

## Ogiek Peoples' Development Program (OPDP)

*Working for a Just and Equitable Society by Promoting Sustainable Livelihoods of Ogiek Community*



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### **What next for Ogiek after the African Court's favourable judgment?**

Ogiek have 90 days to tender their submissions for reparations following the African Court of Human and Peoples Rights' favourable judgment on the community's human rights case against the Kenyan government.

On May 26, the Arusha-based Court ruled that the Kenyan government had violated seven separate articles of the African Charter including those related to their rights to life, property, natural resources, development, religion and culture by forcefully evicting them from Mau Forest Complex.

The community had sued the

government for eight violations of their rights to life, property, natural resources, development, religion and culture espoused in the African Court of Human and Peoples' Rights to which Kenya is a signatory.

The case was originally lodged with the African Commission on Human and Peoples' Rights in 2009, but was referred for the first time in history to the Court in 2012 on the basis that it evinces serious and mass human rights violations.

Ogiek Peoples' Development Program (OPDP), Minority Rights Group International (MRG) and Centre for Minority Rights Development (CEMIRIDE) were the three original Complainants before the African Commission.

The Court ordered the government to take 'appropriate measures 'within a reasonable time frame to remedy all the violations established and to inform the

court of the measures taken within six months from the date of... judgment.' "The issue of Ogiek land rights has finally been heard and the case has empowered them to feel relevant. I know that the case has also given hope to other indigenous peoples: it has made the issues seem real," said Daniel Kobei, Executive Director for the Ogiek Peoples' Development Program (OPDP)

"For the Ogiek, this is history in the making," he noted.

Kobei called upon the government to respect the African Court's ruling and appealed for deliberate commitment to full implement it.

"I call upon Kenya to nevertheless respect the rights of the Ogiek, given rights over ancestral land, right to non-discrimination are recognized in Constitution and the recently

enacted land legislations including Community Land Act.



### Teen pregnancies and dropouts, a crisis for Ogiek girls

Teen pregnancies and dropping out of school are among the most challenges facing girls in the Ogiek community, the women say.

They link these social problems to poverty and long walking distances to school.

“The girls are struggling with lack of sanitary towels among other needs,” said Agnes Ngobiroit, a Mariashoni resident during a two-day sensitization workshop for the Ogiek women in Nakuru.

“Then they are to walk many kilometers before they arrive school. This has predisposed them to teen relationships and friendships with elderly men as they seek to meet their needs. Unfortunately, they have ended up with unplanned pregnancies pushing them out of school.”

Girls dropping out of school due to early pregnancies has become so prevalent in Sasimwani in Narok County, said Hellen Sanau.

“Girls are being lured into relationships along the way to school. There are no schools closer to homes,” she said.

“The schools are as far as 20 kilometres away. It becomes so easy to corner a girl who is finding it distressing accessing education and whose parents are unable to fully provide for her.”

The women expressed concern over continued marginalization if the girls failed to acquire quality education due to the existing hurdles.

They also identified culture which denies girls some preferential needs such as proper housing, female genital mutilation, early marriages, reproductive tract infections, overworking and improper nutrition as among the problems hindering progress of Ogiek girls.

To address these challenges, the women suggested empowerment of women financially as a trickle down solution to the girls owing to

the fact that they understand their needs and will be capacitated to meet them.

Establishing schools within a 2 kilometer radius from homes would also act as proactive mechanism to curbing teen pregnancies and dropping out of school.

Lucy Mulenkei, Executive Director of the Indigenous Information Network(IIN) encouraged the women to form self-help groups to be able to upscale their financial reservoirs and assist the girls solve their problems to accessing basic necessities.

“You have to take the lead as women to help these girls address their challenges. You must also be on the fore front in sensitizing the community on importance of educating the girls and protecting them from the harmful cultural practices,” she said.

Eunice Chepkemai, the Gender Officer at the Ogiek Peoples’ Development Program (OPDP) advised the women to engage men in creating awareness on offering education opportunities to Ogiek girls.

“We must involve men in all levels of sensitization drives because they hold key stakes in the community. We need

their support to move otherwise all will be in vain if they are excluded,” she said.

The women who attended the workshop held on 27 and 28 July were drawn from Nakuru, Narok, and Kericho and Uasin Gishu counties.

They were sensitized on the components of Ogiek’s human rights case whose ruling was made on May 26 at the African Court on Human and Peoples’ Rights and their role in its implementation.



### **Translating cultural diversities into peaceful Co-existence**

Capitalizing on our cultural diversities to foster harmonious co-existence among Kenyan communities was the key message in this year’s 3rd Annual Ogiek Cultural Day held at Nessuit Primary School on 22nd April.

The event attracted various peace stakeholders in the society including members from various communities

residing in the Mau Forest region, local administrators, religious leaders and village opinion leaders.

The occasion officiated by Prof Gitile Naituli, Commissioner with National Cohesion and Integration Commission (NCIC) was themed ‘Leveraging on Culture to Attain National Cohesion and Integration’

Each speaker during the event emphasized on the necessity of appreciating existence of cultural diversities to promote peace and unity in Kenya. Prof.Naituli noted the importance of preserving culture since it was integral to promoting development in the country. “It is critical to recognize the importance of culture and strive to preserve it as builds a peaceful society,” he said.

While referring to Ogiek’s historical association with environment and how they utilized it to meet their socio-economic needs, Prof.Naituli called on communities to adopt sustainable management systems of exploiting natural resources.

He cautioned of conflicts over limited natural resources in the future should communities continue to utilize available resources unsustainably.



*Daniel Kobei, Executive Director (in regalia) of OPDP with Prof Gitile Naituli, commissioner with National Cohesion and Integration Commission(NCIC)dancing with Ogiek traditional singers.*

Daniel Kobei, Executive Director of the Ogiek Peoples’ Development Program (OPDP) said it is emulating that the Ogiek have cohesively integrated with other communities despite their distinct culture.

“Ogiek have learnt to adapt to a new environment complete with people from different cultures,” he said.

“They do not refuse to interact with them because they speak a different language. They have accommodated their cultures and live with them as brothers and sisters. And that is what we need as a country,” he added.

He urged communities to embrace cultural diversity for it was significant to steering achievement of national cohesion and unity.

Over the years the Ogiek culture has faced convoluted transitions with its original

practices rapidly fading away and the language slowly dying away.

The Ogiek have for centuries lived in the forest, drawing their livelihood from naturally occurring forest resources.

But start of evictions in the early 1990s brought forth beginning of disintegration of their culture.

Many have moved into different directions meeting new neighbours who speak different languages, eat different food from the natural honey, wild meat and fruits they were used to in the forest. But they have learnt cultures and now live as friends.

Wilson Kipkazi, Executive Director of the Endorois Welfare Council appealed to the people to accommodate the multiplicity of cultures in the society.

He said despite of one's culture is the beginning of inter-community conflicts and should be avoided to maintain peace and order in the country.

“We should all respect one another's culture. We have all grown up within certain cultural patterns and therefore nobody should look

down upon anyone's culture,” he said.

Sena Kanyinke, representing the Minority Rights Group (MRG) encouraged the Ogiek to be in the forefront in protecting culture.

He urged the community to capitalize on the Kenyan pro-cultural protection laws to safeguard their customs and traditions which would further draw them international recognition.

Various Ogiek cultural groups exhibited their artifacts and performed folk songs manifesting their treasured traditional way of life. Also, skits carrying the message of promoting peace through culture were presented, stirring echoes of peace, love and unity from members of diverse communities in attendance.



### **Provision of sanitary towels to girls delivers development to indigenous minority communities**

One in 10 girls in the Sub-Saharan Africa miss school

during their menstrual cycle according to United Nations Educational, Scientific and Cultural Organization (UNESCO).

This statistic is likely to vary with girls from the indigenous minorities who are disadvantaged in several ways. There is a wide gap between sexual and reproductive health needs for girls and the services that they receive.

They are vulnerable to health challenges as manifested in the higher rates of school drop outs leading to early pregnancy, early marriages, gender based violence and the risk of contracting sexually transmitted infections. The cultural norms also do not provide girls safe spaces to express themselves, share and learn on a wide range of issues that affect their everyday life.

The rights of the Kenyan child are human rights which are to be safeguarded meticulously.

Although the Kenyan Constitution does not expressly spell out the rights of the child, Chapter Four on Bill of Rights does provide for the protection of every Kenyan rights and freedoms including right to life, equality and freedom

from discrimination, free from slavery, servitude and forced labour, right to human dignity and privacy.

However, the Penal Code which defines the Penal system in Kenya particularly protects children, in that acts and omissions, which amount to child abuse, are classified as punishable offences.

Kenya has also ratified the United Nations Convention on the Rights of the Child (CRC) which mandates countries to protect children's civil, political, economic, social, health and cultural rights.

Lack of access to information on menstrual hygiene management increases their vulnerability and finding sanitary towels is even the greater problem to these girls. Economic abilities of the families from which they come from are very low. Their parents have little to spare for necessities off the immediate needs basket.

The lack of adequate, accessible and adolescent friendly sexual and reproductive health services not only affect the educational and economic opportunities of present and future generations, but threaten their survival.

This is worrying considering that the world is working towards achieving quality education for the population and gender equality, the targets set in the Sustainable Development Goals.

Since 2015 Ogiek Peoples' Development Program (OPDP) in partnership with Zana Africa Foundation has been running a sanitary towel distribution programme in which primary and secondary school girls from the indigenous minorities have been benefiting.

It is a great achievement to the community and nation to have these girls remain in school throughout the learning period because their educational performance is directly related to their future contribution to Kenya's Gross Domestic Product.

Educating girls from the indigenous minorities would help narrow their communities' marginalization gap as they will be the resources to eradicating poverty from the households, improving health lifestyle of the families and overall transform economies of their respective regions.

It is therefore significant that more support is awarded to projects that seek to empower girls from indigenous minorities' communities through provision of sanitary towels.

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