kenya Economic Bloc (CEKEB)	Tharaka-Nithi, Meru, Nyeri, Laikipia, Murang'a, Kiambu, Nakuru, Nyandarua, Embu and Kirinyaga.
Lake Region Economic Bloc (LREB)	Bomet, Bungoma, Busia, Homa Bay, Kakamega, Kericho, Kisii, Kisumu, Migori, Nandi, Nyamira, Siaya, Vihiga and Trans Nzoia.
Jumuiya ya Kaunti za Pwani (JKP)	Lamu, Kilifi, Kwale, Mombasa, Tana River and Taita-Taveta.
South Eastern Kenya Economic Bloc (SEKEB)	Makueni, Kitui and Machakos
Frontier Counties Development Council (FCDC)	Garissa, Wajir, Mandera, Isiolo, Marsabit, Tana River, Lamu, Turkana, Samburu and West Pokot
Narok-Kajiado Economic Bloc (NAKAEB)	Narok and Kajiado

3. Other key institutions in intergovernmental space – The National Treasury, Ministry of Devolution, Legislature (Senate, National Assembly, and the County Assembly – sector committees)

Section 95 of the Constitution of Kenya establishes **the National Assembly**. The National Assembly consists of two hundred and ninety members, each elected by the registered voters of single member constituencies, forty seven women, each elected by the registered voters of the counties, twelve members nominated by parliamentary political parties and the speaker who is an ex officio member.

The Role of the National Assembly include-

1. Represents the people of the constituencies and special interests in the National Assembly.
2. Deliberates on and resolves issues of concern to the people.
3. Enacts legislation in accordance with Part 4 of this Chapter.
4. The National Assembly—
 1. determines the allocation of national revenue between the levels of government, as provided in Part 4 of Chapter Twelve;
 2. appropriates funds for expenditure by the national government and other national State organs; and
5. Reviews the conduct in office of the President, the Deputy President and other State officers and initiates the process of removing them from office; and
6. Exercises oversight of State organs.

Section 96 of the Constitution of Kenya establishes the Senate.

The Senate consists of forty-seven members each elected by the registered voters of the counties, each county constituting a single member constituency; sixteen women members who shall be nominated by political parties according to their proportion of members of the Senate elected under clause (a) in accordance with Article 90; two members, being one man and one woman, representing the youth; the speaker, who shall be an ex officio member.

The Role of the Senate include-

1. The Senate represents the counties, and serves to protect the interests of the counties and their governments.
2. The Senate participates in the law-making function of Parliament by considering, debating and approving Bills concerning counties, as provided in Articles 109 to 113.
3. The Senate determines the allocation of national revenue among counties, as provided in Article 217, and exercises oversight over national revenue allocated to the county governments.
4. The Senate participates in the oversight of State officers by considering and determining any resolution to remove the President or Deputy President from office in accordance with Article 145.

Articles 177(1) (a)-(d) provides for the composition of a **County Assembly** which consists of members elected by the registered voters of the wards, each ward constituting a single member constituency, on the same day as a general election of Members of Parliament. the number of special seat members necessary to ensure that no more than one-thirds of the membership of the assembly are of the same gender; the number of members of marginalized groups, including persons with disabilities and the youth, prescribed by an Act of Parliament; and the Speaker, who is an ex-officio member.

The Role of the County Assembly include-

The legislative authority of a county is vested in, and exercised by, its county assembly, as provided in **Article 185 of the Constitution of Kenya**

1. A county assembly may make any laws that are necessary for or incidental to, the effective performance of the functions and exercise of the powers of the county

government under the Fourth Schedule.

2. A county assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.
3. A county assembly may receive and approve plans and policies for--
 - (a) The management and exploitation of the county's resources; and
 - (b) The development and management of its infrastructure and institutions.

3.7 Intergovernmental dispute resolution mechanisms and experiences

The devolved system of governance comprising the National and County government which decentralized powers to enhance the quality of governance makes it imperative for both levels of Government to work cooperatively as envisaged in Article 189 of the Constitution. The provision, additionally, obliges both levels of government to respect each other's functional and institutional integrity.

Article 159(2) of the Constitution of Kenya provides for establishment of the Judicial Authority which shall be guided by the principle of alternative forms of dispute resolution including reconciliation, mediation, arbitration and traditional dispute resolution mechanisms.

The entrenchment of Article 159 in the Constitution however, does not guarantee effective conflict management or expeditious intergovernmental dispute resolution.

Further, Article 189 (3) of the COK provides for cooperation between the National and County Government, where in any dispute between governments, the governments shall make every reasonable effort to settle the dispute, including by means of procedures provided under national legislation.

The two levels of Government are required to resolve disputes amicably and exhaust the mechanism for alternative dispute resolution or any other legislation before resorting to judicial proceedings.

CHAPTER FOUR: COUNTY PLANNING AND SERVICE DELIVERY

County plans are essential for the planning and development undertaken by the 47 county governments the County plans are especially essential for the budgeting process in the counties. County Planning is a constitutional requirement in that every county should prepare a development plan in fulfilment of Article 220(2) of the Constitution of Kenya.

Part XI of the County Governments Act deals extensively with county planning specifically Sections 102 to 115 with an objective to guide, harmonize, and facilitate development within each county. Worth noting is that the County Executive develops the county plans and thereafter County Assemblies approve these county plans according to the law. The county planning framework should integrate economic, physical, social, environmental, and spatial planning

To guide, harmonize and facilitate development within each county there shall be the following plans:

1. County Spatial Plan (CSP)
2. County Sectoral Plans
3. County Integrated Development Plan (CIDP)
4. City or municipal plans – as provided for under the Urban Areas and Cities Act (No. 13 of 2011).

The County plans shall be the basis for all budgeting and spending in a county.

1. County Spatial Plan (CSP)

Section 110 of the County Governments Act obligates every County to prepare a ten-year GIS-based database system spatial plan for the county. The plan should provide:

1. A spatial depiction of the social and economic development programmes of the County. Linkages with the regional, national and other county plans.
2. Clear clarifications on the anticipated sustainable development outcomes of the spatial plan.
3. A spatial development framework for the county.

1. County Sectoral Plans

Section 108 of the County Governments Act obligates every County Department to develop a ten-year County Sectoral Plan as component parts of the County Integrated Development Plan. The sector plans should be:

1. Programme-based
2. The basis for budgeting and performance management

3. Reviewed every five years by the county executive and approved by the county assembly.
4. Updated annually.

1. The County Integrated Development Planning process (CIDP)

Section 108 of the County Governments Act obligates every County to prepare a five-year County Integrated Development Plan for each county which shall have:

1. Clear goals and objectives
2. An implementation plan with clear outcomes
3. Provisions for monitoring and evaluation; and
4. Clear reporting mechanisms.

This is the process through which economic, social, environmental, legal and spatial aspects of the county's development are brought together to produce a five-year plan to meet the service and infrastructural needs and targets for the benefit of local communities by both the national and county levels of government.

It provides a:

1. Framework for the county's development to county planners with a long-term perspective;
2. Single reference point for the coordination of all arms and entities of government to achieve immediate, medium- and long-term community benefits;
3. Five year rolling roadmap and implementation work plan of the county's service delivery, and development priorities the government effort will be directed towards achieving;
4. Clearly defined process for monitoring, evaluation, and reporting mechanisms; and
5. Mechanism for linking county planning processes with the medium-term expenditure framework and budgetary process system as required by the County Government Act.

1. City and Municipal Plans

Section 111 of the County Governments Act obligates every City and Municipality to prepare the following plans:

1. City or municipal land use plans.
2. City or municipal building and zoning plans.

3. Plans for location of recreational areas and public facilities.

The above-mentioned plans are the instruments for development facilitation and development control within the respective city or municipality.

Worth noting is that these plans are binding on all public entities and private citizens operating within the particular city or municipality

The constitutional authority of the County Government to develop policy, development plans and enact laws. Counties should pay attention to the functional areas of competency related to Tourism that have been transferred to the County Government and ensure the develop policies, plans and legal frameworks that are aligned to the Constitution, mainstream international and national standards and be considerate to the objects, principles, structures, systems, and processes of devolved governance outlined in the CoK and the devolution laws especially the county government Act.

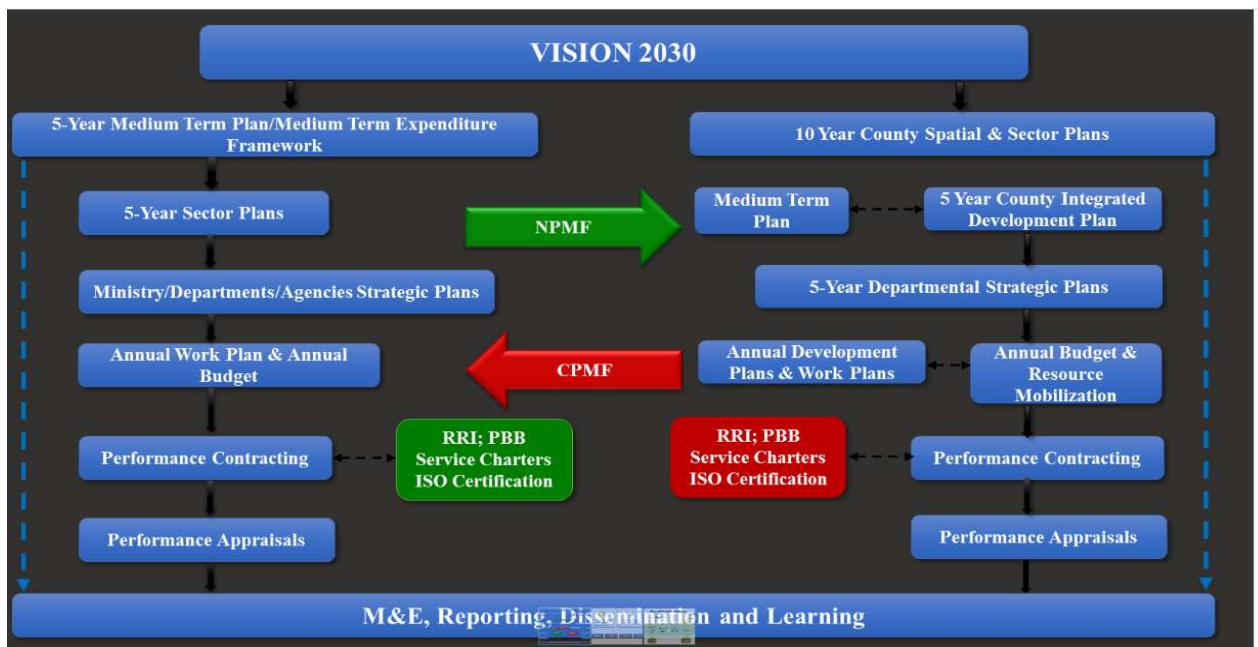


Figure 1 County planning structures

Sector Budgeting

Budgeting at the county level begins with the integrated development planning process, which involves planning and establishment of financial and economic priorities for the county over the medium term. The budget process starts with the issuance of guidelines to be followed by all the county government entities in preparation of the budget. This is then followed by the making of estimates of the county government's revenues and expenditures. Once this is done, the county adopts the County Fiscal Strategy Paper before preparing the estimates for the county government which are then submitted to the County Assembly to scrutinize the votes in the estimates before approval by County Executive Committee for Finance, and should be submitted by the end of April annually. This will include the budget estimates and the appropriations Bill. Once approved, the county assembly enacts an appropriation law and other laws required for the implementation of the budget after which implementation begins.

County Fiscal Year July 1st to June 30th

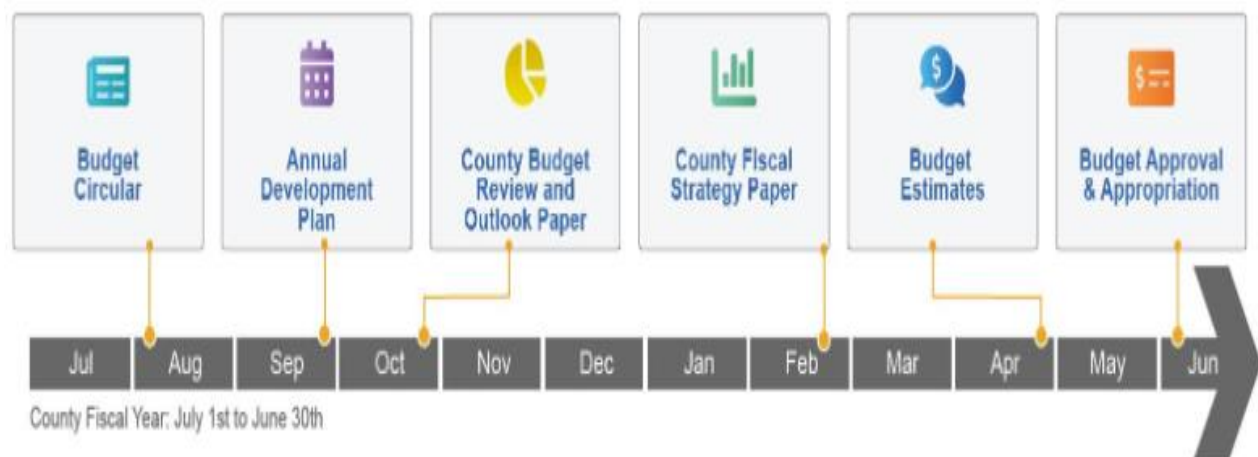


Figure 2

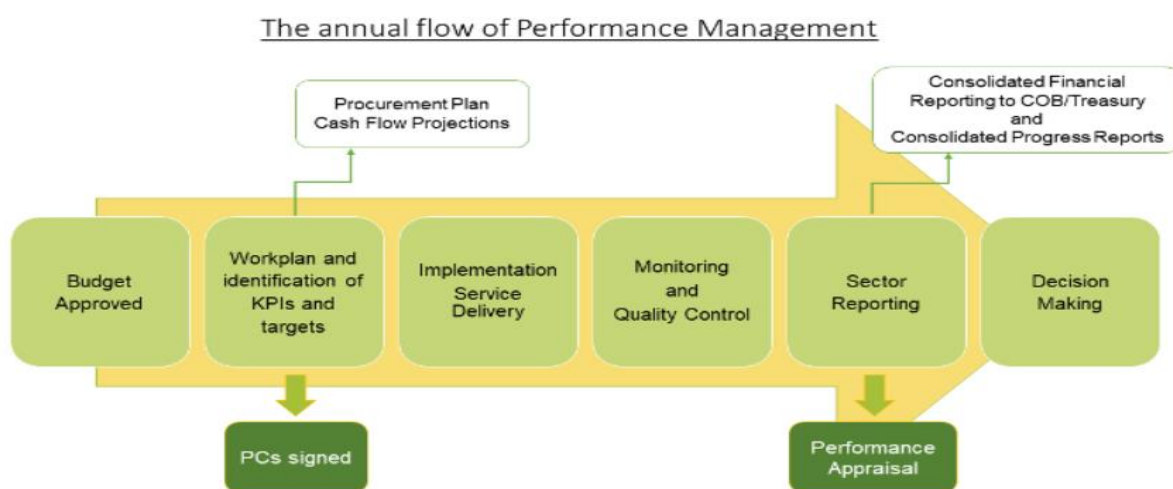
4.6 Sector Performance Management

At the County Government level, performance management is prescribed through various sections of the County Government Act, 2012 (CGA) and the Public Finance Management Act, 2012 (PFM).

Performance Management is the combination of steps and measures a government adopts to ensure that decisions are implemented, and targets are met. This is to ensure that the government delivers the services we expect as a society. Some of the measures that counties are expected to adopt include:

1. Performance Management Plan and performance reports (CGA, 2012, Art. 47)
2. Performance Contracts (signed by CECs, COs and Directors)
3. Staff appraisal (PAS)
4. Service charters
5. Incentive schemes
6. Social Accountability Mechanisms, etc
- 7.

Figure 3: **The annual flow of performance Management**



1. Inter-sectoral linkages

Environment Sector

Chapter Five on Land and Environment of the COK, and **Part 2** on Environment and Natural Resources provide obligations in respect of the environment under **Article 69 including**; The State shall__

1. Ensure sustainable exploitation, utilisation, management and conservation of the environment and natural resources and ensure the equitable sharing of the accruing benefits; and
1. Eliminate processes and activities that are likely to endanger the environment.

The good quality of the natural and man-made environment is essential for tourism. Tourism itself can enhance or destroy this environment. When tourism activity expands beyond the environment's ability to cope, negative impacts can gradually destroy the environmental resources upon which these activities are based. Negative effects of tourism include soil erosion, air, noise and water pollution, littering, decreased diversity of flora and fauna and aesthetic degradation. This underscores the significance of sustainable tourism development.

It is important that the County governments improve environmental and tourism policy implementation, develop environmental management standards for tourist attractions and facilities and promote tourism practices that contribute to environmental conservation among others

Gender and Youth Inclusion and Mainstreaming

The Tourism Sector contributes 9.2% of the total employment per annum. A gender and youth perspective is therefore important in tourism as women and the youth are an important component of the industry's workforce.

Article 27(3) of the COK, stipulates that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. Further, **Article 27(4)** provides that the State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

On youth involvement, **Article 55** elaborates on the rights of the youth and their contribution to national development, stating how “ The State shall take measures, including affirmative action programmes, to ensure that the youth (a) access relevant education and training; (b) have opportunities to associate, be represented and participate in political, social, economic and other spheres of life; (c) access employment; and (d) are protected from harmful cultural practices and exploitation’.

County Governments should therefore take affirmative action to promote gender equality and youth empowerment in their respective tourism policies and structures.

Sustainable Development Goals (SDGS)

Tourism can contribute directly or indirectly to all these Goals. Specifically, tourism appears in the targets of Goals 8, 12, 14 and 15 which relate, respectively, to **inclusive and sustainable economic development, sustainable consumption and production, sustainable use of oceans and marine resources and life on land**.

County Governments in performance of their tourism constitutional mandates need to promote an inclusive tourism sector that provides decent working conditions for all, promotes culture and local products, and protects our natural resources, thus preserving the unique attractions of each destination.

Trade Sector

Tourism is cross-cutting in nature and has multiple links to the Trade sector. Tourism is essentially trade. Local tourism development falls under the trade development and regulation function in the Constitution. County governments as part of their mandates administers trade licenses and permits including the single business permit, liquor license and garbage collection fees among others. The multiplicity of these licenses creates a hostile working environment for the different players in the sector thus necessitating the need to review and rationalize the business permits.

Tourism and Wildlife generates a major share of the country's GDP. Every tourist means creation of more jobs and business opportunities in tourism and trade. The bulk of the sector is made up of Small and Medium Enterprises (SMEs) therefore highlighting the need for private partnerships while enhancing inter-county collaborations to fully deploy its potential. The counties have shown effort towards this through establishing of economic blocs whose main aim is to stimulate opportunities within the regions with a goal of expanding avenues for resource mobilization for development.

Blue Economy Sector

Blue economy is the sustainable use of ocean resources for economic growth, improved livelihoods, and jobs while preserving the health of ocean ecosystem. Ocean tourism is a key tourist attraction along the Kenyan coast including beaches, cultural heritage and marine based habitats. The role of County Governments includes but is not limited to Coordination, and facilitation of the management and control of county-specific tourism activities such as waterfront facilities, sport fishing among others.

Inland lakes contribute significantly to support local livelihood, tourism sites, wildlife habitats, research sites and climate modification in the surrounding areas. Some inland lakes gain protection as they fall within Wildlife Protected Areas (Lake Nakuru, Lake Elmentatita, Lake Turkana (South Island, Central Island) and Lake Bogoria. while a number of Kenya's lakes have international designations such Important Bird Areas (IBA), Wetlands of international importance (6 Ramsar Sites)-Lake Nakuru, Lake Bogoria, Lake Baringo Lake Naivasha, Lake Elmentatita and Tana River Delta) and UNESCO World Heritage sites (Lake Turkana).

The overall objective of the Wildlife and Tourism Sector under the blue economy agenda is to provide a framework to promote, integrate, and offer coordinated management structures and tools for the marine sector to enable the country create opportunities for sustainable economic growth. Specifically, to address the following objectives:

- 1) Promote sustainable exploitation of marine resources.
- 2) Increase marine environment contribution to annual the Gross Domestic Product.
- 3) Promote marine education and training.
- 4) Enhance safety and security in the marine environment.

5) Provide effective co-ordination and governance structures within the sector.

1. Key inter-county programs in the sector

Kenya's tourism and tourist destinations are categorized into the following tourist circuits:

1. **Eastern Kenya Tourist Circuit**

The eastern circuit of Kenya runs in the eastern region of the country. It is made up of impressive physical features such as mount Meru, Ewaso Nyiro River and a variety of animals including gerenuk, elands, lions, cheetahs, zebras, leopards, hyenas, among others.

The circuit hosts the Samburu national reserve, Shaba national reserve, buffalo springs national reserve, Meru national park, Kora national park, Ol Donyo Sabuk national park and Mwea national reserve.

2. **Nairobi Tourist Circuit**

The Nairobi circuit is located in Nairobi and is a great tourism destination comprising of many tourism sites. Attractions and sites found in Nairobi circuit include: Giraffe centre, Nairobi national park, Nairobi safari walk, National Museums of Kenya, Karen Blixen museum, Kitengela glass, David Sheldrick Wildlife Trust and Maasai Market among others.

3. **South Rift Tourist Circuit**

The South Rift circuit runs across the destinations situated in the southern region of the Great Rift Valley of Kenya. It consists of breathtaking sceneries including escarpments, lakes and a variety of wildlife and bird species. Some of the notable wildlife species in the region include lions, elephants, buffaloes, maasai giraffes and notable birds including pink flamingoes, pelicans, storks among others. The national reserves and parks in the circuit include Hells Gate national park, Lake Nakuru national park, Mara Triangle, Masai Mara national reserve and Lake Naivasha national park and many more.

4. **Northern Rift Tourist Circuit**

The Northern rift circuit of Kenya runs along destinations found in the northern section of the Great Rift Valley. It consists of features like lakes (Lake Bogoria, Lake Baringo, Lake Turkana), Chalbi desert and bird sanctuaries, northern safari circuit stretches from Laikipia covering up to Marsabit and Turkana. The tourist attractions in the circuit include Laikipia National Reserve, Marsabit National Reserve, Nasalot National Reserve, Sibiloi National Park, South and Central Island National Park and South Turkana National Reserve among others.

5. Coastal Kenya Tourist Circuit

The Coastal circuit runs along the coast of Indian Ocean and is famous for Kenya beach safaris, marine safaris such as big game fishing, snorkeling and diving, water sports and many more. It hosts attractions including: Vasco da Gama Pillar, Gede Ruins, Hell's Kitchen, Malindi museum, Watamu Marine Park and reserve, Tana River Primate reserve, Mombasa marine national park, Kisumu Munguti national park and reserve, Malindi Marine Park and reserve, Arabuko Sokoke forest reserve and Shumba hills national reserve.

6. Western Kenya Tourist circuit

The Western circuit comprises fascinating attractions such as Lake Victoria and run in the western region of Kenya. The region comprises of rich forests, swamps and some of the rarest animal species including roan antelopes in Ruma National park, the endangered De-Brazza's monkeys in Kakamega forests, endangered semi aquatic Sitatunga antelopes and over 300 bird species. The attraction sites include: Kakamega Forest National Reserve, Ndere Island National Park, Kisumu Impala Sanctuary, Mount Elgon National Reserve, Ruma National Park, Saiwa Samp National Park among others.

1. Lessons learned on design and structures for delivery of sector **functions**

- ii. Restructuring of national government institutions to reflect the devolution form of governance system
- i. Need for national Government institutions alignment to those of county government for ease of collaboration and consultations, we recommend establishment of inter-governmental coordination forums, joint committees or sector working groups
- iii. Need to strengthen stakeholder consultation forums in the tourism sector to include the Development partners, private sector, community based organizations and civil society organizations.
- iv. Need for inter-county coordination as tourism and Wildlife is Trans boundary in nature, enhance regional coordination in its development focusing on the established regional tourism circuits

4.10 Knowledge management and information sharing

Knowledge Management (KM) has become an integral part of performance and service delivery in the public service. KM involves identifying, capturing, evaluating, retrieving, documenting, storing, packaging and ultimately disseminating knowledge assets. These could be in the form of research and case studies, data, project and activity reports, annual

reports, policy documents (strategies, laws, regulations, guidelines, etc), policy briefs and position papers, publications and databases.

With devolved units being closer to the citizens, the demand for quality, accessible and affordable services has increased. This has triggered innovation and application of sustainable solutions towards service delivery at the County level. It is important for a County to document the best practices and innovative solutions that they have adopted and are implementing. This is aimed at the following:

1. Influence performance and keep the County Government accountable to its citizens;
2. Harness institutional memory in the respective County's institutions;
3. Enhance inter-County knowledge exchange (peer to peer learning); and
4. Facilitate effective communication within the County and with external stakeholders.

CoG is aware that knowledge is increasingly being recognized as a core strategic asset in good governance, and this calls for a structured and systematic mechanism of capturing and sharing knowledge at the CoG level and also at the County level. Further the mandate of the CoG under section 20(b) is to promote sharing of information and best practices amongst Counties. It is with this understanding that the Maarifa Centre was established.

Maarifa Centre serves as a knowledge hub for innovations and success stories emerging from the 47 County Governments in the course of performance of their functions. It serves as Kenya's premier knowledge sharing and learning platform and conducts peer-to-peer learning activities among Counties. To solidify KM practices at the County level, Maarifa Centre developed a short **Handbook for County Governments on Knowledge Capturing and Sharing** that provides steps and standard templates for Counties interested in KM. The Centre has further proposed a model County KM Office aimed at guiding Counties who wish to institutionalize KM. The best practices and innovations documented from Counties on service delivery and other publications can be accessed at: <https://maarifa.cog.go.ke>

1. Support from the Council of Governors Committees/ Directorates

The Tourism and Wildlife committee functions include: -

- Continuous consultations with the Counties on tourism and wildlife development, tourism promotion and marketing, investments, products and services among other functions falling under their mandate and jurisdiction.
- Intergovernmental and stakeholder engagements to consider tourism and wildlife matters of interests to Counties
- Review, Monitor and develop legislative memorandums of current Bills and regulations before National Assembly and Senate relating to Tourism and Wildlife

- Assist Counties to domesticate the National Policies, Strategies and regulations related to the sector
- Provide linkages to Counties to promote sharing of information, learning, best practices and emerging issues from national, regional and global space on tourism and wildlife sector
- Coordinate participation of Counties in tourism festivals, fairs, conferences, forums so as to strengthen tourism resilience and sector performance
- Lobbying for resources and partnerships to facilitate support to Counties in service delivery

The committee functions through:

- Sectoral meetings with the Caucus County Environment Committee Members (CECMs), Chief Officers (CO) and Directors in charge of Tourism and Wildlife.
- Inter-County Forums and regional economic blocs consultations
- Stakeholder engagement workshops and forums to bring National, County Government, Private Sector, Civil Society Organizations, Communities’.
- Creating a platform to share the best practices in the sectors through the Council’s informing hub Maarifa Centre

CHAPTER FIVE: GAINS, CHALLENGES AND EMERGING ISSUES IN THE SECTOR

County Governments are geared towards development of local tourism and boosting of tourism and wildlife sector. In implementing the devolved functions relating to tourism planned for in their CIDPS and county sectoral plans, counties have achieved some of the following milestones during the period 2018-2022. These include;

5.1 Gains and Strategies in the Tourism Sector

1. Tourism Recovery after Covid-19 Pandemic

1. To revive the industry after the devastating impacts witnessed due to COVID-19 pandemic, **21 Counties developed Tourism and Wildlife Recovery Strategies.**

Table 11 : County Tourism and Wildlife Recovery Strategies

Counites		Tourism and Wildlife Recovery Strategies 2021/22
Kiambu	1.	Established Kiambu County/KCB fund for Tourism
Elgeyo Marakwet	2.	Provision of government direct incentives for investment in the tourism sector(Financial support, fee waiver on licenses) Encouraging domestic tourism (waiver on park entry fees for locals)
Kitui	3.	Developed Reserve management plans Promotion of water based tourism In search for potential investors and wildlife conservation partners
Trans Nzoia	4.	The formation and operationalization of the County Wildlife Conservation and Compensation Committee
	5.	Community Involvement ,Public Awareness and information
	6.	Partnerships with Key Stakeholder e.g KWS
Meru	1.	Intensive marketing of Meru County as a tourist destination.
	2.	Capacity building for service providers in the tourism and hospitality sectors in the County.
	3.	Tourism product development and diversification in the County.
	4.	Partnerships with private and public sectors in promoting tourism.
	5.	Prudent utilization of resources from County budget.
Kericho	1.	Document the Tourism Sites
	2.	Demarcate Tourist Sites, Survey and Acquire Ownership Document
	3.	Marketing Tourism and Wildlife in Kericho County
Samburu	1.	Formulation of a 10 year Samburu County Tourism strategy plan
	2.	Review of Samburu National Reserve management plan
	3.	Review of Samburu Isiolo Conservation area plan
	4.	Establishment of new community conservancies in Samburu central and Samburu North
	5.	Support of Existing community conservancies (Sera, westgate, Kalama, Namunyak, Meibae, Itungai and

		Nkoteiya)
	6.	Development of Malaso escarpment tourist attraction site and construction of hotel facility at the escarpment
Baringo	1. 2.	Opening up of the Tourism niche products Baringo county aspiring Geopark to be third in Africa
Tana river	1. 2.	Capacity building of tourism player Enhanced marketing
Nyamira	3.	Identification of Tourism Sites Protection of Sites under plan
Nandi	4.	Community sensitization, Target promotion and awareness, Documentation and digitizing tourism destination
Kwale	5. 6. 7. 8. 9.	Participation in tourism trade fairs and exhibitions Improvement/development of infrastructure - Beach access roads, washrooms, security light Development/improvement of community based tourism initiatives Enhancement of safety and security along our beaches Marketing through audio visual and print media content.
Narok	1. 2. 3.	County social economic RE-Engineering strategy Masai Mara Management Plan Greater Mara Ecosystem Management plan
Uasin Gishu	1. 2. 3. 4.	Diversification of Tourism products Community sensitization Target Promotion and awareness Documentation & digitizing of Tourism destinations
Kakamega	5.	Developed Tourism Website
Nyeri	6. 7. 8. 9. 10. 11.	Hotels were used as quarantine centers Tourism relief fund - SMEs offered Enterprise Development Loan at 5% interest rate Promotion of virtual tours Capacity building of CBTOs - capacity building of Mountain guides, porters and cooks and also cultural groups Promotion of domestic tourism strategies Partnership with stakeholders
Nairobi	1. 2. 3. 4. 5.	Organized a festival to revitalize the city Provision of a platform to showcase the tourism potential Organization on exhibitions to market the city's tourism Promotion of talent through free provision of space Partnerships with stakeholders to market the city tourist installations
Tharaka-Nithi	6. 7.	Promotion of homestays Promotion of private parks

Makueni	8.	The County has established a business empowerment fund that is available to all the business and people.
Mandera	9.	Support community based conservancy
	10.	Training and capacity building of staff
	11.	Recruitment of staff for the tourism department
	12.	Budgetary Allocation for the tourism programs

13. Development of Policies and regulations in the sector

1. Over the last one year, **19 County Governments** have enacted tourism-related Acts, Policies and Regulations while **7 County Governments** have enacted wildlife-related Acts, Policies and Regulations.
2. **8 County Governments** have domesticated the National Tourism Blueprint 2030 and the National Wildlife Strategy 2030 respectively.

3. Promotion and development of the local tourism

1. Mapping and development of local tourism products at Counties such as the county niche tourism products and services i.e. **recreational sites (social halls) , Rehabilitation of County Parks and green spaces, county cultural festivities**
2. To increase domestic tourism, **29 County Governments have this far gazetted 196 tourist sites.** Further, **27 Counties have established at least one public recreational facility** as summarized below:
3. Counties (Mombasa, Turkana, Migori, Kwale, and Baringo) have designated public beaches.
4. Counties (Mombasa and Nyeri) have public theatres.
5. 18 Counties have Public parks.
6. 16 Counties have Cultural Sites.
7. 9 Counties have Public Libraries.
8. 11 Counties have Museums.

9. 1 County (Mombasa) has a Cinema.
1. Cumulatively, the Counties have **25 public beaches, 2 Public Theaters, 51 Parks, 95 Cultural Sites, 15 Public Libraries, 18 Museums, and 1 Cinema**. This demonstrates the concerted efforts by the County Governments to boost domestic and international tourism in the country.

Specific Examples;

2. Coastal Beach Tourism, **Kwale County** has developed beach access roads in Diani, improved security along the beach by employing lifeguards and tourism enforcement officers and constructing two washrooms along the beach access road,
3. Niche product development and diversification, **Siaya County** has developed Odera Akang'o cultural centre and the Got Ramogi Heritage site
4. Business and Conference Tourism initiatives, **Kiambu County** has participated in 23 exhibitions and tourism forums which included Magical Kenya, International tourism days, Sustainable tourism Africa summit, East Africa tourism and hospitality expos, Githunguri cultural festival to promote tourism in the County,
5. Wildlife (Safari) Product, **Embu County** constructed 2 tented camps and 1 eco-lodge in Mwea National Reserve,
6. Tourism Promotion and Marketing, **Siaya County** has developed tourism guidebooks to guide tourists on the sites to visit and birding books containing all unique birds found in Siaya. **Turkana County** hosted the Kenya Tourism Board Officials and Media, the Landrover and Explorers club and Tembea Kenya Tujenge team to promote marketing.

5.2 Emerging Issues in the Sector

1. The establishment of devolved governance structures calls for collaboration in tourism development between the two levels of government to ensure sustainability of tourism products. There is need for a collaboration framework between the National and County Governments.
2. Existing legislations do not adequately cater for the needs of the devolved government. This has led to duplication of legislation, regulation and functions by County governments.
3. Lack of stand-alone departments in the Counties for the Tourism sector. This has led to low priority and performance of the departments in Counties that in turn leads to reallocation of budgets allocated to Tourism to other Sector in majority of the Counties.

4. Government funding for tourism has been inadequate. Development of local tourism products and marketing of Counties as tourist destinations is affected by insufficient budgetary allocations.
5. High cost of starting tourism business due to multiplicity of taxes, levies and fee coupled with inflation, discouraging both local and foreign investors from investing within the country. These include tourism license, single business permit, liquor license, garbage collection fee, music copyright, catering levy and bed levy among others.
6. The adoption of ICT has positively influenced dynamics in the Sector hence the need for tourism players to embrace technology in marketing of products. Traditional County tourism products need to adjust to modern and current tourism trends for promotion of local tourism.
7. There is need for continuous research to allow for data-driven decision-making to create resilience. A key area of focus could be **policy - relevant research on destination preparedness, management and recovery**” due to disruptions and crises that affect the tourism industry and threaten economies and livelihoods across the country.
8. The challenge of Climate Change. There is a dire need to know what the future portends in relation to the ongoing climate change. There is need to develop future scenario, of for example how the national parks will look like in 5, 10 or in 20 years, now, so that decisions can be made. This will allow for thought-out innovative solutions, which can be in place in advance. The signals are worrying as they indicate the possibility of losing our greatest attraction, the wildlife. A climate change forecasting research unit could be set up at Maarifa Centre.

End.