



SENGWER FOREST INDIGENOUS PEOPLES OF KENYA

**‘SECURING OUR RIGHTS TO LIVE IN, GOVERN,
MANAGE AND OWN OUR ANCESTRAL LANDS IN
EMBOBUT TO PROTECT OUR FORESTS – NOT
EVICTIONS’**

Milka Chepkorir

Sengwer Indigenous Peoples Programme/Forest Indigenous Peoples Network



Cherangany Hills

Sengwer Situation

- Sengwer is a **forest indigenous peoples** (33,000) who traditionally engage in hunting, gathering, bee keeping, blacksmith, handcraft.
- **Under customary law we own land in the forests** and plains, around the Cherangany Hills – sustainably conserving the fauna and flora. (GoK does not recognise our tenure rights).
- **Dispossession and encroachment** onto the traditional lands of the Sengwer took place under British **colonial rule**, and have continued post-independence (1964 Forest Reserve), including with the arrival of those seeking additional lands to cultivate and internally displaced people

Dispossession since Colonialism

- Since colonialism began, we were **forced to be assimilated**; to surrender our identity, customs, traditional lifestyles and economies.
- From the 1980s to 2007 we were **forcibly evicted** over 20 times. Forest Act 2005 failed to recognize forest indigenous peoples right to live in and own our lands in protected areas.
- In 2007 the **World Bank's Natural Resource Management Project (NRMP)** began. We welcomed it because its Indigenous Peoples Planning Framework (IPPF) promised to address our land tenure rights. Without our FPIC this part was dropped in 2011. Instead the NRMP continued to strengthen Kenya Forest Service (KFS) ability to evict us from our lands.

Continuing Forceful Evictions and Arrests of Sengwer of Embobut Forest

- **Despite the 2010 Constitution that recognises our rights (Article 63), and despite court orders since March 2013 forbidding Kenya Forest Service from evicting us, the evictions became far worse from January 2014.**
- Kenya government has labelled us squatters and or **Internally Displaced Persons (IDPs)** in our own ancestral lands, but we Sengwer are the indigenous people of Embobut forests and entire Cherangany Hills.
- Without seeking our FPIC, in late 2013 **Government treated Sengwer of Embobut as IDPs**, hence giving some of the community members Kshs 400,000 as 'compensation money' as they did to victims of 2007/08 post election violence. For Sengwer people the money was compensation for the injustices of past evictions.
- Government used this as justification for **massive evictions of all from Embobut** in January 2014.

Forceful Evictions and Arrests of Sengwer of Embobut Forest, during World Bank project.

- During and after the **World Bank's NRM project forceful evictions became much worse**. Since January 2014 there are daily arrests, harassment and burning of our homes.
- Sengwer representatives filed a complaint with World Bank inspection panel. The final report in 2014 found that the Bank had failed to adequately seek FPIC and had failed to recognise its project was strengthening a body, KFS, dedicated to an eviction approach.
- **Yesterday 11 Sengwer were arrested and many homes burnt**. Sengwer are still living in the forest. We return and refuse to leave our lands, though we are forced to live in the cold, under trees and caves.

Forceful Evictions and Arrests of Sengwer Indigenous Peoples of Embobut Forest despite Constitution

Art. 63 2 D ii Community Land

- (1) Community land shall vest in and be held by communities identified on the basis of ethnicity, culture or similar community of interest.**
- (2) Community land consists of... (d) land that is—**
 - (ii) ancestral lands and lands traditionally occupied by hunter-gatherer communities;**

African Charter on Human and Peoples Rights

The evictions are contrary to the African Charter, and to the many UN Conventions signed by Kenya (e.g. on Racial Discrimination)

Impact of the evictions

- School drop outs
- Child labour and early marriages
- Break out of diseases for example pneumonia, coughing
- Loss of our culture, language and traditions
- Cultural genocide and extinction
- Women are arrested, harassed and assaulted by KFS
- Abject poverty
- Continued destruction of the forest
- Forced families to live in the cold in caves, in the thick forest or make temporary structures in the evening

KFS FOREST GUARDS STARTING OPERATIONS TO EVICT SENGWER PEOPLES FROM THEIR ANCESTRAL HOMES IN EMBOBUT FOREST































Call upon friends of indigenous peoples to petition

- **Kenya Forest Services (KFS) to stop evictions**, arrests and harassments of Sengwer families in Embobut forest
- **Government of Kenya (GOK)** to enact policies and laws that recognize, respect and **protect the rights of forest indigenous peoples** to govern, manage and own their ancestral lands in the forests and protected areas sustainably
- **KFS to respect the rule of law** by abiding by the conservatory injunctive court order issued in March 2013 and allow Sengwer to rebuild their lives, homes, traditions, cultures, economies and lifestyles sustainably
- **GOK to facilitate National Land Commission** to execute its constitutional mandate as stipulated in the constitution to recognise our land rights.



Call upon CBD, IUCN, Finnish Government, EU, World Bank and other donor agencies to:-

- i. Urge Government to stop the harassment and instead **allow Sengwer to govern, manage and own their forest** with close working relationship with KFS, County, forest adjacent communities and other partners
- ii. Carry out a **Whakatane assessment** that leads to new conservation paradigm where there's no conflict between rights and conservation. We are committed to protecting our forests, the source of our culture and livelihood.

EMBOBUT ECOSYSTEM RIGHTS = CONSERVATION

