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**ORAL SUBMISSIONS MADE TO THE TRUTH, JUSTICE AND  
RECONCILIATION COMMISSION ON TUESDAY, 10<sup>TH</sup> MAY, 2011  
AT WABERA PRIMARY SCHOOL DINNING HALL**

**PRESENT**

<b>Ms. Tecla W. Namachanja</b>	-	<b>The Acting Chair</b>
Mrs. Patricia Nyaundi	-	Commission Secretary
Ms. Rebeca Mutuku	-	Facilitator

*(The Commission commenced at 9.40 a.m.)*

*(The Facilitator (Ms. Rebeca Mutuku) introduced  
herself and other Commissioners)*

**Ms. Rebecca Mutuku:** This is the day for the people of Isiolo. This Commission has been going round the country taking statements from those who have been violated since 12<sup>th</sup> December, 1963 until February, 2008. We have gone all over listening to Kenyans on all manner of issues including killings, rape, abduction and all other violations.

Of all the statements we have managed to gather, three quarters of them were written by men. Why have the women written very few statements? It is because women have a lot of issues. They do not want to talk directly to the public. They do not have the time to write the statements. That is why the Commission suggested that in every location it goes, there will be a public hearing separate for the women. We have done that in Garissa, Wajir, Mandera, Moyale, and Marsabit. Today it is Isiolo's turn. When you are seated here, you are free to speak your problems.

The most important thing is to speak about how you have been violated. We need to speak openly without fear. If there is an issue you feel you want to speak in camera, we will allow that. I will tell the Press and the technicians to go away so that you speak out. There is no need to fear. We will speak out everything.

**Ms. Garo Mala:** Greetings. My names are Garo Mala. I am a Kenyan citizen. I was born and bred in Garbatulla. I was married in Garbatulla and I gave birth to all my children in Garbatulla when I was 22 years old in 1967. I cry because of that day. Up to now, I have tears in my eyes because of that day. All our livestock were taken on that day and my husband was murdered. My children do not have a father now. They killed my husband and took the animals too.

They separated me from my children. I am not the one who brought up all my children. I do not know where my first son was brought up. I heard that he was in Marsabit. When my husband died I had a five days old child. We ran away. I did not know where my eldest son was. He ran away separately and I ran away for my dear life too. The Kenyan Government did those things to us.

My husband was taken away and I heard that he was killed. Up to now, I have never seen his body or bones. I lost my animals, children and husband. I can say this is my country, but I did not get justice in my country. Where else will I get justice? Since that day, I am poor. Only one of my kids was left. I do not know why the Government of Kenya did that to me. I want to know why. That is what I have to say.

**Ms. Rebeca Mutuku:** Thank you and we are sorry. Such issues are difficult for women. We know even the community sometimes rejects widows. I know you have pain, but I would like to know what the Borana Community does when somebody is widowed. Have you undergone any violation from the community?

**Ms. Garo Mala:** No.

**Ms. Rebeca Mutuku:** We are very sorry. There is another woman here who wanted to share with us her experiences.

**Mrs. Hadija Wako Kote:** Thank you. We survived and we are here today. They burnt our houses and took our animals. They fired at us. My kid was killed when he was four years old. Even when the father was trying to bury the child he was also killed. I do not have any animals. I am illiterate so I cannot say the date or year. It was the Government of Kenya.

Thank you for coming to listen to us. We are poor people.

*(Mrs. Jane Habadaso Julius Kilonzo took the oath)*

**Mrs. Jane Habadaso Julius Kilonzo:** My names are Jane Julius Kilonzo. I was born in Borana. I was married in 1965 and I am a Borana. My husband left me and went away.

During my childhood days, I was brought up by my maternal uncles and I stayed with them here because I have no mother not even a father. My uncle who is here is called Osfayo. The other uncles ran away to Somalia when the war started. So we were left here as children. My other uncles also took their wives and children and went away.

In 1960 I was married to a Borana man and I had a Boran Child with him. That man left me and went away. That time the Kenya Army men came and beat us up. I was beaten up and my knee was cut. I also have other problems.

In 1967, at night when I was with my children in my house, policemen came and took me to Modogashe and the following day they took me to Gallamasua and further to Garissa. While there, they used to lock me up in the house day and night and, I was not supposed to go out. One of the officers was using me as his wife. He was using me as if I was an animal; he used to have sex with me from morning till evening. I had a lot of problems. After three weeks he sent me out and went back to Mathare. Then we stayed there in Garissa but he did not open the house for me to see anybody. I became very thin and I

had a lot of problems. Then his wife heard that he was keeping another wife. I had no chance of telling anybody because I was locked up in the house.

In 1969, his wife came and she wanted to kill me but she found the house locked. He used to lock the door with a padlock then he came and opened for his wife.

On one Saturday, I got a chance to escape; I dressed up in my own clothes. I got some money that he had left on the table. I took the money and I hid myself and ran away. Then I went ahead and did not want to look backwards. When I saw another lady who was going to a bus stop to wait for a vehicle I asked her where she was going, she told me that she was going to the bus stage and then to Ukambani. I did not want to go back home, but to an outside country. I got into a vehicle that was going to Makueni I alighted at Mukuyuni then went into the village. I went to another family which I did not know and I asked the ladies who were there for a place to sleep. I did not even ask them for food. I went to an old lady who gave me clothes and a place to sleep. The following morning I went out to the village where I met some ladies who gave me work to do. The first job that I was given was to fetch water. I fetched water for 25 cents until I filled a whole drum. I was very scared and could not stay in that village for two days. I was like a refugee who was running from one place to another. I was very scared and I had a lot of problems. I even wanted to die but death was not coming. I slept under water as I was looking for a place I could go to. I walked until I arrived at another place called Kathonzweni. While there, I also slept out at another place where water passes. I looked for other women in that village. Everywhere I went I asked for a job to do. Another lady gave me a job of washing here clothes and I started washing clothes for the ladies there. I was paid whenever I worked. By God's grace, I was able to do every job I was given. Whenever I was paid moved to another place.

In 1971, I met another lady teacher and we became friends and she employed me and I stayed with her. She employed me for Kshs75 and I stayed with her for that one year. I realized God had refused to bring the death that I was longing for. I stayed with her up to 1972 as my mother until I got a man who married me in that village. Though I did not want any man because I had been mistreated by men before, I stayed with him. The man thought I was too old, but my friend lady told me that the man will take care of me. They counseled me with her husband and I accepted to stay with the man having taken their advice. We went to the chief and we had marriage certificate from there. He was a teacher. So he went to the Teachers Service Commission (TSC) and then added my names in his personal file. I was officially his wife and he showed me his home. His parents accepted me.

In December 1972, God blessed me with my first child. In 1974, I got another child, I had another second son. My husband passed away in 2006 and that is the life that I have lived. God helped me go through all those problems.

**Ms. Rebecca Mutuku:** Mama ningetaka kukuuliza kwamba, ulisema kwamba ulichukuliwa kutoka kwa boma yako. Je, unajua wale waliokuchukua ni akina nani?

**Ms. Jane Habadaso Kilonzo:** Ni askari polisi.

**Ms. Rebecca Mutuku:** Unajua jina lake?

**Ms. Jane Habadaso Kilonzo:** Sijui jina lake

**Ms. Rebecca Mutuku:** Ulijuaje alikuwa ofisa wa polisi?

**Ms. Jane Habadaso Kilonzo:** Nilikaa kwa kambi ya polisi naye.

**Ms. Rebecca Mutuku:** Asante! Mwenyekiti wetu anataka kukuuliza swali.

The Acting Chair (Commissioner Namachanja): Mama Jane, asante sana kwa kujieleza. Na pole sana kwa yale ambayo yalikuwepata. Hapo awali ulikuwa umesema kwamba ulikuwa umeolewa katika mwaka wa 1960. Na wakati huyu askari alikuja kukuchukua, unasema ulikuwa na watoto. Je, baadhi ya hao watoto kuna wale ambao walikuwa wako?

**Ms. Jane Habadaso Kilonzo:** No! I did not have children before I got married.

**The Acting Chair** (Commissioner Namachanja): Okay! Sawa sawa. Ni hayo tu nilitaka kujua.

**Ms. Jane Habadaso Kilonzo:** That time I was married by a young boy and I did not have children.

**The Acting Chair** (Commissioner Namachanja): Lakini wakati ule mama alisema kwamba yeye ni Mborana?

**Ms. Rebecca Mutuku:** She said that she is a Borana while she is a Kamba. I want to get that background.

**Ms. Jane Habadaso Kilonzo:** I am a Kamba from Makueni.

**The Acting Chair** (Commissioner Namachanja): Kwa hivyo kabla achukuliwe alikuwa anakaa na wajomba wake. Hao ni wa Borana ama ni Wakamba?

**Ms. Jane Habadaso Kilonzo:** I was staying at Modogashe and I was living with the Borana and that is where they abducted me from.

**The Acting Chair** (Commissioner Namachanja): Pole mama na asante kwa kujieleza. Pole!

**Ms. Rebecca Mutuku:** Mama Jane, una ombi lolote ambalo ungetaka kupatia Tume hii?

**Ms. Jane Habadaso Kilonzo:** Ningeliuliza Tume inisaidie na chochote ambacho ingeweza. Sina mambo mengi, ombi langu ni kwamba Tume inisaidie kwa sababu yule

bwana ambaye nilikuwa ninamtegemea alikufa katika mwaka wa 2006. Kwa hivyo, ombi langu ni kuwa Tume hii insaidia kwa njia yoyote ile.

**The Acting Chair** (Commissioner Namachanja): Thank you Jane for your courage to come here to share your problems with the Commission. We are very grateful. Take heart, God has given you life; you did not get the death that you wanted.

Is there another lady who wants to give testimony?

*(Ms Halima Nuru Ismail took the oath)*

**Ms. Halima Nuru Ismail:** My name is Halima Nuru Ismail. I stay in Isiolo. Since I was born, today is the first time I have had opportunity to say what we have passed through. We have passed through a lot of hardships. We grew up through hardships and we gave birth through hardships. When the White man went away, we went through a lot of problems. We wanted to chase away the colonialists. We were very happy when they left and yet we suffered more after they left. We did not get what we were expecting from the other Kenyans. We suffered in the hands of our Kenyans. They massacred us and they also killed our livestock. They burnt our houses and during the night we could not come out of houses so we were using our sauce pans to urinate because we could not come out of our houses.

That is how we suffered in the hands of other Kenyan-Africans. Nothing was left including dogs and chicken. When we left our houses, they came and took everything. Early in the morning when the weather is cold at around 6.00 a.m. or 5.30 a.m., they would knock at our houses come in and beat us without mercy. They told us to come out of our houses, took us to the field and beat us. Both men and women were told to remove their cloths and were beaten in front of each other. The Government did not bother to protect even those who were working in the Government from our place.

Later, they took us and dug trenches. We kept digging while carrying our children on our backs. Even the ladies who had just given birth were made to dig trenches. Because of the beatings, some of the men lost their lives and some women also died.

Finally, we were shot. They looked for us from the houses to the hospitals and killed us. They later asked what they were to do with the remaining people. "What do we do with the remaining people?" That is what they asked! So, President Kenyatta said: "At the end of the day these people will die, so just leave them."

We used to be given a little maize and some milk. Since we did not know how to eat that kind of food, many people suffered and died because of hunger. So, today the Government has called us here we thank God and praise Him. I actually never thought that a day like this would ever come. I want to tell you that some people died while others are alive.

We praise the Lord for this day because he is the one who sent you to us. So, may God bless us.

That is all I have to say. We are very old and some few children remained after the death of their parents. Our children do not have work to do. We are still suffering and scared. I do not have a lot words to say, but this is all I can tell you. I thank God. May God bless all of us.

**Ms. Rebecca Mutuku:** Thank you very much. We are sorry for the old women who passed through hardships. We are very sorry, but we thank you for coming to this Commission to present your story. You will be asked a few questions.

**The Commission Secretary (Ms. Nyaundi):** Thank you very much Halima for the story that you have narrated to us. I do not know if you can understand Kiswahili. Do you understand Kiswahili? I would like to ask you one question. By the time of that incident, you said that you were locked in a house where you were tortured. Where were you staying at that moment?

**Ms. Halima Nuru Ismail:** We used to live in Bura Pesa.

**The Commission Secretary (Ms. Nyaundi):** By the time you were told to dig those trenches, what was the work of those trenches that you were asked to dig?

**Ms. Halima Nuru Ismail:** They were just trying to make us get tired. It was some sort of torture, it was for no use and they never used it. We just knew that it was to torture us and hurt us. We even asked ourselves why they were making us tire for nothing.

**The Commission Secretary (Ms. Nyaundi):** I would like to ask you, it is not only you Halima, but for the rest of the women who are here, this Commission has been given that job that each and everybody whose rights were violated, the Commission has to write its recommendations so that they can be given their rights. So, we would like you as people who are living in Isiolo to assist us for the recommendations that the Commission can give. We have known that the problems that you may have passed through are very different compared to how other people understand about violations. A person can say that it was my house and can be given the house or maybe it is the cattle, donkeys or even the goats. We have heard when you said that your children were killed. You said that people misused your children, some were raping them. They overworked you, they treated you in a very brutal way, and you were unable even to go to the toilet; as you were using the utensils in the House. So, we would like you to assist us. If the Commission can give you your rights, what recommendation do you want us to make?

I will ask you another question after this. In my community if a person is lost and you have not got that person and maybe you feel that he or she died, we have traditions and so we do those traditions which would assist the family. For example, cleansing themselves and then they continue with life as usual. As we have heard since yesterday and today, it seems that in Isiolo, there were people who got lost and maybe they died and you never

got any chance to bury them. In this country we have different communities who pass through those traditions. Do you have traditions such as those? What do think can be done? We would like to hear from you people as women.

**The Acting Chair** (Commissioner Namachanja): This Commission has a wide mandate and we need to understand the broad range of experiences that you have suffered as women. So, we are asking that the next speakers, even as you speak, talk to us what the experiences of women are. Do you feel as though you are citizens of this country?

As women we have experiences that are unique to us as women. What is our day today life like? This is because people say employment is difficult, so how do you get food on the table and how do you get water to prepare that food? How do you educate your children? Are our husbands supportive or our fathers or even brothers? Is it not a challenge to you? The very fact that you are a woman, does it mean you did not get education? The children you have given birth to, what is their future?

When sometimes we talk, in different meetings, people say: “Life is different for us because we are Borana, because we are Meru, because we are Kamba, because we are Turkana, because we are Samburu.” But is it possible that there is still something that happens to you because you are a woman, regardless of your tribe? That is what we heard in other parts of this region. Is it the same here in Isiolo? Tell us whether you were able to easily access education and treatment in hospital. In some places we heard that when women wanted to get babies, it was a challenge. We were told that the hospitals did not make it easy for them to deliver their babies. What are your experiences here?

What we are talking about are sexual violations which took place in the 1960s and the 1970s. Did it stop? Are our daughters now safe or are those things still happening? In other parts of the country, women told us that it is in their own houses that life is very dangerous. They are beaten up by their husbands, brothers and fathers. What is the experience here in Isiolo? Please, tell us.

**Ms. Rebecca Mutuku:** Thank you very much, our CEO, for having understood the women who have just arrived. I have really understood what our hearing today is all about. So, let us continue answering those questions, and do not forget the questions about the traditions. If you lose one of your family members, are there any traditional rituals that are undertaken in commemoration of the person who has been lost?

**Ms. Rose Waititu:** Thank you very much. My name is Rose Waititu. First of all, I am very grateful. I was born here in Isiolo. I have lived here. My father came here when he was still a young man. I have passed through a lot of problems. I could not get education up to the level I wanted because, as you have heard from the first speakers, cows were shot and utensils taken away. Women just remained at home. I and my brothers just ran into a hole which had been dug earlier. I did not even have clothes on me. We just used to lie down flat like snakes. We got into that hole.



The cows that belonged to my father were on the grazing fields with a man who was called Hadri. When the cows for the Somalis were shot and all their belongings taken away, our cows also died at that place. Others were taken away by the Government and led to the police station. Since I liked milk, I suffered a lot. I could not get milk. I could not enjoy things as before.

When the cows were being taken away, my mother had gone to milk them. She tried to follow the cows up to the police station. She told them: “You have taken the cows for the Somalis, I am not a Somali. I am a Kikuyu. Give me back my cows, so that I can go back with them” but she was told: “Woman, if you want to live, stop talking about cows. Go back home with the jerrycans.” So, all the cows were taken away. Even those which were at home were taken by the military personnel.

The big question that lingered in my mother’s mind was: “I am not a Somali. I am not one of the *shiftas*. I am not amongst the Government. Where am I?” People from different tribes live here. The Merus, Kikuyus, Somali and Borana who had cattle depended on their cows for their livelihood. There was not enough rain for cultivation, and these people had not been taught anything about cultivation. Their source of livelihood was livestock.

When I was in school, my dream was to become a pilot but I could not realise this dream because the Government violated the rights of my father and the rights of all our family members. I would like to ask the Government to help me to continue with my education to achieve my dream.

Our most painful experience is that when I look at this particular area, we do not see if the Government really treats as part of Kenya. I do not know whether it is so because of the *shiftas* who were fighting the Government over land. The *shiftas* wanted for themselves the area up to Naivasha. I think there was an option for the Government.

I saw women called Khadija Farah and Khadija Hadi, who are not here today. I do not know whether they are still living or they are dead. Those women were beaten and violated. They were tortured in all manner of ways. They ran away with a few utensils to my mother, who kept their utensils for them. We could not even eat using our mouths because at night, the *shiftas* would terrorise us, and during the day Government security personnel would torture people. So, there was no peace at all.

Up to today, I have never stopped fearing the sound of gunshots. The heads of the people of Isiolo do not work properly because of the sound of gunshots which they hear since they were very young until they become old. Here, you give birth to children who face the same problems. So, what can the Government do to ensure that the issue of gunshots is eradicated? What can the Government do to compensate us for the loss of our wealth? I think there is something the Government can do for us, so that we can get satisfied. The Government should compensate those who died and compensate us for our cattle and other items the soldiers took away from us.

I have been told to stand here, in front of you, and I am being told stories because the Government killed my child, my father or my herdsman, like the one called “Mrefu”, who was shot five times in the head despite the fact that he was not a Somali. So, I do not think the Government was targeting only the Somali. The Government’s aim was to destroy this entire region. The trenches that the women were forced to dig were not meant for holding water. They were not water pans. They were made to dig those trenches, so that they could be put there like animals. Even my own mother was put in those trenches. Was she a Somali? She was a Kikuyu.

If I am asked today I will just say I want compensation for what the Government did to the people. The Kenyatta Government was not any different from the colonial government. The colonial government was killing people, just like the Government of Kenyatta. The saddest thing was that people had nowhere to go and talk about their troubles. If you were beaten by soldiers, you just had to go home, rest and forget about it. Even the colonial government did not like us. In fact, the colonialists were saying that we, the Kikuyus, were fighting them. Kenyans fought for freedom from the colonialists. They killed a lot of people who were fighting for freedom. We know that a lot of people were buried in unmarked graves by the colonial government. After that, we wanted to be happy because we had in place our own Government, but it could not be so because the Government which came into being after the colonial government used the same tactics that were used by the colonialists on Kenyans.

I wonder when I see white people come here and tells us that they are looking for human rights violations, and that they know about human rights. During the colonial times, these people did not treat us like human beings who had a right to live in this world. They just cared about themselves. I can say that some people in this world only care about themselves. They do not care about other people.

Our kids do not have enough education. They are not free even in their own country, because the Government does not treat everybody equally. Rape started from the times of the colonial government and has continued up to now. We still hear of children and women being raped and we do not know why. I think the law on rape should be reviewed. A rapist should not be jailed. A rapist should be sentenced to death. If somebody rapes a two-year old, he has ruined the life of that child forever. The minimum sentence such a person should get is life imprisonment, so that he can die in prison with his bad behaviour. If he is jailed for three years, he will come out of prison with his bad habit.

Therefore, I want to say that the Government should compensate people for all the losses they incurred, including other costs relating to the atrocities that took place. The Government has money. We hear of them travelling abroad all the time. They even pay large sums of money, which make the people feel bad. During the colonial time, we did not have enough water. They did not sink boreholes or dig dams for us, because they were not interested in us.

We do not know which government to talk to. We have had three Governments since Independence. None of the three Governments has taken interest in this area. We need a lot of dams and boreholes. The amount of water supply should be increased. I am informed that the water supply that is in place was meant to cater for only 20,000 people. We are now in excess of 50,000 people. We are using the only source of water that was there previously.

Another thing that I would like to add is; in addition to the Government taking away our animals, we have another “government” we do not know where it comes from. It comes all the time, takes away our animals and kills people. We have not seen what the Government has done to our neighbours who come over, kill people and take their animals away. We have been talking for years, but there is no difference. We do not know what we are going to do.

People out there say that Isiolo is a gun market. Our neighbours have a lot of guns. When disarmament was done here in Isiolo, we did not hear of a similar exercise taking place in our neighbouring districts. We wonder why the Government is pressing us so much and not looking at the other side. I understand that if you are the “above” or the daily “I see”, you should treat people equally.

I will end my speech at this point. If there are any questions, I am ready to answer them.

**Ms. Rebecca Mutuku:** Thank you very much. I have just one question to ask you. I do not know if the Commissioners have questions. When you were violated up to that extent, was there any Government station you could go to report those cases? When you went to report to the police station, what were you told and what was done?

**Ms. Rose Waititu:** Nobody was allowed to report anything to the police station. You are told to go home. For instance, my mother was told: “If you are coming here to ask questions about your animals, you either die or you leave the animals with the Government.”

**Ms. Rebecca Mutuku:** So, you had no means of going to court?

**Ms. Rose Waititu:** No.

**Ms. Rebecca Mutuku:** Thank you.

**The Commission Secretary (Ms. Nyaundi):** I have a question for Rose. When you said that you were attacked by other people, were you talking of a foreign government or a neighbouring district?

**Ms. Rose Waititu:** We have our Samburu neighbours, who have taken a lot of animals from Isiolo. They have also taken a lot of lives, but the Government is doing nothing. When the disarmament team goes there, it takes only two days and then it is stopped from “above”. That is what I meant.

**Ms. Rebecca Mutuku:** You said that when you went to the police station you were chased away and cautioned against talking about your problems or cattle. Is that the case even today?

**Ms. Rose Waititu:** The situation is better but no steps are taken to recover animals. If a neighbour takes away my animals, Government security personnel should follow those people and bring back my animals because they have guns, vehicles and aeroplanes with which to do the job.

**Ms. Rebecca Mutuku:** So, there are no animals which are being recovered and taken back to their owners?

**Ms. Rose Waititu:** Very few animals are recovered. You are given three or four head of cattle and told that that is the compensation you can get. Where do the others go?

**Ms. Rebecca Mutuku:** Thank you very much.

**Ms. Rose Waititu:** I am very appreciative of the TJRC for these hearings. We can speak openly without fear; we have been living in fear for very many years. Even now, the fear is not yet gone because we do not see our stolen cattle being brought back. We just see them being taken away, but not coming back. We do not see any action taken with a view to getting a solution to this problem. If it were not for us, the communities living in Isiolo, including myself, not talking about peace, the people would have gone to Samburu and finished everybody. By now we could be talking a different story. We just take heart when we are told: “Cool down. The Government will do something about this.” We have kept on saying that the Government will do something, but nothing has been done so far. It is only silence that has prevailed.

**Ms. Rebecca Mutuku:** Thank you very much. The TJRC was established, so that it can investigate all those injustices, and so that other people can also feel that they are Kenyans. So, let us continue. I will take one at the back and then come to the front.

**Ms. Fatuma Ibrahim Aden:** My name is Fatuma Ibrahim Aden. If you ask me, what happened in Isiolo is not something small. I am living because of the grace of God. We have not seen any Government or any sign of Government here. We only saw people who were destroying our livelihood and killing us. They set the army on us. The leader of the army at that time was a man called “Suberi”. The DO was called “Gitao”.

One morning, at 5.30 a.m., many security personnel shouting “Keburio”, came to us, broke the doors to our houses and took us outside. They put stones over our heads. They then took the stones away from us. Again, they put the stones on our heads and told us to move round with them. We were left out in the sun, together with our little children. At 4.00 p.m., they told us to go back home. By then some of us were injured and others had been killed. We got home close to the curfew hour. We had to take buckets into our huts,

so that we could urinate in them at night. We did not have charcoal. So, we had to pick twigs to start a fire and prepare tea without milk.

When we closed the doors, they broke in. Early in the morning, at 6.00 p.m., we were told to go and fence Bula Odho. So, we had to fence it. We were told to cut firewood. So, we carried twigs from the bushes. After we finished fencing Bula Odho, we were told to dig trenches and tunnels. So, we dug tunnels. We used only one door to come out of the place we were told to dig the trenches. We would spend the whole day, digging trenches and go home at 4.00 p.m. When we went back to our homes, we saw that there were marks of white crosses on the doors to our houses.

So, we asked each other what was happening and finally came to the conclusion that they were going to count us. At about 2.00 a.m. that night, they used tractors to destroy our huts as some of them set them on fire. So, everybody who had a house ran away. We had to go and stay with anybody whose house was spared. There were 20 of us who were homeless. So, those who had their houses intact took us in. At the time when all this was happening, I had seven children. So, I went to prison with two young children. Five of the children were taken by their father, who ran away with them to Uganda. My children's father was a police officer. So, he took them away to a place called "Shukal".

I was in prison for three months, during which they used to make me dig their farm. I suffered so much. The Somali who lived in Isiolo then were from the Harti and Isaak clans. After Independence, a lot of women were taken to a place called "Arsha". The man called "Kaunda" came from Tanzania. Another man called "Enegaal" came from Somalia. The man who was ruling Kenya then was Moi. They had a meeting in Arusha. Even the Minister in charge of security took part in the meeting. His name was Angaine.

When they came back from Arusha, we got a little peace, but I have to tell you that we are still suffering. We are nomad pastoralist communities, and we do not have peace. Our people are killed day and night. To date, we do not have a place where we can stay permanently and take care of our livestock. The Government does not care. We are like refugees. We are not recognised as Kenyans. We are helpless refugees. Isiolo is at the bottom, in terms of development in this country. Nobody bothers. The Government does not make it its business to develop it. Even if we send reports, they do not respond to us. They just returned our reports to us until we gave up and decided never to send any more reports; we do not even know where to send them.

We do not know whether the Government represents us. We cannot even understand it. We do not know what it is. We are just living because of God. The Government does not care for us. We are very poor people. Our cattle, goats, sheep, donkeys and camels were killed. There was a big truck which was called "Ibo". They used to take our livestock by that vehicle and shoot the others. The cows were killed. We do not have a country. That is it.

**Ms. Rebecca Mutuku:** Thank you very much for your story. The Commission has noted the report on how people are living here in Isiolo. At times there were meetings of elders

where you went to graze and fetch water, to discuss about issues. If those committees were established to solve those problems, were women involved or chosen in those committees. When communities are fighting, do you sit in those committees to talk or it is only the men who usually talk? We would like to hear. We have started very late and time is not on our side. I will give everyone only five minutes to speak.

**Ms. Amina Barsalinga:** I am Amina Barsalinga. I was born in Isiolo. The women who have spoken before me talked about so many things. I have an experience. My mother was pregnant at the time and any woman who has given birth knows the pain of giving birth. There were no midwives and at 2.00 p.m. she gave birth. When we sent somebody to go and look for a midwife, the child was born by the roadside. The blood was oozing; they had no food and stayed there up to 11.00 a.m. the following day. But by the grace of God there was a chief there who took the child to a school and gave her water. She came home at around 6.00p.m. The Government at that time gave them nothing.

Secondly, they took even our land. We were moved to another place. Women left their land. The women who had many children left them there. The girls were raped and treated inhumanly. The Government just ignored when all those things were done to our children. How do we expect our children to call this country Kenya when we have no land and were chased away? Who will we cry to?

Thirdly, our land is available. We have widows and orphaned children. There is stigmatization and nobody even came to say sorry for what they did. We just persevered everything and we are not happy about it. What I want to say is that there is nowhere we could tell our stories. There were no radio stations or newspapers. Everything was just locked. We were here in Isiolo and had no voice. At least, the media could have assisted us, but the Government blocked everything. Where could we have gone? We were called the minority and got nothing. When the CDF money came, our children were locked out. Our children cannot even get scholarships. The politicians give scholarships to only their people. We have no one to assist us. The Government has impoverished us because they killed our animals and it has really affected us. Up to now there is no electricity or water. If you go to the DC's office, you are locked out. When you go to see the politicians, you do not find them. Where do you want us to go? What do you want us to do? Up to now, we do not have land and our children are not educated. We are very poor and our children cannot compete with other children.

I am happy because today you have opened up our ways. We can see light and I thank the Commission. I urge the Commission to continue with this. Do not forget us. Go there and cry for us so that we can be assisted.

Thank you very much.

**Ms. Rebecca Mutuku:** Thank you very much. I would like you to give the Commission your recommendations to the Government. What are your recommendations?

**Ms. Amina Barsalinga:** I would like the Government to give us scholarships so that our children can get education. This is because we are living in poverty. In Isiolo we depend

on relief food, but if we educate our children, we will not live in poverty. Our children are clever but they have no otherwise. I ask the Government to give us scholarships and land. I also want them to compensate us for the animals that were taken away.

**Ms. Rebecca Mutuku:** Thank you very much. I would like you to state your name for the sake of the record.

**Ms. Amina Barsalinga:** I am Amina Barsalinga.

**Mr. Rebecca Mutuku:** I will give you just five minutes because time is not on our side. The CEO has a question.

**The Commission Secretary (Ms. Nyaundi):** Thank you very much, Ms. Amina. I am also very grateful for all those who have spoken in the morning hearing. You have spoken about your land that was taken away. It is now the Buffalo Springs and the military schools. All these were your wealth. If we can understand, this particular area, when you say that it was your wealth, do you mean that it was the wealth of the community as a whole or a family?

**Ms. Amina Barsalinga:** It was the wealth of the community; the Izaak and Harti communities.

**The Commission Secretary (Ms. Nyaundi):** Do you still have land as a community and not family?

**Ms. Amina Barsalinga:** At that time we were settled there. Some were at the Kambi ya Garba and others at Chumvi near the Buffalo Springs and Kambi ya Shell. It was just like in the villages. It belonged to the Izaak and Harti communities.

**The Commission Secretary (Ms. Nyaundi):** Are there any traditions which can help families which are still under grief because they could not bury those who died?

**Ms. Amina Barsalinga:** What happens at this place is that if a person goes missing and they suspect that they have died, they just do the normal grieving and pray and it just ends there. At times they can apply for death certificates. It does not have a lot of issues, unless there is somebody else who wants to add.

**Ms. Rebecca Mutuku:** Thank you very much. There is a woman who has a microphone. Just take five minutes, please.

**Ms. Sheba Mohamed Liban:** My name is Sheba Mohamed Liban. I stay here in Isiolo and I have grown up here, but I am from a place called Merti in Lesia Location. I will give a different story from the one that has been spoken by other women. During the Shifta war I was a very young girl. It is just a story that I got from my father and mother. I do not want to mention the pain and suffering, because I want to move forward. So, I will just speak about it in general. That experience brought a lot of disturbance and the

communities were really affected. Those who were rich in monetary terms and livestock lost everything and went back to poverty. They do not know where to start from and that is why very many people have come from where they were. Some ran to neighbouring districts and re-established their lives again. When my father lost his wealth, he ran to Isiolo and we were brought up there. I even learnt in a missionary school. He left me here and went on to look for employment. He went to Nairobi to work as a watchman. I know that it was really difficult because we have lagged behind. I was not brought up in such an environment and could not understand what was going on. We lost wealth but I thank God because that did not make me give up in life. I have moved on. I have taken my children to school and even helped my father to get out of poverty. But the community has not got any assistance from the Government of Kenya. They have not done any rehabilitation and psychologically they fear the Government. They could not mention their problems. Up to now it is not easy for a woman to come forward because she cannot even vie for a seat as a councillor or Member of Parliament. There is one who tried, but because the community does not recognize women, she did not even get votes from her clan or the one she is married to.

Those are some of the problems that we have up to date. We have been exposed but it is a challenge to us. Even now, according to the Constitution, the women have a part but the woman has lagged behind and does not have good education. A woman will even try to vie for a seat as a Member of Parliament, but where will she get the money to organize rallies and move everywhere to look for votes? They cannot even run businesses because they need title deeds. Even the small groups have to take loans to establish themselves.

So, the Government should enable the women to make a plan, to move away from such experiences. If there is a man who has been tortured, he should get some counseling. If there is a woman who has made an effort, how can she be assisted? If there is a woman who has some knowledge in anything, she should be helped.

The women's problems are very many. A woman can deliver and die on the road side because of the distance from here to Merti where there is a dispensary. It is over 170 kilometres. You can imagine if you are in labour pains and need an operation. I have worked with the Government on many programmes. Because of what I have undergone, I have come up with a certain group and we are doing work on conflict, because the person who gets most affected is the woman. Such groups can be boosted.

There are also no middle level colleges or even a teachers training college in this area. If you want to go to university, you have to go to Meru or Nanyuki. Even those who have the will to learn or continue with their education cannot access it. So, if the Government wants to help this area, it should come up with that programme.

We are also grateful for what the Government has done and we also have our part to play. We are also very grateful because the Constitution has also given us an opportunity.

I am very grateful for this opportunity.



**Ms. Rebecca Mutuku:** I have a question because I know you are one of the women leaders. You have said that you have started several projects. Are the women really participating in peace committees when there are conflicts in the community?

**Ms. Sheba Mohamed Liban:** We still have that situation of women not wanting to participate. But I know that if they get a chance, they can do that. For example, in that organization we work with the DPC. There are women who have been elected but that situation is a big problem. It is because of the way they have been brought up. They think that they should just be represented by the men. We are trying to encourage them not to sell an opportunity when they get it. So, we are really trying to encourage and educate them. Just the other day the chairlady of the Maendeleo ya Wanawake Asili went with other women up to the place where there were conflicts. We are trying with our projects. There are conflicts among pastoralists, but we are trying our best.

**Ms. Rebecca Mutuku:** When the community elects committee members to look after the community, does it mean that women are not elected to that committee?

**Ms. Sheba Mohamed Liban:** In my own opinion, it is not easy, because most of the time very many things are influenced by men and we do not have a forum for women. Even now, they are trying to look for leadership through clanism but there is no forum for women.

**Ms. Rebecca Mutuku:** Because of time, I want us to go very fast. When you take the microphone, just speak for five minutes. If you go beyond five minutes I will stop you.

**Ms. Mary Girbo Halakhe:** Thank you very much the TJRC. My name is Mary Girbo Halakhe. I was born in Marsabit, but now I live in Isiolo. I came to Isiolo in 1995 as a teacher. Even my former students are here. I am now retired and just stay at home. I am a widow with four kids. One of them is disabled. I would like to appreciate the TJRC for giving the women of Isiolo an opportunity.

I just came to make a personal complaint. Back in 1963 I was a young girl in a primary school, in Standard Five. Our home is in Marsabit near the airstrip. My mother still stays there. One day, in January 1963, one of the police aeroplanes landed there. As children, we ran to go and look at it, because it was very near. When we ran to see the aeroplane, white men alighted and a vehicle came. I was told that it was the vehicle of the OCPD who was a colonialist. A very big dog was in that aeroplane. That dog alighted and started chasing us. I fell down and it bit my leg. Even to date I still have the scar from the bite. The white person who was the OCPD came and took away the dog. He left with the dog to town. People tried to stop him but he did not even bother. I was taken home and went to the police station with my dad. We were told that they could not record such issues. We were told to go to hospital. I was given first aid. We went back to the station but we were chased away. Even in the hospital there were no records. We were just given medicine.

Up to now my children and grandchildren ask me what happened to my leg. When I look at my leg I still remember that incident. It was the last OCPD at Marsabit during the colonial period. I was really affected because I could not sit for KAPE exams because the colonialists and police took us to the pitch and beat us in the rain. We were taken to Isiolo and we stayed at Bula Pesa for some time. I did not even sit for my KAPE exams. My father was a businessman and used to sell livestock. We went back home in 1970 and generally, development is very slow. We do not have good roads. When you travel from Marsabit to Isiolo you are asked whether you are going to Kenya. So, there is one Kenya and we are living in a different one. Isiolo to the other side is called Kenya 4. When you come from this side you are asked: "How is Kenya?" We do not have any role models, colleges and secondary schools. There are no people who have graduated from universities. There is also no employment and the climatic conditions are very harsh. There are no agricultural activities. The Community Based Organizations (CBOs) are the ones that are helping us, but the Government has not initiated any project. There is no water and one 20-litre jerry can costs Kshs100, and yet Lake Turkana is just near. It is about 100 kilometres from Marsabit Town, but the Government cannot take that responsibility to bring water to Marsabit Town. We just see vehicles during the campaign period. We see university vehicles which come with students to take photographs in Marsabit Forest. We have been cheated for a very long time.

Health facilities are also not adequate in Isiolo and there are no drugs in Government hospitals. When you go there you pay more for registration and laboratory services. After seeing the doctor you are referred to a chemist. So, we are really suffering.

I am very grateful today. Thank you very much.

**Ms. Rebecca Mutuku:** I would like you to give the Commission your recommendation.

**Ms. Mary Girbo Halakhe:** I would like compensation from that white man whose dog bit me and I have a scar up to date. This is because I am traumatized and even the children know that. I was a beautiful girl and was affected by the incident.

*(The witness showed the scars)*

I would like that white man to pay me.

Again, I would like to encourage the Government to look at issues pertaining to water. It should also build many schools and colleges. It should also provide health facilities. The people who have small incomes cannot go to Government hospitals. At the moment, I have an old woman who cannot come to town because she does not have money.

Education is also not free because people buy books. So, there is something wrong with this free education. It should be looked into with great concern.

**Ms. Khadija Mohamed:** I will just talk about a few issues. I went to school here in Isiolo from Standard Five. The war in Bula Pesa affected me. My mother died in

September last year from the beating. My first school was called “Madzane”. My mother was admitted to Kenyatta National Hospital. Up to now I do not know the alphabet.

**Ms. Rebecca Mutuku:** What are your recommendations to this Commission?

**Ms. Khadija Mohamed:** I have nothing that I can tell the Commission. I am telling you the problems that we underwent at Independence.

**Ms. Rebecca Mutuku:** Thank you very much for that story. Before I give it to the Chairlady, I would like that woman to talk for only five minutes.

**Ms. Lucy Lolosol:** I am Lucy Lolosol. I come from Samburu. For sure women have said very important things. They have said all the issues that have to be recommended to the TJRC. Those were very many painful issues among this pastoralist community which was violated. We have been violated in very different ways.

Because of time, I will just talk about a few issues. Our property was taken away and up to now we are poor. We are still undergoing that pain. In 2009 cattle were taken from the Samburu Community. I think everybody knows that more than 4,000 cows were taken and given to people who were not even affected. That was painful to us. There are very many people who had children in secondary schools and had to drop out of school because we depended on livestock.

I can also talk about rape cases in our community. Just because of the traditions, we cannot present issues of rape for fear. I do not know about the other tribes, but in our community they rape women but we cannot go to report. This is because when you report those cases you cannot even get married. Your husband can even chase you away. That is what is happening in our community. Women in Samburu Community are not educated. You cannot even be given a chance to stand and talk in a meeting. They say that a woman cannot stand before men. When we have issues that we want to present before people, we are rarely given a chance.

The Government has left us behind. They treat us as if we are not human beings. They come to us when they want votes.

That is the time they look for pastoralists. Sometimes, they come when our cattle has been taken away by raiders. They come just to address us in front of the media. When we narrate to them what happened, they do not listen to us. We demonstrated when our cattle was taken away. We, as women, demonstrated because it is us and our children who suffer during these raids. Ordinarily, our men are looking for money to support their families. Women are left behind to take care of their children and homesteads. Even after we had demonstrated, the Government did nothing. Many issues which are the cause of these raids are left unsolved. So, we continue to suffer.

With regard to human rights, pastoralists’ rights are violated. We do not have enough water for our animals and our own consumption. Scarcity of water contributes greatly to

conflicts among pastoralist communities. Water pans are not enough for our animals. This creates conflict because each community wants to have enough water for their animals. That is the problem affecting us. The Government has forgotten us.

We do not have enough health facilities such as dispensaries and hospitals. Surely, if the Government cares for its people, why do they not avail these facilities to us? The few health facilities we have are far away from us. Our roads are in deplorable condition. Our sick people lose their lives on their way to hospital because of poor infrastructure. I urge the Government to build good roads for pastoralists.

My recommendation to this Government is that it should address the question of equality in this country. We do not want to feel as if we do not belong to this country. We demand to be treated the same just like any other Kenyan in any part of this country. When we go to other places we feel like we are not Kenyans because even some Kenyans do not know about us. However, they are the ones who talk on our behalf. That is why this Government, probably, does not take our issues seriously because they do not understand us.

We are not in a different Kenya. We live in the same country. We demand for equal treatment, especially on distribution of CDF money. We only hear that this money has been released to various constituencies, but here we do not benefit. We are asking the Commission to make sure that we are treated equally as other Kenyans. We want to be provided with clean water, health facilities and other basic necessities like other Kenyans. We need hospitals. Even if we are illiterate we can air our views. Even if we are illiterate, we know how to solve our problems. Leaders are not made, they are born. Leadership is natural. You can make a good leader even if you did not go to school. So, involve women in development activities. This is because if you educate a woman, you educate a whole community. We do not want to be looked down upon. Thank you very much.

**Ms. Rebecca Mutuku:** Thank you very much for your recommendations and the way you have clarified. I will give a chance to the Chairlady to talk. The other women have talked about development. We have been told that some women are not educated, therefore, they cannot talk in front of people. We would like to hear from the Chairlady what they are doing to assist those women because our rights are violated through traditions and practices. Our daughters are forced into early marriages hence they drop out of school. We are not even given a chance to speak before men. What are we going to do to make sure that our girls go school, colleges and get employment opportunities as boys? What will we, as women, do since we do not have a voice in the community? We are talking about development. We are saying without education there is no development. What will we, as women, do to ensure that our girl children are educated and not forced into early marriages? We would like to see them get quality education which will guarantee them employment in future. Chairlady, as you talk, perhaps, you could address that issue.

**Mrs. Asli Ako Bonea:** My name is Asli Ako Bonea. I am the Chairlady of Isiolo. I am representing Boran women in Isiolo County. I am a business lady in Isiolo County Council. I am from the Garbatulla Community. I was in Garbatulla during the Daaba; that was the time when they were collecting everything in Garbatulla. That is why we call it Daaba. By then, I was a young girl. We were staying in Garbatulla. We ran away and came to Isiolo. This is where we got married. We dropped out of school. I have been married for 16 years. I only went to school up to Class Six. Many of Borana women came from Garbatulla. We settled here in Isiolo. There is no difference between us, Borana, and Somali women. We have one religion. Our mode of dressing is similar. Even if you go to other parts of the country, we are referred to as Waria. They cannot differentiate between Boranas and Somalis.

Since we settled in Isiolo, our rights have been violated. By the time of the *Shifita* war, men had taken refuge in Somalia. We, women, remained to take care of our children. We experienced a lot of problems without our husbands. Our rights continued to be violated since that time. Kenya got Independence in 1963. Majority of our people are uneducated.

As a woman from Samburu said, we have wisdom. We have ideas; we can develop our county. Poverty has really destroyed us. We do not have cattle or goats. Men believe wealth is not meant for us. I work with social services. We usually organize women groups. A woman was assisted by her husband to join one of those groups, but when she was given a cow by her group, she was divorced by her husband who refused her to take that cow with her. Even men are letting us down. This has continued up to date. Their wealth is not our wealth. All animals and land belong to them. We work so hard to contribute to that wealth, but when divorce comes, we are left with nothing. We are not even allowed to go with our children.

According to Islamic religion, it is men who divorce women. I would like this Commission to assist us. Even if it will interfere with this religion, let it be so. We are really suffering under this religion. Our men usually marry four wives and say that it is the religion that allows them to do so. When they marry the second wife, the first wife is chased away. Even if the first wife is not chased away, the second wife becomes senior to the first wife. The man will continue marrying until he has four wives. Children of the wives who have been chased away are usually mistreated. We have attributed this to our religion. Nowadays, we have gone to school and we would like our rights to be upheld.

The holy book says a man is allowed to marry four wives. This happens because men are few and women are many. A man is allowed to marry four wives so as to avoid having affairs outside the marriage. However, rights of many women have been violated, especially when it comes to divorce. I do not know how we can be helped with regard to this problem of divorce. We do not know how we can be helped as Islamic women.

What kind of advice can you offer us when a man marries another woman and divorces you? How can we prevent these men from divorcing us? How will you help us because we do not want to go away from our families?

Another issue is that we have daughters. When girls are born, they are not taken to school. We educate the boy and let the girl take care of the house. After that, she will be married so that the father gets wealth. Even to date, the situation is the same; a woman gives birth to a boy and a girl; the girl is educated up to Standard Eight and the boy goes to secondary school. Even now there is violation of the rights of the girl-child.

We, as women, are really trying to help our girls, but we do not have wealth. The wealth belongs to the father. How can the Commission assist us with regard to the issue of the girl-child education, so that our girls get education? We give birth to boys and girls. The boys are educated and the girls are not. How will the girls be educated? We are being chased away. How will we get our wealth as pastoralist women?

Another issue is that the wealth does not belong to us. We do not have wealth. Women have a lot of knowledge, but they are not allowed to use it. The Somali women do business at Garissa Lodge in Nairobi. Even here it is the women who sell fruits, vegetables, clothes and goats. However, they do not have wealth. The wealth of the husband is not their wealth. What can we do so that the wealth that the women generate remains with them even after divorce? Can they get a portion of that wealth when they are divorced? If your husband has five or four wives, how will you get this wealth? Will our children get education? I want to conclude because we do not have a lot of time. We, as women pastoralists who are not educated have very many problems. We do not know how we can come out of these very many problems. We do not have wealth to help ourselves. That is what I have for today.

Thank you very much.

**Ms. Rebecca Mutuku:** Thank you, Chairlady for really elaborating, especially on the issue pertaining to divorce. I would like to encourage women to continue taking heart because we are the ones who own the family and the children are ours. When you get any opportunity make sure that the girl-child receives education.

**Ms. Fatuma Jilo:** My name is Fatuma Jilo. During the concentration camp I was a young girl. I was eight years old so I cannot vividly remember what happened. My dad was a pastoralist; he loved livestock. During that time, people were tortured. We ran here and there during the day and at night too. Some people including members of my family went to Somalia. Even my mother ran to Somalia. She had two children. I loved my dad. I did not follow my mother. However, my father died. He was killed by the army. All the remaining family members fled to Somalia. I remained with my grandmother. I was so traumatized; my father was dead and my mother was not here. The other members of the family had fled to Somalia. I would sleep in a neighbour's house or whoever accommodated me.

Whenever I became sick nobody would take me to hospital. Whenever I felt hungry, I could not approach anybody to give me food. Neighbours who were from my clan helped me out. I grew up. When I was 15 years old I was able to understand the problems we were facing. I was able to stand firm---

My dad was not buried in accordance with our religion. I do not know even where his body is lying. People used to say that he was killed by the Kenyan army. They took 200 people and my dad was killed that day. I was young and I cannot remember vividly. Sometimes that thought comes to my mind and I get so bitter. I need justice because my father is dead. My father stood firm to help me. He wanted to take me to school. He told me that he had a lot of livestock and that he would take me to school.

**Mr. Rebecca Mutuku:** We are very sorry for what you underwent. I will just pray for you to be strengthened. God will help you.

Time is not on our side. We will give chance to only three women. I have seen that everybody wants to talk, but we cannot stay here the whole day.

**Ms. Halima Hauka:** My name is Halima Hauka. I live in Isiolo at Kambi Garba. I came here to listen to the proceedings of this particular hearing. I was born here in Isiolo at Kula Mawe Estate. During the fight, I was a young girl. I was only eight years old, but I assisted my aunt in taking care of our cattle, goats and camels. The fight started at Bula Pesa near Laga. Our animals were driven away. My aunt was not raped, but she was beaten. As a result of beating, she sustained serious injuries which caused her death. Her children saw what happened. The military came at round 5.00 p.m. People were beaten. Even children were not spared. We were being asked to show where we were hiding *Shiftas*. We did not know where they were.

I remember what happened to Mr. Gutu Ali. Together with two young men, they were taken to one place and shot dead. My aunt and Mr. Ali's wife were also shot. Dead bodies littered all over the place. The following morning, a vehicle came to collect those bodies. They took the belts and shirts that belonged to those boys and went to Merti. We live at Blazer.

I am very happy that the TJRC has come here to listen to us. A question was asked here regarding what is done when a person goes missing. Normally, we search and when we fail to find the person, we do some rituals and pray to God.

We were taken to Garbatulla. We stayed there for more than a month. We were then again transferred to Marchi. After staying at Marchi, we were freed. We came back to Bunesa. We were concentrated to one place. I saw my sisters being raped. At that time, I did not even understand what rape was all about. They just took them to the houses. When I asked what was going on, I was told that they were being raped. The person who was there was working with the police and he was called Dilgalicha. I do not know whether he was a chief or a CID. He was a Borana. He was working with the police. They would arrest us and ask us where we were hiding the *Shiftas*. Once we told them we did not know where they were, they would leave us and go to manyattas. They would beat people and rape women. My brother was beaten and he got a head injury. We were young children who were being brought up in that situation.

Shortly afterwards, I was taken to a mission school at Merti. After staying there for some time, my elder brother, Mzee Helema took me to Kitale. I did not complete my education. He took me from school saying that a girl child should not get education. In fact, he violated my right to education. To-date, I do not know why he decided to deny me my right to education. Given a chance, I can even beat him for violating my right to education.

After being taken away from school, I was married off. This woman is my witness. She was staying at Kitale. She knows the time I got married. The rights of my father and my cousin were violated. My father was taken and locked up at Nakuru police cell when we were still young. I was taken care of by my aunt. Up to date, I am fighting for my rights. We should take education of a girl child seriously because it is the foundation of our society. When we educate a girl child, we educate the entire society.

If we do not educate a girl child, nobody will fight for her rights. Our rights were violated. What will now happen to us now that we are old? We cannot go back to school. I have stayed in Isiolo. The problem here is that we do not have any rights; even if I see somebody being killed here. Our brothers were killed by those people. Up to date, we do not know why our brothers had to die that painful death. Nobody makes any follow up on the case.

The health services in this place are wanting. We do not have enough medicine or even doctors to treat us when we fall sick. Our rights to good health are being violated. Previously, we did not understand about our rights. We did not know how to fight for them. This Government has violated our rights for a long time. We have started to know our rights because we attend seminars on human rights.

Is there justice for us? When will this Government respect our rights? We want the Government to compensate all those who lost their animals. Compensate also families of those people who were killed by the military personnel. Our people are now living in abject poverty as a result of what happened to them.

Thank you very much.

**The Commission Secretary** (Ms. Nyaundi): Thank you very much mama Halima. I would like you to elaborate. Was your father taken to Nakuru?

**Ms. Halima Hauka:** Yes. He was taken to Nakuru from Bulesa near Marti. At that particular time, we were taken to Daba. He was taken to Nakuru because they thought he was a shifta.

**The Commission Secretary** (Ms. Nyaundi): Did he come back from Nakuru?

**Ms. Halima Hauka:** Yes, he came back. He was arrested and jailed for six months. He died later because of the injuries he sustained from the beating.



**The Commission Secretary (Ms. Nyaundi):** Were there women who were taken to Nakuru?

**Ms. Halima Hauka:** We were told that our father was taken to Nakuru, but I do not know about other people.

**Ms. Rebecca Mutuku:** The Chairlady of Maendeleo ya Wanawake was here yesterday and I wanted her to ask you this question and I am sure you can answer it. Is there any Kadhi's Court here in Isiolo for the Islamic women? Is this Kadhi's Court helping us according to our traditions? Apart from the Kadhi courts, is there any other court like the magistrates court or the senior resident magistrates courts? The Chairlady of Maendeleo ya Wanawake said that our biggest problem is divorce. Is this divorce case heard in the kadhi's court or is it just discussed by the elders? Does the case go to court and are we getting any help from the court? I would like also to know in reference to what she said, do you understand the rights of the child and that the responsibility of a parent is to take care of the child? As women of Isiolo, when we try to establish whether our children are taken care of by their fathers after divorce, we cannot access them. Does Kadhi's Court or any other court assist us on this matter? I would like one woman to answer that question before we continue.

**Ms. Bibian Balaf Darimo:** What has led to the divorce cases is female circumcision. It is contributing a lot to divorce cases. The men claim that those of us who have undergone circumcision do not satisfy them. They say that we are like the castrated cattle. That is the problem that we are undergoing because our mothers never went to school. They did not know that circumcision could have side effects in our marriage. That is the problem that we are undergoing together with early marriages and divorce. Majority of the women are illiterate and that is why we are continuing with this practice of female circumcision. By the time the woman gets married and gives birth to two or three children, her husband is tired of her. Our husbands just stay with us when we are very young. But when we grow a little bit old, they leave us and marry other young women. We do not know our rights. That is why they leave with children and run away from us.

I can give my own example. My husband married five women. I was the first one and I refused to move away from that home. I educated my children. I took him to the elders and he was forced to take up his responsibilities. My children are educated. One is an accountant. Another one is an officer of this Government. My third born is in college. The fourth born is in secondary school. She is in Form One.

Initially, we never knew our rights. That is what has affected us because most of us are illiterate. When we tell other women about our projects that we are dealing with, they just ignore us. They are always ignorant. They say that it is shameful to take your husband to court. So, there are only few who have taken heed of our advice. So, I just ask you women that when other women advise you, you have to take it seriously. You do not need to ignore. Your children are not getting educated and they have to compete with other children in the country. Those children who are not educated involve themselves in crime activities. They are stealing other people's property. They are taking other people's

livestock. Boys do not listen to their mothers. They just listen to their fathers. They ignore even if we advise them. When we go to the Kadhi Courts, we are given assistance. However, men do not listen. If the man happens to be working in a Government office, he asks for a transfer to go and live in another district. So, you find that the rights of the children who are bright and can even become teachers, MPs or the President of this country lose the chance like that because they will not be educated. So, we are asking women to establish groups, so that they can educate their children.

When we go to children's officer, that is where we get assistance. But our husbands are being transferred to the other parts of the country and we cannot take care of our children alone.

That is all I want to tell this Commission.

**Ms. Rebecca Mutuku:** Thank you very much. Time is not on our side and Commissioners have to go to the other meeting. So, there is violation of human rights which is done by the Government. The Government has retrenched women whose children are getting educated in primary schools. They are, therefore, unable to educate their children to secondary level. Other children are orphans and they are suffering. What are your recommendations?

**Ms. Bibian Balaf Darimo:** I would like to recommend that these women who do not know their rights need to listen to advice being offered by women who went to school. On the issue of retrenchment, the Government has to pay us handsomely.

**Ms. Rebecca Mutuku:** The last woman before we close!

**Ms. Fatima Abdulrahman Sheikh:** My name is Fatma Abdulrahman Sheikh. I will just talk about a few issues because I have just been given one minute. I was staying in Eldoret, but I came during the 2007/08 post election violence. Women are experiencing a lot of problems. We have so many problems because during the time of post election violence, they gave us a chance to vote. After that, we were chased away. We are very poor. The women are the ones who are undergoing those problems because their husbands never went away with the children. They just left us with the children and we have been suffering. We went around collecting those children who were scattered. Others died because of harsh climatic conditions they found themselves in.

After that, we came here. Sometimes, we are forced go and look for a place to wash so that we can get food. Even if we are given food, we do not have the utensils with which to cook it. The men just ran away and left us. Those who remained tell us: "I did the job. What do you want me to do?", and yet we were together. They refer to them as; "your" children. They just leave us alone with our children to suffer. Our rights as people of this country are being violated. Some women here are IDPs. I would like the Commission to assist us on that.

**Ms. Rebecca Mutuku:** There is a certain old woman who has asked for a chance to talk.

**Ms. Mariam Huka:** My name is Mariam Huka. I stay in Kambi Juu. The army came early in the morning. They threw us out. They beat us and our animals were taken. They demolished our houses. We ran to Bulapesa. We were able to get some cattle but they were killed afterwards when we reached Bulapesa. They shot all the animals and killed them in front of us. From that time, we are poor. We took all our kids and we did not know where and who to run to. We asked ourselves: Where can we run to? We survived and thanks to God. They killed our husbands. They killed my husband too.

**Ms. Rebecca Mutuku:** I am very sorry for what happened. I would like to take this opportunity to ask your leader to come and say one or two words and then close the hearing because we have to release the Commissioners to go to the other hearing. Just one minute.

**Ms. Julia Mumina Konza:** My names are Julia Mumina Konza. I am used to being told to speak for one minute and I am used to that. First and foremost, I am very grateful to the TJRC for the public hearings and for the women hearings because the women are the last ones in this country. At times, when you come last, it has its own problems. But I am grateful for the women hearings for us to say our problems. I would like to talk about the historical injustices in North Eastern Kenya. LFG started in the colonial period. There was a referendum that the Government of Kenya (GOK) carried out in 1962. If they could have accepted the opinion polls, it could be fine. If they knew that they would not accept the results, then there was no need of making us participate in it. That was what brought all the problems. We became affected even after the referendum in 1964 and 1967. The affected people were the Waso Borana, Garba Tulla Mericho and Merti. They were affected more than any other community in this northern Kenya because they were put aside and killed in the villages. I came out of college in 1969 and did the census. Most of the people did not have their fathers. The age mates of my mothers were not there. That is when I knew that in the concentration camps, many Boranas died.

I would like to ask the Commission to go to the Kenya National Archives and find out the historical documentation like the *Shifita* War of 1964 to 1968. Personally, I come from northern Kenya and we are all victims of the circumstances. I got an education because I come from Samburu in Garba Tula District and our school was started in 1974. I got a chance because the girls were four out of 50. I got that opportunity because my father did not have boys. I and my young sister were taken to school. I would like to talk about the economy. We have problems in the economy because a girl is married at a young age of 15 or 16 years. When you are taken to the house, the people of the husband's side are given cows and you are taken like a present to that particular husband. When you give birth, as the other women have said, it is your responsibility to take care of the children. In other locations, it is very difficult because they are 45 kilometres from the urban areas. Even those who are near the Kadhis Court still have problems because they are being divorced. They do not even have food. So, when you are being divorced, you cannot file the case in court because the Kadhis Court needs some money to file the case in court. So, the problem we have here is that one and I am being told that I wind up. My minute is over.

**Mrs. Rebecca Mutuku:** Thank you, very much Mama Mumina because we are running short of time; I have an announcement to you women. I know most of you have not spoken because we started late and the Commissioners would like to go to the other hearing. But I would like to tell you that even that woman who did not write any statements, once you finish the hearing, see Mama Mumina on where to write them. So, even if you have not spoken, I would like you to write your statement today. I would like to take this opportunity to thank you, the women of Isiolo, because you came and sat. You have talked to the Commission about the violations. We have not said that you are women and you cannot speak in front of people since you have talked. You have talked about what has been disturbing you all the years. I am very grateful for welcoming the Commissioners here to Isiolo. I would like to invite the Acting Chairlady to talk to us on one or two issues before we finish the hearing.

**The Commission Secretary (Ms. Nyaundi):** I would like to thank my mothers and sisters. It is extremely humbling to sit and listen to another person sharing with you their life. So, we really appreciate and we want to say thank you. The former retired teacher told us her story and showed us the scar. It is what has happened to all our lives. You are walking with a mark as a reminder. I sat here today and I was very humbled. I want to encourage each one of you. When we came here, we wanted to give you a platform. We hope that we have succeeded in giving you that opportunity to share your experiences. What you have given us will define what we must do for you as the women of Isiolo. We urge you to be patient because from here, we will be moving to the rest of the country. We will write a report with recommendations. So, I will ask you, my mothers and sisters, not to look for the solutions of this Commission tomorrow or next week or month. Where are those people? What has changed? We want to give you the assurance that our job was to come here and then sit down and make recommendations and our report, according to the law, should come out in November. I want to ask you to please pray for us so that we finish this very important assignment and that God will give us wisdom and mothers and sisters like you who will support us. You have been asked to record statements. We urge you to record those statements and memoranda and share your wisdom with us. That is because when we want to make recommendations, we would want them to work for the women of Isiolo. We do not want to bring solutions from outside. So, please guide us. That is my request.

I want to thank and appreciate each one of you who came here today. I want especially to thank our statement takers who worked from October to January this year and who are working with us while we are here in Isiolo. I want to thank my fellow colleagues who work with me at the Commission. I cannot mention them by name because of time, but I will thank Kule Wario who is our regional co-ordinator for this region. So, my sisters, I must stop talking although I do not want to. You have really given me hope. This is because when you have told me of your experiences, you have reminded me that I have a job that I should do. So, I would like to thank you and say, please pray for us. When you sit and you are praying, please remember us. Pray for us because we are like you and we have been given this big job. So, please pray for us. I want to thank Naomi who is representing PIZ and who is a development partner. She has left but we had with us

Commissioner Fatuma Dulo from the Kenya National Commission of Human Rights. Then there are people like Loraine who are interested and are studying. So, we appreciate your presence with us today. Of course, I cannot forget to thank those who have made it possible for us to be understood – the interpreters. We thank you very much. I now wish to invite the Chair of the Commission to give us closing remarks. Even as I do so, I cannot resist the temptation to say one last word. I urge you my mothers and sisters that, even with the heavy burdens that you are carrying, to please walk firm and straight and keep us going in the right direction. Please, keep your children so that they can grow up and make this country a better one. I must stop although I feel that I should continue talking. Thank you very much.

**The Acting Chair** (Commissioner Namachanja): At times, we women have our own ways of expressing ourselves when we are lost with words. When we came in to start the session, there was a song that was sung and I looked in the eyes of the mother who was leading that song and the expressions were telling a lot. I want to check if that mother is still around with us. Has she left? She went. Do we have a mother here who knows that song? Can we stand up and sing that song?

**Ms. Rebecca Mutuku:** Let us sing the second song so that the Commissioner can talk to us. Do not leave the hall because we have not finished the meeting. Who will lead us in this song?

*(The women sung)*

**Ms. Rebecca Mutuku:** I would like to thank you so much.

**The Acting Chair** (Commissioner Namachanja): Thank you so much. I would like to join my Chief Executive Officer, Patricia Nyaundi, to thank, first of all, the statement takers who have helped us to take statements from here. This was the starting point in recording the historical injustices that took place in this region. Secondly, I would like to thank the women for adding their voices to confirm what is contained in most of the statements that were taken. Today, you have confirmed that during the *Shifita* War, if there is any group that suffered most, it is the women. You have confirmed that women were raped and made to do hard labour like digging trenches that were not even useful to them. When they were doing that hard labour, they had their children on their backs. Some of them had left their children at home and yet, you worked from morning to evening. Whoever made you to do this work did not care. But what worried you at that time was not the work that you were doing but the pain that you left your children with nobody to take care of them. They never bothered to find out how the children were fairsing on back home. That women were made as sex slaves, put in houses to serve men who are supposed to protect you for weeks without them caring; that women were widowed, deprived of their bread winners and left alone without their husbands; that women lost their children, is the worst form of injustice that one can suffer. Unfortunately, some of them did not even have a chance to bury their children. This is very painful, indeed. That, women were imprisoned without being told why and even when they were released, they were never told why. In the absence of their husbands,

women lost the livelihood they had. The livestock was either taken away or was killed. They were shot dead. Women from this region continue to suffer from marginalization. You have no clean water and hospitals. The hospitals are just empty buildings. You do not get proper medication. There are no roads despite the fact that the hospitals are very far away. One could die on the way because there are no roads and public transportation. Because of the *Shifita* War and marginalization, women did not get proper marginalization. It denied us a pilot as a woman from this area. That is what marginalization did to us. Today, women have spoken. Some of the stories you have shared here, they read like fiction and when they are told elsewhere, some even doubt that such a situation ever took place. I am sure that if this Commission wrote a historical record without your voices and pictures being captured, that the stories you have told us would have been denied that they ever took place. But what you have done today to help us, such stories will never be denied. There is an old woman who spoke there and she should be over 80 years old. When people see her speaking, they will find it very hard to deny that such things took place and that is the benefit of public hearings. Thank you very much and we feel honoured. We have heard about the *Shifita* War. I remember in 1997 while travelling from Nairobi to Garissa to help set up a peace committee, on the way I was supposed to be given escort because of the *shifitas*. I reached the place and the escort had already left with the other vehicles. I travelled with a lot of fear. I travelled with my heart in my mouth and when I reached Garissa without any incident, I thanked God. Coming back, I was escorted back to Nairobi. My sisters and mothers, forgive me today. For me, it was a matter of hours while travelling. What I did not realize is that people like you have lived in such a situation for years and you continue living in such a situation.

The purpose of Truth Justice and Reconciliation Commission (TJRC) is to put open what people in this region go through and what women in this region go through so that we can demand for the situation to be corrected, so that people in this region can live like Kenyans and not Kenya 4. You are citizens of this country and you deserve justice and security. That is why this Commission was set up. For my sisters who are educated, you must have followed it through the media when this Commission was set up, how much it was fought and how many people wanted it to be disbanded. However, for some of us who have worked with women like you--- So that you know, I come from the slopes of Mount Elgon and women from there have suffered the way you have suffered. We stuck to this process knowing that the only place where a grandmother like the one who spoke there can stand and share her story, it was going to be on this Commission. I want to thank God that this has happened from Garissa, Wajir, Mandera, Moyale, Marsabit and now here. Women who never dreamt---

Women who would have gone to the grave with painful stories have been given a chance to say their story, not just to Kenya but to the whole world. That is why I would like to thank the media people who have been journeying with us for transporting the stories of women from north eastern and upper eastern to the rest of the world. That is why I would like to thank the international partners who have stuck with us like the GIZ, UNDP and others. It is because of their technical support that we have reached women like you and share your stories. I have an appeal to women leaders from this region. Our women are

traumatized. That is why an old woman, over 70 years, when she stands up to speak, she cries. This is because for the first time, due to our culture, discrimination and reparation from our men that the stories they have gone through have never been told. I would like to encourage women leaders from here to continue holding such meetings so that women can cry and talk it out so that it comes out of them. Something I know about trauma is that once you have a wound inside you, even if it is buried for over 50 years, unless something is done, and you talk about it, you will continue being affected. Women from this region are women with stories and wounds. Let them not go into graves with them. Organize sessions so that you come together, share painful stories, cry about it and get healing. Another thing I would like to encourage women from this region is that some of the grandmothers who have spoken here should not go into the graves with their stories. Those who are in CBOs should solicit for funds so that we start documenting these stories and in future, when our children, military, local administration and the police force read about it, they will not repeat what they have done to people in this country.

As the CEO has said, I feel like talking and I could talk for a whole day. I will put a stop. However, it is not a full stop but a comma. I am hoping that one of you will pick up from where I have left to continue narrating and encouraging the women, documenting their stories, helping them to cry because it is part of the healing process. I feel honoured. I rolled in a vehicle two weeks ago when I was travelling from Mandera to Moyale. Three times, the vehicle rolled. However, I came out with a small cut on my toe. God wanted me to journey this process to the end. God wanted me to hear your stories. I feel honoured by them. God bless you all.

**Ms. Rebecca Mutuku:** *Hebu tumpigie our Acting Chair makofi?*

*(Applause)*

Asante sana Acting Chair, kwa mawaidha ambayo umewapatia akina mama wa Isiolo. Nawashukuru wamama wa Isiolo kwa sababu tumegundua ni akina mama ambao wana sauti ya kuongea. Wanajua kile wanachotaka. Hawa sio wa kuambiwa. Wao wenyewe wanajua na wanajisemea. Asante sana kwa vile mmekaa na sisi na mkazungumza na sisi. Tunawaomba Mungu aendelee kuwapatia nguvu ya kuendeleza jamii zenu, hasa kuwasomesha watoto wenu na kutafuta haki zenu. Hata tamaduni zetu zikisema hatuna haki, sisi tunajua tuna haki. Tunahitajika kujitafutia na kujisemea na kujipatia haki zetu. Ningependa tusimame na mama mmoja atufungie kwa maombi. Tuendelee kusimama ili our Acting Chair and CEO wandoke. Wakishaondoka, nitaomba muendelee kukaa hapa. Kuna vitambaa vya TJRC ambavyo tungependa kuwapa akina mama wa Isiolo.

*(Closing Prayers)*