

Legislation Cited and Literature Consulted: Kenya

Legislation below informed analysis of community-based tenure regimes (CBTRs) in Kenya, as published in “[Resilience and Resistance](#)” and on the [RRI Tenure Tool](#).

Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
The Constitution of Kenya, 2010	2010
The Law of Succession Act of 1981	1981
The Land Act	2012
The Land Registration Act	2012
Matrimonial Property Act	2013
The Wildlife Conservation and Management Act	2013
The Marriage Act	2014
The Protection of Traditional Knowledge and Cultural Expressions Act	2016
The Land Laws (Amendment) Act	2016
The Community Land Act	2016
The Water Act	2016
The Forest Conservation and Management Act	2016
The Climate Change Act	2016 (2023)
The Public Participation Bill (Sen Bills No. 4 of 2018)	2018
The Land Value (Amendment) Act	2019
Environmental (Impact Assessment and Audit) Regulations, 2003	2003
The Community Land Regulations	2017
The National Guidelines for Free, Prior and Informed Consent, Ministry of Environment, Natural Resources and Regional Development Authorities, 2016	2016
Endorois Peoples' Biocultural Protocol: Sustainable Biodiversity Resource Management for Access and Benefit Sharing and Protection from Threats to Culture	2019
Supreme Court Advisory Opinion No. 2 of 2012	2012
Abdalla Rhova Hiribae & 3 others v Attorney General & 7 others [2013] KEHC 19 (KLR), Civil Case 14 of 2010	2013
John K. Keny & 7 others v Principal Secretary Ministry of Lands, Housing and Urban Development & 4 others [2018] eKLR - Constitutional Petition 6 & 5 of 2017	2018
Secondary Sources: Ndlovu, Nqobizitha and Enyinna S Nwauche. 2022. “Free, Prior and Informed Consent in Kenyan Law and Policy After Endorois and Ogiek.” <i>Journal of African Law</i> 66(2): 201–27. doi:10.1017/S002185532200002X.	