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**ORAL SUBMISSIONS MADE TO THE TRUTH JUSTICE AND  
RECONCILIATION COMMISSION HELD ON TUESDAY, 10TH  
JANUARY 2012 AT SUNSAIL HOTEL, LAMU**

**PRESENT**

<b>Tecla Wanjala Namachanja</b>	-	<b>The Acting Chair, Kenya</b>
Getrude Chawatama	-	Commissioner, Zambia
Sylvia Chidodo	-	Regional Coordinator

*(The Commission commenced at 10.30 a.m.)*

*(Opening prayers)*

**Ms. Sylvia Chidodo:** I think I will welcome Councillor Shariffa.

**Councillor Shariffa:** Women, how are you? As is our culture, if you are a girl stand up and give seats to the elderly.

Today is a very important day. We would like to thank the TJRC for coming to join us. The main objective is for us to express the problems affecting us. As women we have a lot of problems including oppression, education, health services and others.

When we speak, let everyone address a different issue. Because of time if a person had addressed one issue, you should not repeat the same. There is a list that is going round, everyone will write her name and where she comes from.

*(The women presented a song)*

**The Acting Chair** (Commissioner Namachanja): Let me start by apologizing for the Kiswahili I will use. I have heard very good Kiswahili here and I am just feeling ashamed to speak in Kiswahili. But because I am also a Kenyan, I will try my level best. You might not understand what I say because I come from up country the border of Uganda and Kenya. As you know, in that place people do not use Kiswahili language. They use English and native languages. In Tanzania people speak very fluent Kiswahili but in Kenya especially those who come from upcountry we try our best.

First of all, I would like to say I am very happy today to meet you women. As I was seated in front yesterday I was trying to look for women but the few who were there were made to sit at the back. It is therefore our joy today that we are here as women. We are together seeing each other and we can address our issues. I think you have been told about this Commission. This Commission was established so that it can look into the historical injustices. We have gone around the country and heard cases of women being raped, issues of women being chased away from their land and there are women who do

not have land although they have families. It is really painful for a woman to bear a child and know that she does not have anything for the child to inherit. We have heard of violations of women who lose their loved ones. Women are oppressed and because of that we saw that if we put women and men together, they will not be given that opportunity by the men to express what they want.

There are also other issues that affect us women which we cannot express in front of men, for example cases of rape. We have heard cases of women who were raped especially during the 2007 conflict. When their husbands heard that they were raped they separated with them. That is why we saw it better to have such kind of a special forum for the women so that we can express ourselves from deep in our hearts. That is why you see only female Commissioners are here. We do understand the problems which have affected our sisters.

The men that you see around are here to help us to capture what we are going to discuss. They have been with us all this long as we have gone around the country. Therefore do not fear our son who is standing there or the other one and feel ashamed to express yourself. Whatever we are going to discuss here is not going to be revealed. Do not be ashamed because they have heard a lot of these things.

My fellow women, mine is to encourage you not to feel ashamed. We have a very short time because we also have another programme awaiting us at one. Perhaps we will be here from this time up to around 12.30 p.m. and then we finish. When you address your issue know that there is also your fellow sister who wants to express herself. If that issue has already been touched and it does not affect you, if it has been discussed you can add on it but let us not repeat what has already been addressed. We want that when we leave this place we have a full report concerning the violations that women and girls from this particular area underwent. We will then give out our recommendations. You can also give your recommendations.

*(The Acting Chair (Commissioner Namachanja) introduced herself and the other Commissioner)*

We have gone round with Commissioner Chawatama all this time and she has really assisted this country. Before we start our discussions I would like to give her an opportunity so that you can hear her voice.

Women, we should just continue with the struggle. Thank you very much.

**Commissioner Chawatama:** Thank you very much. I am so happy to be here. At the end of this sitting and at the end of the life of this Commission, one of the things I would like to see and to hear is that because we have come as a Commission your lives have improved. I will then know that we have done something right and long lasting. I am very happy to be here to spend a few minutes with you in order to hear some of the challenges that you are facing as women. I am a wife and mother and there are things that do not

even respect the fact that I am a judge. So what you go through, I also go through. This is an opportunity for us to talk and encourage each other and strengthen each other.

Thank you.

**Ms. Sylvia Chidodo:** You know sometimes when elders speak and then you speak, you might be spoiling. I think all of them have spoken eloquently. It is now your chance to speak all the issues of the women in Lamu. As the councillor said, let us not be repeating issues that have been talked about. If, for example, it is about rape, all those who have been affected can stand up so that they are given their respect.

Any person who is standing to speak, tell us your name and where you come from for the sake of our records.

**Ms. Amina Bwantausi Omar:** My name is Amina Bwantausi Omar. I was born in Lamu and I am a resident of Lamu. I am very happy today to get such opportunity. I welcome you.

As women of Lamu we are undergoing a lot of problems but we do not get opportunities to address our issues. Today is a very lucky day and I thank you.

As a parent what is paining me is that our children are spoilt by drug addiction. Others are dying because of drugs. Most of our children have engaged in theft because of the use of drugs. We have been crying to the Members of Parliament, chiefs and the police but the most astonishing thing is that up to now the selling of drugs continues in Lamu and children are affected. We do not have any assistance as parents.

We are being told that there is a council of elders that is working with the Government and parents but what is astonishing is that the drugs are brought to Lamu and the sellers are going on with selling. As parents we are crying because we lose our children.

Thank you very much.

**Ms. Sylvia Chidodo:** Thank you very much for talking about that issue. I do not know how many here have children who have been affected by the issue of drugs. I can see it is all of us. What do you think is the reason for this?

**Ms. Amina Bwantausi Omar:** It is because of poverty. The child will go to school up to class eight; she or he will continue up to form four and that will be the end because parents do not have the capacity to take them to college.

**Ms. Sylvia Chidodo:** Anyone else who wants to add to the issue of drugs?

**Ms. Amina Musa Hamisi:** My name is Amina Musa Hamisi. I was born in Kipungani but I live here in Lamu.

On the issue of education, I deny the fact that our children fail to go to school because of poverty. I am one woman who was left with three children; the youngest had not even

started school. I tried my level best, I did not have any support, I did not get a brother or even a neighbour to assist me but I brought up my children well. I am illiterate and did not go to school, even if you write for me my name I cannot read it. However, God gave me the heart and I educated all the three children who have all finished secondary school. One of them managed to go ahead with education. I am very grateful to God for their success. The first born went for computer studies. She is now very far.

Right now, if you go to my home you can cry. I have tried but she has gone astray. I have recorded a statement with the police because of what the child is doing to me. I am seeking for your support because all of my children have gone astray. I am confused and only God is helping me.

**Ms. Sylvia Chidodo:** Sorry. It seems like the drug issue is a big one. I do not know your recommendations. As women you know if we do this and these things will go well.

**Councillor Shariffa:** You know women here we have come to look for a solution and to help each other. If we are not able to solve them we should not say that we can solve them. As Amina has said most of our children are affected by drugs. As women we have responsibility and we are trying. Let us look at the cause of drug abuse; is it caused by idleness? If a child is not educated, he or she will result to use drugs.

As Amina said, we are very poor but we try to provide education to our children. We do well in taking them to primary and secondary school but the big problem is when the child wants to go to college or university. We have small businesses that we use to feed our children; we cannot afford to educate our children.

Why is it that in other parts of the country people are educated? We are not that poor but there are more issues to it. The biggest challenge that we have is the leaders we have in this area. They are not leading us and showing us the way we are supposed to follow.

Our children have problems with drugs but we do not manufacture cocaine and others. These things come from very far away. They go through so many roadblocks to reach this area. *Bhang* comes from Kisumu, it is put in sacks and boxes and it goes through all the road blocks up to Mombasa. It is then distributed and then put into paper bags and brought to Lamu. If the Government can help us then this problem can stop. We have been trying in Lamu and all of us said that we are standing firm because everyone has been affected by drug abuse. Women are crying because the Government is not agreeing with us. The central Government is not helping. We are trying really hard here.

A woman like Saida Makombo does not sleep. She will stand and explain the responsibilities that she has in terms of drug abuse menace. Everyone has their responsibilities but we need to have two hands; if we are doing one thing the police officers should help us in another way. I wonder how drugs reach this place and the security personnel are everywhere. I will not blame the police officers from this area because if these drugs do not go through the roadblocks they will not be here.

Another thing that has affected us is that we do not have a rehabilitation centre. This is a big problem for us. After taking children to rehabilitation centers we should give them

jobs. We have been crying about this but nothing has been done. We have the Lamu Anti-drugs Organization which is helping those who are affected but we need to have a rehabilitation centre.

Thank you very much.

**Commissioner Chawatama:** For the women who are going to speak about the problem of drugs, the last speaker has talked about help from the central Government. The first Government that any child knows is the family government. Family government in some cases will consist of the mother as the head of that family. Family government at times will consist of the father and the mother, meaning that they are there to guide the children so that by the time that child grows and is exposed to the world, that child would have experienced family government. The question that is in my mind is what has happened to family life here, why are the men supporting their children? Have they taken their place in being the heads of the homes, in being the providers and in being the ones to discipline the children? Most of the single households like that of my sister Amina who said she is bringing up her children on her own, do women like that get support from brothers or uncles who are there as father figures? What has happened to the family unit here in Lamu?

**Ms. Sylvia Chidodo:** Have you heard the question that has been asked? Who is ready to give directions on such issues?

**Ms. Amina Bwantausi Omar:** We help each other but the big problem in the families is that if you are eight members maybe one has employment and the rest do not. Therefore, they will not be able to help each other because everyone has their own responsibilities. For example, I am a single woman and I have educated my child up to Form Four, I will take that child to the university because he is one child. But there is one person who has six or seven children. I put poverty as the main problem in Lamu.

**Ms. Nancy Kanyago:** How are you women? My name is Nancy Kanyago and I work with the TJRC. My work is basically to deal with women issues. We are working with Sylvia here. I would like to follow up on the issue that has been mentioned here. We would like to know whether you have family planning or it has been stopped because of religious issues or culture. Is there anyone who would like to contribute to this?

**Ms. Hafsa Abdalla:** My name is Hafsa Abdalla. On family planning, even religion says a human being must rest and not just continue bearing children. If you have a husband maybe it is him who refuses family planning and you cannot go without his permission. Some have medical conditions like High Blood pressure that prevents them from going for contraceptives. God also has His own plans and you just find you are already pregnant. You cannot abort because it is an abomination before God. Some men refuse.

**Ms. Sylvia Chidodo:** Regarding the issue that the Commissioner has asked about, our men do not take up their responsibilities in the family. Family planning is a problem. In Lamu, we have a problem with *Shiftas* also. The other issues are lack of medical care and

adequate educational facilities. Let me give a chance to other women so that they can talk about the problems they encounter.

**Ms. Rehema Katana Magiriama:** I greet you all. My name is Rehema Katana Magiriama and I come from Ndaou. In 1991 when I was in Form Three the *Shiftas* came and killed my brother who was supporting my education. He was working in White Sands Hotel. The *Shiftas* came at night and asked for money or girls. My elder brother came out with a *panga* but he was shot. My father and mother went through the back door. Our neighbour was also killed together with one of his children. The incident happened in Ndaou.

**The Acting Chair** (Commissioner Namachanja): Did you get any assistance from the Government?

**Ms. Rehema Katana Magiriama:** We got some assistance although it was already late. The incident happened at about 7.30 p.m. but the assistance came at 3.00 a.m. When my neighbours heard the gunshots they went to hide. There are some people who heard the gunshots and went to report. There was no assistance up to 3.00 a.m. in the morning. When the assistance finally came the people who had hidden in the bush could not come out. The chief introduced himself and encouraged people to come out. We were not given any explanation concerning the incident.

**The Acting Chair** (Commissioner Namachanja): What is the distance from your home to the nearest police station?

**Ms. Rehema Katana Magiriama:** It is about three kilometres. We were walking up to school.

**Ms. Nancy Kanyago:** Thank you very much for your presentation. Sorry for what you have gone through. Are there other people who were affected by the *Shifita* attacks?

**Mrs. Hadija Gurbaus Hussein:** I greet you all. My name is Hadija Gurbaus Hussein from Kiunga Division. Thank you for giving me this chance to be in front of you. I thank God for that.

As the Aweer tribe, we are a minority. We are now known in Kenya and in different countries. We were also affected by the *Shiftas*. Our area is in Kiunga and Basuba. We were affected by the *Shiftas* and we continue to be affected even now because we are a minority. We do not have anybody in the leadership. The police post is in Kiunga Division. We are a minority in this region. Recently, we got information that there is a person from Mangai who was appointed by the *Shiftas* to be their leader so that they can go to Mkokoni. We thank God that the person they appointed was illiterate and could not give them much information. So, at the end of the day he did not take them to Kiwayu village. The assistant chief of Basuba Location reported the matter to the police. The police from Kiunga were able to get him although he was very weak. He was hungry and thirsty but not dead. The *Shiftas* fought with the police and ran away. Right now we are

worried because of insecurity. When something happens we have to go to Kibodo to get help. Women are the ones who are most affected. There are so many women who are not educated. If we could be educated as the rest of the other women we could be able to help ourselves. If I could be educated like other women I could not be left behind or discriminated against. We are oppressed because of lack of education.

**Ms. Nancy Kanyago:** Thank you very much. You have spoken about *Shiftas* but I did not understand it very well. The *Shifita* menace was there since 1964. At the moment you have said that there is insecurity from other people from outside the country. Could you explain further?

**Mrs. Hadija Gurbaus Hussein:** The people who took the boy were *Shiftas*. They also poach elephants in our area. The *Al-Shabaab* came to Mkokoni and killed people.

**Ms. Nancy Kanyago:** You also mentioned that women have no proper education, why is that so? Is it because you do not complete school?

**Mrs. Hadija Gurbaus Hussein:** During the old days our forefathers used to believe that when a woman is educated she will become a Christian. We are just in the village and we are not exposed. We have not been enlightened due to lack of education but we have taken our children to school. For me I went up to class eight. My parents did not listen to other people in the area. The schools are there but there are no teachers. We have taken our complaints to the education officers but they have not assisted us. They only come once per week to get their salaries.

**Ms. Nancy Kanyago:** Fellow women, I would like to pursue the issue of education and I would like to know if there are women who managed to go beyond primary schools and we would also like to know the reasons behind the lack of education. When they announced the Kenya Certificate of Primary Education (KCPE) results, Lamu County was behind. The pupils did not pass their examinations well. What contributes to this?

**Mama Zahra:** I would like to talk about *Shiftas*. I am one of those who were affected since 1963. When I was working with World Vision International as development officer, we were arrested by the *Shiftas*. They stripped us and beat us. I can even show you the scars. In 2002 when the NARC Government came to power they said that they would finish the *Shiftas* and actually it happened. From 1993 to 1997 a larger percentage of them went down. During the *Shifita* attacks there were many problems. As women we were not able to work for our families in terms of education due to fear. There is a time we buried five people at the same time due to the problem of *Shiftas*. It was the plan of the Government initially to remove the locals and bring their own people. Since 2002, we have not seen any such incident.

That is my contribution.

**Ms. Nancy Kanyago:** When you say that it was the plan of the Government to remove the locals and bring their people, is there a place where the Government succeeded?



**Mama Zahra:** I was born in Matondoni. My grandfather had a farm in Kilindi, Sabasaba. He was a farmer and he grazed his cattle in Mkunumbi and Mukowe. When the plans started in 1965 they forced people to move away from there. When I speak, it is something that has really touched me. Sugar was a precious item in our community. We could only use it for tea. If we wanted to use sugar for any other purposes, then we could use bananas. We used to get everything from the farm.

We did not need fertilizers in our land. The problem with shiftas started in 1965. The problem existed as though the Government is not there. After 1970 and 1971, the Late President Kenyatta came to Lamu. He got the chance to view Lamu using a helicopter. After that he did not give us anything. He instead told us to go back to the farms. We have no hospitals or schools. The only place we have is Lamu town and it is congested. Since then people could not go back to their farms due to lack of services. All the basic services are found in Lamu but not in the farms. Now that we were unable to go back to the farms, we were left behind. In 1974 the Government introduced a settlement scheme through GTZ. I was told to settle there but I did not have anything. I did not have food or anything. So, how could I go there? The other people who were brought were given tools to enable them settle in Mpeketoni. As a citizen, what am I supposed to do? We could not go to the farms because in Lamu there is tap water and electricity. That is why the settlement scheme did not succeed. We have inter-married with other settlers and we are now mixed. I am talking about what we have gone through and it is very painful. We feel sorry that the Government of Kenya cannot provide security for us. There are no health facilities or schools in the farm. That is my story and if there is anything, somebody else will add.

**Ms. Nancy Kanyago:** Thank you very much. I would like us to address issues that have not been mentioned. You have talked about the shifta menace, drug abuse, lack of education facilities, and neglect by the Government and so on.

**Ms. Fatima Mohamed:** Greetings to you. I am talking on behalf of my parents from Sendeni and Mvundeni. In 1964, after Independence, my parents were removed from our home. This was caused by the shiftas. There are so many people who were arrested and others ran to Uganda. There were no roads then and people were scattered all over. People were afraid to go back to their homes due to the shifta menace. The fact that we were not living at home has made us poorer.

**Ms. Sylvia Chidodo:** Should we continue? If the Commission is here then we should express ourselves wholly. We shall continue but people should not repeat what has already been said. I want to listen to different issues. I will give this opportunity to somebody who is going to speak about a different matter. You will speak briefly so that we can move on. We shall give this chance to our Mama to speak. If you have an issue then writes it on paper then we will have a procedure of selecting those to speak.

**Mrs. Annah Kiseli:** My name is Anne Kiseli and I was born in Machakos, but when I got married, I came here. When we get married we go where the husband lives. My

husband was employed here. When I came here, I saw that this was a beautiful country. My husband was a policeman. The work of a woman was to give birth to children. I told my husband to get me a piece of land. He had his own land and I also have my own. In this country men marry many women. I was worried about the welfare of my children. I came to this place in 1976. At that time my hair was black and my children were very young. I started farming and stayed with my children. At that time there was no scheme. In 1980s a settlement scheme was established. The farms were sub-divided. I was in my parcel of land and I had not moved from my place. We continued with the sub-divisions and the settlement was established. Many people got their own piece of land. They were given letters of allotment. By 2009 I had not been given a letter of allotment. In that year somebody came and told me that my land belonged to him. In the same year, he showed me a title deed and told me that my land had been sold to him by somebody called Edward Macharia. In 2011 he came and told me that he wants his piece of land. I had stayed in that land all my life and I wondering where to go next. I was shocked because I am old. I was wondering what to do. I went to the human rights people. Right now I do not have land.

Someone has said that he is going to take my land. So, where am I going to stay? So, my question is, where did someone come from to claim ownership of my land when I had stayed there for years? That is why I have decided to come and talk to the Commission so that I can get a way forward. I am old and weak. Where will I go?

**The Presiding Chair** (Commissioner Chawatama): Thank you for your contribution. We indeed feel your pain. It is very sad that your land in which you have lived all these years should be claimed by someone else. We would like to know from you the area in which this land is and secondly, how you acquired it.

**Mrs. Annah Kiseli:** I am not afraid so I will speak. The person who came and told me that the land belongs to him was called Edward Macharia.

**Ms. Sylvia Chidodo:** Who sold you the land?

**Mrs. Annah Kiseli:** It was my farm and it had not been sold to me. I stayed there for a long time. That person came and told me that the land had been sold to him by Simon Muriithi. He came with a title deed with the name Simon Muriithi. I have not been given a letter of offer. Whenever I went to the office I was told not to worry because I will get the land and the letter of offer. The officer told me that the land belongs to Edward Macharia.

**The Presiding Chair** (Commissioner Chawatama): We have names and the title deed was shown to you. We will ask Emily from the legal department to take down those details and when we get back to Nairobi, a search would be conducted so that we can establish that indeed there is a title deed that has been issued. We shall also be able to establish how the person acquired that land. Even in law, squatters have rights. If you have lived on a piece of land for a while that should be taken into consideration. I do not think it is right morally to evict an old lady from land where she has lived for a long time.

So, we will get your details and see what we can do.

Thank you.

**Ms. Sylvia Chidodo:** It seems that there are several issues that people want to talk about. There are issues on natural resources, roads, unemployment among women, divorce cases and children.

I will go by the names that are written here. If there is anybody who wants to contribute more, we will give her a chance. We will give you five minutes to discuss your issue. We will start with Jamila on issues of environment and natural resources. Where is Jamila?

**Ms. Jamila Wangari:** I am Jamila from Mpeketoni Division. I am an activist on environment. I am in a group called Mpeketoni Conservation. I joined this group after seeing natural resources being grabbed by tycoons. In 2006, Lake Kenyatta which was the only lake in Lamu County was grabbed by a tycoon. The beacons are now inside the water. The lake is the only source of water in Lake Kenyatta Settlement Scheme. One tycoon has taken the upper side while the second one has grabbed the side of Kipini Conservancy. The beacons are inside the water.

There is also an issue of Shela sand dunes. The sand dunes have been grabbed by our political leaders. Our Member of Parliament, Fahim Yassin Twaha, has grabbed Shela sand dunes. That complaint has been forwarded and we have been following it through NEMA. The Director of NEMA came here and we reported to him. He visited Shela sand dunes and even Lake Kenyatta. We were together with the Director, Mr. Ayub and even the Chief Executive Officer (CEO) of the Water Resources Management Authority (WARMA). They promised that they will demarcate the areas but, up to now, we have not seen anything being done. The grabbing is still continuing. If you are a citizen in that area, you cannot access anything. You cannot even get water from that lake. You cannot go for ecotourism as a citizen of that place. You will be sent away by the askaris of the conservancies. There is so much that is going on in that place. We, as the people of Lamu, are requesting that all our natural resources be demarcated and returned back to the community. We want the community to be in charge. I am an activist from Mpeketoni and there are others from Lamu Division and Witu Division. We are all fighting for our natural resources to be demarcated and given back to the community, so that we can do our eco-tourism and make profit out of it. There is a foreigner who is occupying the sand dunes in the ocean and we do not know how that came about. When we followed it up, we heard that he has bought that land. We do not know who bought that land. He has already built his hotel and you cannot access the beach. The askaris will always chase you away. We do not know where our rights are.

For example, regarding water, we are sitting on a time bomb. We are only depending on Lake Kenyatta as a water resource. The water has decreased and the Warma people cannot come to read the meter levels in the area. That land belongs to a tycoon and the WARMA cannot access that information unless they pass through the DO. The meter

used to measure water level has already been removed and we, as the community, cannot access anything. The water is decreasing and in three years to come, we will have no water if this demarcation on Shela sand dunes is not done. All the sand dunes around the ocean have to be demarcated and the community has to own this land. Otherwise, Lake Kenyatta will dry up and we will all depend on water from the sand dunes. So, if somebody has grabbed that land, where will we go?

**Commissioner Chawatama:** Since this is a very important issue that you have raised and the impact that it has is also very great, five or even ten minutes are not enough for you to do justice. What we would want you to do is to submit a memorandum in which you will then outline all that you have said in detail and the impact that it is having on the locals, so that we can make meaningful recommendations.

Also, we would like to see what you have done and what you see for the future. If you have written reports or letters complaining, you can attach all those. But, please, prepare for us a memorandum.

**Ms. Sylvia Chidodo:** I think we are going to have Aisha to speak about the employment of the women.

**Ms. Asha Obo:** I greet you all. My main issue is employment. Lack of employment has led people to drugs. At the end of the day, our children remain as beach boys because they have no plans for their lives. Some of us women have gone to school and completed Form Four. We have tried applying for jobs in different departments here in Lamu County like the Kenya Airports Authority (KAA), but we are not given the chances. People from outside get the chances. If you ask they will say: "Sorry, we have been told from upcountry to take these people." Are we not supposed to get these chances? We have certificates just like the others. There are so many parents who are ready to work but there are no factories here. So, they are requesting to get jobs in factories or farms in Mombasa. This will in turn help their children. These jobs of cooking are just too much.

**Ms. Sylvia Chidodo:** Maybe, you can explain further what you mean when you say that they are told that those from the top---

**Ms. Asha Obo:** It means that they do not want to help the women from Lamu. They will bring somebody from upcountry; Mombasa or Nairobi. For example, here in Lamu, you have a big chance of getting a chance, yet the residents of Lamu are supposed to be given the first priority. The people from upcountry do not even know how the ocean is. So, it pains me a lot and I have to complain about this issue. I ask you to help us, as a Commission.

**Commissioner Chawatama:** How many women in this room are working for Government departments, hotels or anywhere? Raise your hands!

**Ms. Asha Obo:** Commissioners, I can tell you that 99 per cent of these women who are here are not employed. They just cook potatoes and beans in the evening. If you ask for

employment, you do not get it. They give to the people they know. They bring people from Nakuru and Naivasha. Even during the Army recruitment, you have to give a lot of money so that you can be given that chance.

**Ms. Sylvia Chidodo:** Mama Zahra wanted to talk about divorce and children.

**Mama Zahra:** I am Mama Zahra. I will speak about the issues of children and divorce. Most of us women from Lamu have issues to do with divorce and children. According to our religion, our husbands are allowed to marry up to four wives. We do not go against that because it is a rule in our religion. There are circumstances under which the husbands have been allowed to do this. But our problems come in when the husband leaves and goes to marry another wife. He forgets that he has left me with children. The first problem which comes up is that when the husband becomes rich, he even refuses to take care of his children. If you go to the Children's Department, especially here in Lamu, you cannot get help as a mother.

As I speak, I have a case. A DNA test has been done and it has been determined that the child belongs to him and the court ruled that the mother should be given Kshs3,500 per month for food and education. It is the mother's responsibility to take care of the child, and the husband is well off. If he is summoned, he changes the names of his property, so that the wife cannot benefit. So, this Commission will help us if this issue is solved. I have the copies here.

It came to the point where the Judge told this woman that it is not a must for her to be educated. Just think about that. We have come very far but there is no help that we have gotten. Men are ready to bribe any officer at the Childrens' Department so that they can oppress the women. If this Commission can take up this case and represent it, our fellow women can be helped.

In terms of issues of health, we have a hospital which does not have X-ray equipment up to now. Whenever women want X-ray services, they have to travel to Mpeketoni or Malindi. Are we not Kenyans? The medical services to women are very important. The women do not have employment, and that is why we are crying that an X-ray machine be brought. We were promised last year that it would come after one month. But until today, it has not arrived. Right now, if a mother wants to deliver or something happens to someone, we cannot get good health services. There was a time when we had to seek help from some Europeans to get drip-water to be administered to patients here in Lamu. So, medical services are very important to us.

There are also issues to do with the port which are important to us, as women. I want you to understand us very well. The women here in Lamu know that there are plans to construct a port here. Even before Independence, there was a port. The only issue is that we were not involved in the implementation process. We know that the port will not touch the land. It will be in the middle of the ocean, but our land will be used in another way. So, what we are crying over is that our land has been divided into three. There are farms which are in the schemes. There are also farms which were not in the schemes, but

the Major (retired) bought from our people and got the title deeds. Until today, we are there but we do not have title deeds. The Minister, Mr. Orengo, came to visit this area and promised that we will have the Swahili Settlement Scheme. We need that scheme before the port starts operations. We do not know what percentage of the port will help us as women, men and children of Lamu. When I speak about Lamu, I am talking about Lamu East, Lamu West, Witu, Mpeketoni, Mkunumbi, Mtondoni and Mkungani. There are many changes that the port will bring to this area. First of all, women will lose our religion and culture. We are not prepared on how we are going to conserve our culture and religion. Yes, we want the port, but after getting the title deeds for our land. We want our rights and issues as women to be looked into. There will be an increase in the number of people here in Lamu. It will affect Mokowe, but they are also our people. Since we do not have many people who are educated, how are we going to get chances in that port, so that they can help us as residents of Lamu? Even if I am not educated, I should be able to get employment in one way or another. But if I do not have the ownership of the port, how will I sustain myself?

Again, what percentage are we going to get from the revenue that comes from the port, as Lamu County? We need to sit down and know if we are going to get ten or 20 per cent. We have health issues, funerals and education of our children. It is our responsibility as women. It is the money from the port that will help us to continue with our lives.

The port will change our culture, traditions and everything, but we have to get---

**Commissioner Chawatama:** The speaker is now repeating herself. I think there was another issue which was education, if she could quickly go to education.

**Mama Zahra:** It is a difficult issue to speak about education here in Lamu because there are early marriages. Parents want their children to get married. When we have the Lamu Cultural Festival, there are many weddings. This happens because there are new visitors who come and their children are in a celebratory mood. So, they get married to those people, yet they do not know their history. Parents do not seriously look at the husband who has come to marry their children. A child could be in Standard Eight or Form Two and she gets married. This happens because the parent is running away from early pregnancy. Sometimes, as a parent, I could have brothers who are in Europe. When they come, the parents marry off their children because they want to reduce responsibilities. So, education for the girl-child in Lamu is a problem. For sure, our girls in Lamu are very bright. I have four children, two of whom are in secondary school. I do not have employment or bursary to help me. So, I will prefer my girl to help in cooking potatoes instead of going to school. I am a member of boards of governors in most of the schools here in Lamu and know that the problems of education here are very many.

There are issues of parents not paying school fees in time. There are also early marriages. There are also issues of separation. Also, children leave school before completing education. Those are the things that have led to the demise of education in Lamu. The teachers that we have are also not responsible. If a teachers quarrels with the parent, the issue goes on and the child is affected in class. Since the teachers and children come from

here, the teacher will know that he or she is a child of a certain woman. That becomes a problem.

Thank you.

**Ms. Sylvia Chidodo:** I think we have two issues which are important. There is the issue of the disabled and also Female Genital Mutilation (FGM). I do not know if those issues affect people here in Lamu. Looking at the time, I think those two issues should be looked into and then we can complete the hearings for the day.

Regarding the issues of roads, I think Amina can speak about that.

**Ms. Amina Omar:** How are you? All of you know that my name is Amina. Our road here in Lamu is very bad. The Government allocates money in form of Constituencies Development Fund (CDF) to take care of roads and education. Why is it that the money does not come to the people in Lamu? Lamu road is 50 years old. I travelled from here to Mombasa and fell sick because the road is poor. A total of Kshs21,000 was spent on my medication because of the poor road. The road was constructed in 1964. President Moi was in power and even Kibaki. We do not know who will look into the issue of the road. If you go to Nairobi, the roads are good. There are miscarriages because of the poor road. You should travel by road and not aeroplanes so that you can know our problems.

I will touch on education a little bit. We have early marriages amongst our children and the teachers contribute to this. Ninety nine percent of the teachers here are from Lamu area. I went to a seminar for six days and there was also a teacher who was attending the same seminar. How was the teacher given permission by the headmaster to come for that seminar? You will find a teacher going for a wedding for up to seven days, yet he is supposed to be in class teaching. We do not have enough teachers and so, teachers contribute to the failure of our children.

**Ms. Sylvia Chidodo:** I am informed that there is an issue concerning widows. I do not know how it affects people here in terms of inheritance. When your husband has died, how does the community look into your issues? Who will speak about that?

**Mama Zahra:** In terms of inheritance, we are different from others because of our religion. When someone's husband dies, there is the one-eighth that the wife has to get. The first thing that is considered is payment of the debts that the man had. One-fifth of what the husband has left behind goes directly to the wife. If the man has left behind a mother and father, they will all get a part of the wealth. But the wife normally gets her right. She does not have problems when the husband dies.

**Commissioner Chawatama:** Despite the fact that religion has played a very important role in many aspects of people's lives, including inheritance, some people are now ignoring this. They are doing this for economic reasons. Is there somebody in the room who has suffered as a result of the death of her husband?

**Mama Zahra:** I can answer you. Nowadays, people refer to the Constitution. Our husbands can marry up to four wives. So, the problem comes when a second, third or

fourth wife has no marriage certificate. If I do not have the certificate and whoever saw me getting married is not ready to witness that I got married to so-and-so. The family will not recognize me. So, I will not be given my part of the wealth. That is where the problem comes in. The secret marriages are the ones that are finishing us, as Lamu women. If so-and-so is my friend and the husband is also my husband and I have no certificate, when the husband dies is when the problem comes in.

**Amina Muhdhar Ahmed:** I thank the TJRC for inviting us here. My name is Amina Muhdhar Ahmed. I work with the Education Department. I am in charge of the nursery schools; the Early Childhood Development (ECD) in Lamu. I would like to add on what has been said on the poor educational performance in Lamu, because we are always at the bottom. The results are always poor in Lamu. In the 47 counties, we are number 44. That is very shameful and we are not happy about it. There are some things that contribute to the poor performance in Lamu, but we cannot say that it is only the teachers to blame. The parents are part of the problem and even the leaders are part of the poor performance in Lamu. This is because they do not contribute. On education issues, you can just say it is one person involved; all the stakeholders have to co-operate and take up their responsibilities; the teachers, the parents, the religious leaders and the stakeholders. But here in Lamu, we have not put much effort in education. It is not only the teachers who are to blame. Even the parents do not play their rightful roles. Yes, we are poor but poverty is everywhere. But here in Lamu, it is not that we are very poor that we cannot even afford, but the truth is that education in Lamu is not a priority.

So, I would like to request, maybe later on or after this workshop, those leaders who are not taking their responsibilities seriously in education, that they should take up their roles so that we can move forward in education. The parents should take their full responsibility on education because it is not the teachers who have given birth to these children. The children are just taken to the teachers. The teachers take the children when they are four years old. But what we want to know is that, before four years, from conception up to now, when the children are staying with their parents, us, as parents, we do not take our responsibilities seriously. That is why we are getting poor performance in education.

The issue of early marriages has really come out, and this is because of the parents. The parents see that it is better to marry off their children early or they keep their children at home to help them with their house chores instead of taking them to school. So, although the Government has given us free education, the parents are still lagging behind. The parents are not taking the free education---

*(Loud consultations)*

Let me finish, please! Let me finish!

They marry off their children early to very rich people so that they can get enough money to improve their lives. They leave their children at home to help them in cooking so that



they can improve their lives. So, we are requesting the parents to stop doing this so that we can educate our children and improve the education standards in Lamu.

In terms of the leaders in Lamu, they do not take the responsibilities in education seriously. That is why we have been failing all these years. There is no leader who calls a meeting or comes to the education office and asks us to sit together and see how we can solve this problem of poor performance in Lamu. You can even see that there are children who perform very well in exams, but because of poverty, they are not able to continue with their education. There is one person who mentioned here that there are children who scored grade B and they just go round taking drugs. This is not their wish, but it is just because they have nothing to do. They cannot afford further education. Such a child is supposed to be at the universities but they cannot go to the university because they are poor. So, they have to remain behind using drugs. But if only we had leaders who are responsible, they would be getting all this assistance for the needy and bright students. They would have got scholarships; they would have got some assistance from the Constituencies Development Fund (CDF), but the CDF money does not help those needy students. Those who are helped are only those who can afford; but those who cannot afford are left behind. So, that is why there is poor performance in Lamu.

The big issue that I have to say is this – I am sorry for that, but it is a big issue – I will go back on drugs. There is a child of my brother who was a drug abuser who was killed in 2006. It is true that the boy used to abuse drugs, but the KWS officers shot him using an elephant bullet. He was shot on the leg and he started bleeding. That child was from Kiwayu, but the father is my brother and he was a teacher on that side. After the boy was killed by the police, he was not helped with anything. He was shot at around 10.00 p.m. He was kept there and the police never came to assist him. He was left bleeding until 10.00 a.m., when the child became anemic. The boat was never made available to carry him. They wanted the parents to fuel the boat. There is this organization called “Kibodo” which was ready to give us a boat, but the parents were to fuel the boat. But when the boy was brought, he was anemic and on their way from Kiwayu to Lamu, the boy died. Unfortunately, he was buried back home, but when that issue was brought to the police, it was not addressed. It is now quiet and there is nothing that we were told. My brother was not told anything. Those are like people who have lost their minds because of the stress of losing their child. They cannot even go anywhere. If you want, we can even go there. I am going to take you to them and you will see how their status is. It is something that is very sympathetic. May be after this workshop, we can follow up on why this child was killed. Yes, he was a drug abuser, but he was not supposed to be shot like an elephant. I know there are some...

*(Loud consultations)*

Thank you very much.

**Sylvia Chidodo:** We can get one person from this area and one person from that side where I think they have not spoken and then we can close the hearing. I think when she was speaking about education, it was said that there was no free education and all of you

agree with that. You can get on to give us the reasons. Let us get one person to speak from each side and then we can finish the hearings for the day. Is that okay?

**Ms. Nasra Ahmed:** My names are Nasra Ahmed from Lamu. Free education is not here in Lamu. I have children who I am educating and their father has left me – we are separated – and I do not have employment. I have to buy books and pens and everything. Everyone wants to educate their children. There is no one who would like to marry off their children early. If you do not have employment, how will you educate your children? Right now, my child is completing Standard VIII and I am worried because I do not know what I will do if she goes to secondary school, considering that the fees has gone up. The father does not assist me with anything. What shall I do? Those are my issues.

Thank you.

**Ms. Ainani Assanga:** My name is Ainani Assanga from Lamu and I want to talk, first of all, about the issue of health and how we have been suffering in the Abajuni Village, where our parents are coming from. A person can become sick and be taken to hospital. Perhaps she is pregnant and she wants to deliver, but before she is taken there, she will be assisted by the traditional birth attendants. The doctors will say that they cannot be taken to Lamu, and from that place to Lamu, it is around four to six hours. You can imagine, the boat can take two to three hours. You have to give out Kshs10,000 or Kshs20,000. For a person like me, maybe I am able and I can manage to pay the money, but there are those people who cannot raise this money because on average, they get a single meal a day. What will you do? It makes you go by the boat and on the way, the person dies or there is a complication. Perhaps, you have succeeded and you have got some assistance on the way. But when you reach the hospital, other problems arise. You are told that there is no doctor and you are referred to Mpeketoni. That is also another problem. Taking a boat to Mpeketoni, you find the doctors are busy or there is no scanning machine and you are then referred to Mombasa for scanning. We would like you to assist us get the facilities. You can be admitted in Lamu and then you go for the drip in town. If there is no drip, how will you help yourself? At times, you have given birth and there is no water. We, Muslims, do not clean ourselves with tissue paper. We use water for everything, but there is no water in hospitals.

That is the first thing.

There are no doctors in hospitals. You will go there and they will just look at you. Recently, I do not know whether you heard that there was an accident. For scanning, you have to go to private hospitals because there is no scanning machine or X-Ray machine at the general hospital. It is lacking a lot of things. If you go for scanning and you go back after two weeks, you will be told that an X-Ray is needed. When you go to Mpeketoni, they ask you to go to Mombasa. We do not know whether these scanning machines are functioning or not.

*(Applause)*

Sometimes you will be told that there is a complication in your stomach but if you go to Mpeketoni, you will be told that there is no problem. But if you go to Mombasa, you will confirm the truth of the issue. How are you going to assist us? If I am lying, just tell me. You will be scanned in Lamu and you will be told that you have a kidney problem. You will go to Mpeketoni and you will be told that it is something like a stone, and until you go to Mombasa, that is where you will be assisted properly. We are suffering. That is the most important issue.

The other important issue is about the teachers. Just have sympathy on us.

*(Loud consultations)*

Hospitals are very important, but they lack water, especially at the Abajuni Village. So we have to come to Lamu with a jerrican to fetch water. Also, there is that humiliation. When you ask the doctor: "How is my patient doing?" You go in a polite and humble way, but you get a harsh or rude reply. Or you are in theatre and the patient is not being taken care of until you start complaining and then they bring the policemen to chase you away. That is not a good thing. It is really not right and that is the truth. Perhaps they think it is a joke. It is not. We want to solve the issue. I think if you do that, we will be very grateful.

Thank you very much.

*(Applause)*

**Ms. Sylvia Chidodo:** I have been told that there is an issue on Female Genital Mutilation (FGM). So, there is one person who would like to speak about that. We will give her two minutes to hear what she has to say.

**Ms. Amina Kale:** My name is Amina Kale. There has arisen the issue of the FGM. There was nobody to contribute on this issue and that is why I had to ask for this permission to talk about it.

We, the Abajuni, do not undergo the FGM, but there is a tribe here that we stay and interact with that practices the FGM. Because I work with the organization of Kikozi Programme Group, which is an umbrella organization that work in conjunction with various groups, I was lucky to work with groups of the Orma; those who are staying in the rural parts. These women are very poor; this tribe is very poor. Their children do not even go to school and very few families manage to take their children to school. Others stay in the rural areas and because they have not come here, perhaps they are engaged in small-scale businesses and other issues. When we try to talk to this tribe as women, they say that it is a must for girls of the age of seven, eight up to ten years to undergo FGM. If the girl is not circumcised, they say that is shame and that she will not manage to get a husband. It is one or two families that we agreed that they should not undergo the FGM because the girls went to primary school. But most of the Orma girls undergo the FGM. The population of the Orma is very small. It is around 1,000, who are in the rural areas of Lamu. Because the FGM is part of their culture, they have to circumcise the girls.

Perhaps, the way forward to assist them is to educate them and sensitize them through workshops so that they can understand the effects of FGM. I think that can bring a solution. But FGM is in Lamu and these people are poor and uneducated. The tradition continues every time and it is there.

Thank you very much.

**The Acting Chair** (Commissioner Namachanja): So, Mama Amina, you mean that there is no awareness which is done in this community?

**Ms. Amina Kale:** For sure, there is no awareness done on that tribe. There is no workshop or education about anything. Foreigners come and meet us, the Abajuni, and they say that there is no FGM in Lamu. So, when you move, you have the perspective that there is no FGM in Lamu, but it is there and it is ongoing.

**The Acting Chair** (Commissioner Namachanja): What is your organization doing to help them?

**Ms. Amina Kale:** As I had said, my organization works in conjunction with different groups. When I meet them, most of the times I try to speak to them, and that is how I can see how serious the problem is. When I meet them, they talk about the FGM, and they should be enlightened about the laws of Kenya concerning FGM. May be if you undertake the process, you have to be arrested, but their belief is so deep that they cannot fear the law of Kenya and leave alone their traditional culture. So, we have to talk to them in a slow way. It is not something that can be put off just in a flash.

**Ms. Sylvia Chidodo:** We have been informed that there is someone who wants to speak about the disabled people. It will be nice if we give her a chance. You have one minute, please.

**Ms. Warda Abdalla:** Assallam Aleykum. I did not write my name because I do not have a specific topic. The qualified doctors here in Lamu are not there. Let us not blame each other. Our problem is just blaming ourselves. My name is Warda Abdalla. I am a teacher.

Our main problem is just blaming each other. We blame each other over everything, and we do not know what we are blaming each other over. The problem of this place is that we just blame and blame, but we do not know what we are blaming each other for. There are qualified doctors here. It is the equipment that is not available. So, if there are doctors but the doctors do not have equipment, how will you be treated? So, the problem is lack of equipment, but doctors are there. I have been given one minute; so I am just summarizing.

Secondly, education is free, but parents--- I am answering to what I have been told, and I am speaking as a teacher. I am going to blame the teachers. They just sit up to the last minute, and the pupils in a class just fail; pupils fail from Standard I all through. Everyone just wants the child to continue. You do not want your children to lag behind;

you do not want to be told anything about your children, yet you want your children to perform well. The children cannot perform in Standard Eight if there was no good foundation for them. I am saying that because I am a teacher and I deal with children in Lamu. The problem is with the parents.

There is no single parent who wants to know where the problem is. So, let us not just blame. There are people who pay school fees because the teachers do not decide on it. You are the people who are called to meetings and you agree to pay. Just say that you are not going to pay Kshs500---

*(Loud consultations)*

If all of you say that you have agreed that you will not give the Kshs500, will the school be closed? No, it will not be closed. But if certain people give out the money, then the others have to give it out too. So, the problem comes with the parents accepting to pay, and then they go to complain in the streets. But when they come, they say that they do not have money.

Parents in Lamu are lagging behind in education and it is not the problem of teachers or the Government. It is the parents. If I tell them that children should buy a textbook like English Aid, which is supposed to help their children, parents say that they do not have the money to buy it. But the same parent who says that he does not have the money to buy a textbook has bought clothes, while I, as a teacher, do not have clothes. Please, parents, we should not blame teachers. Let us sort out where there is a problem. We, the parents, just like complaining.

Lastly, all these are responsible people because in Lamu, we do not have good leadership. Every problem here in Lamu is because we do not have leaders. The leaders do not help us. That is why we do not have good hospitals. How many of you have seen leaders coming to ask about the problems that we are facing? They just want to give us Kshs200 so that we can vote for them. Leaders here in Lamu are the ones who lag behind and do not do their work.

**Ms. Samia Omar Bwana:** Assallam Aleykum. My name is Samia Omar Bwana and I come from Chundwa. I would like to talk about the issue of the disabled; although I am not disabled. One of my brothers is disabled and I stay with him. He cannot speak and, for sure, there are two people whom you have seen interpreting speeches into sign language. If we ask a person here publicly who needs disabled people--- I think dumb people in Lamu have not got an opportunity to go to school where they can learn. My brother was taken to a certain school in Kisumu. Luckily, the family was capable of taking him there. Because of unemployment, most of the disabled people lag behind because they cannot be taught in order to understand. If they are visually challenged or physically impaired, they do not have the way forward in their lives. There is a school here, but I am speaking about the whole of Lamu County, including Kiunga and Kibononi, where there is no school. It forces parents to look for money and take their children to the other side. Given how the transport system is, it is not easy and they

cannot manage it. There is a time we were told to ask questions that had been asked. Ours have been addressed, but I want to give my testimony and say that it is not songs that are.

On the employment of women, my own example is that I finished school and I have two degrees. I finished school in 2008, and most importantly, I wanted to work in Lamu because I come from Lamu. I applied to one of the organizations here in Lamu and, in fact, when I was making the application, they told me that I was over qualified, and that because I came from Lamu, I would get the job. But, afterwards, while awaiting the interview results--- When I investigated, they said that my curriculum vitae was hidden in the third draw. There is a person who took the opportunity, but he is not from Lamu. He is from upcountry. That is true evidence. It pains me a lot because it has taken me three years to get an opportunity to come and work here in Lamu.

I know the example that I want to give, my background. I am a Public Health Officer. Even if I am not working in Lamu, I am trying to make a follow up on how I can help my people.

*(Loud consultations)*

Another example is my background. I have gone through a public health course. I tried to follow up the issue of Lamu Hospital to see if there was an opportunity for me to help. Luckily, I heard that there was a donor or a sponsor who wanted to give some aid to Lamu Hospital. There is also another law that is so funny in Kenya. If there is any help to any district hospital, it must first go through Kenyatta National Hospital (KNH). This means that if I have some money to give out, or a donation or equipment, I have to go through KNH. If I want to give an x-ray machine, I have to give it to the KNH and then it is brought to the other side. I do not know whether it is official or unofficial, but when I went to a doctor to assist him because there is a donor who wanted to give out an oxygen machine; he told me that we could not give the machine, because it had to be done using the official channels. Those who help us are the technicians, and all of them are in the KNH. So, if you give us the machine here and we do not have a technician, we will get a problem which we cannot solve. We have to go back to KNH. If we do not have such a machine, what will we do? It means that here we need technicians, and we should not depend on the technicians who are in the Central Government. If you talk about the x-ray machine, it will be brought here, but there are no radiologists. What will we do? It will just be equipment that will rust because it will not be used. We do not have the technical staff.

Also, regarding maternal health, it is not the fault doctors that we have Lamu East and Lamu West. It is a large area. It is not possible to bring doctors to every village. That is the problem. That is why we depend on nurses and the traditional birth attendants. But the traditional birth attendants are not allowed by the Government. You cannot go to them, even if they have got training. When you look at many villages, we do not have child health workers. People just depend on the traditional birth attendants. They are not legal in Kenya, but we know that these are the people who women depend on. Why are we not making use of them? Why does the Kenyan law not recognize them, so that we

can use them and so that they can be educated? Even if we say that FGM is illegal in Kenya, it is ongoing and it is using equipment that contributes to rampant HIV/AIDS cases. They can be given, for example, the disposable blades, even if doing that is illegal; it is just a way of reducing the HIV/AIDS infections.

Those are the issues that I wanted to address and also give an example of drug abuse. Regarding drug abuse, we have complained about them, but it is ongoing because the Government does not want to bring a stop to it. The drug addicts are known, the sellers are known and the persons who bring them are known too. The users have no problem. The person who has a problem is the person who brings the drugs. They are the ones who have connections with the people in authority.

*(Applause)*

We, women, are the people who are mostly affected. There is a tactic that the police are using; they know that there is no person who does not like his or her mother. So, they use the mother as a weak vessel if they want to interrogate a drug dealer or a thief. They will arrest the woman and when the woman stays in jail for two days, they know that this person or another person will come out. But they will just jail her to oppress her so that the child can come out. It is not a personal experience, but there are people who are my friends, and who are undergoing the same.

*(Applause)*

**Sylvia Chidodo:** Ladies, now our time has lapsed. If there is any issue that, maybe, involves you personally or the community, we have our statement taker; she is here. It is her responsibility to take a statement from anyone. If you are here and it is about your child, husband or anyone--- When you write your statement and it reaches her, it will be a chance for the Commission to listen to you. It is not a must for you to stand in front of us and speak. We are closing, but there is one lady who has come from very far. We will give her one minute to speak and then we can complete the hearings for the day.

**Ms. Joyce Wangari:** Assallam Aleykum? My name is Joyce Wangari, I am a resident of Mpeketoni but at the moment, I am staying in Malindi. Because I have been given a chance to speak for two minutes only – I would like to respect that – I will speak briefly. My issue concerns land which was repossessed in a way that was not right. We had been given that farm in Mpeketoni in 1978 and we had lived there ever since. One company called SACO in Mpeketoni came and wanted to dig murram in that farm. We wrote an agreement and, before that, we went through the office of the DO, which we believed was the President's Office. We were given a go-ahead to do that work. But later on, the Settlement Office came and changed the whole issue. They said that they had repossessed the farm. They took the contract for mining the murram, and sold stones from that area. My father had two pieces of lands. He had children, he had boys who do not have land right now. They are around seven boys. My mother has six boys and the other household has five boys and they need a farm where to work. The plot has been repossessed and is being reserved for Government use. There is one brother of mine who refused to move

out. One officer from the Government was given that land, yet it had been reserved for Government use. So, when I heard about this hearing, I decided to come to see if you could assist us to get back our land.

I do not need to explain so much because I have all the documents which I needed. I will present them to you and then you will give me your response. I thank you for the chance that you have given me.

**Ms. Sylvia Chidodo:** Thank you for respecting the time limit we had given you.

**The Acting Chair** (Commissioner Namachanja): We would like to get a statement from her because we think that, that is an issue that we would like to look into.

**Ms. Sylvia Chidodo:** She has recorded a statement with us.

**The Acting Chair** (Commissioner Namachanja): She did?

**Ms. Sylvia Chidodo:** Yes.

**The Acting Chair** (Commissioner Namachanja): Good.

**Ms. Sylvia Chidodo:** She has respected the time limit and I think it is the chance for the Acting Chair, so that she can complete the hearings before I say a few words.

**The Acting Chair** (Commissioner Namachanja): In Kenya, normally, we give our visitor a chance to speak first. So, I would like to give this chance to my sister, who is here with me, Commissioner Chawatama, to tell you something, or to say her last words for the day.

In Kenya, we, normally, give visitors the first chance to speak. I will give this opportunity to Commissioner Chawatama to give you the last words for today.

**Commissioner Chawatama:** Thank you very much. We have heard very many issues. We have also had good laughter. I will remember you and I will still laugh. Due to the presence of some men from the Commission, I will not ask you the question I really want to ask, but we know in our hearts what I wanted to ask.

I would like to thank you for your participation. The issues you have raised have been heard from time to time. I hope and pray that we will use this opportunity to impact on your lives. It is sad to note that so many in this room are not employed, yet women all over the world are the ones who look after their children. If you are not employed, it means you are struggling. I empathize with you in that. Please, value education.

I also come from a home which has three girls, and my father valued education. If he did not, I would not be a judge and I would not be before you today. He boasts today and tells those who care to listen that he has a daughter who is a judge. Education is very



important because it opens doors that nothing else will open. Beauty is okay, but it fades. So, please, encourage your children to get education. Thank you for everything.

**The Acting Chair** (Commissioner Namachanja): My sisters and daughters, we, women have different ways of sharing what we experience. It could be through songs. Even when times are hard, we can afford to laugh. It is not because we are happy about the situation, but it is because that is how we express ourselves. We have been in other places where we have gone through sessions crying. We can narrate what we have done here. What is important is that we have passed the message that we had.

You have expressed yourselves so well. I want to assure you that we have heard you on the issues of drugs. You have lost children to drugs and you do not have a rehabilitation centres. You talked about the Shifta problem. We heard of it in Garissa, Mandera, Wajir, and Marsabit. You have given another angle to it. I would request my sister, Zahara, to sit down and prepare a memorandum on what your understanding of the Shifta issue is. We need to capture that in our report. What has come out here is that the Shifta issue was used to displace people from their land. It is a historical pain.

You said that there is a problem with education. Mothers struggle to educate their children, but they are unable to go beyond the secondary school level. Almost 90 per cent of you are unemployed and that is a major handicap.

We heard you on issues of land grabbing and cheating. Our natural resources are being grabbed too! We need a memorandum on this. There is corruption when it comes to employment. Priority is given to those who are from outside Lamu.

You articulated so much on the issue of the port. In fact, I understand it better now. You are not opposed to it but you want to be assured that you will benefit from this important asset when it is set up. You have asked us to go back by road so that we understand the infrastructure here. That is what we are going to do. I have a back problem, but I will be on my way to Hola tomorrow; I think we will hit the road up to Mombasa. It is one thing hearing about a situation and another thing experiencing it. Let these commissioners experience it, so that when they will be writing the report they will be doing so from a practical aspect.

You talked about health issues and mentioned that the hospitals here lack water. You complained about inadequate doctors and lack of medical equipment. You have helped us write the report on historical injustices.

Once again I thank you for sparing time to come. God bless you abundantly.

**Ms. Sylvia Chidodo:** Hallo, women. I do not intend to water down what has been said. We have finished our public hearings in Lamu. We will hit the road to Hola then Kilifi, Mombasa, Kwale and Wundanyi. If you have people you know there, please tell them that commissioners are on their way there. We will do a lot of mobilization. This has been a successful session.

I thank the commissioners for coming over to Lamu. The recommendations you have come up with will be included in the final report. Please, vote for leaders who will bring change. We will close with a word of prayer.  
Thank you.

*(Closing Prayer)*

*(The Commission adjourned at 1.25 p.m.)*