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**ORAL SUBMISSIONS MADE TO THE TRUTH, JUSTICE AND
RECONCILIATION COMMISSION ON TUESDAY, 26TH APRIL,
2011 AT JABANE HALL, MANDERA**

PRESENT

Tecla Namachanja	-	The Acting Chair, Kenya
Margaret Shava	-	Commissioner, Kenya
Nancy Kanyago	-	Facilitator

(The Commission commenced at 9.45 a.m.)

Ms. Nancy Kanyago: We welcome all the women of Mandera to our sittings. We are late but we want to start today's hearing. We will start with a word of prayer and I will ask one of us to pray for us and then we sing the National Anthem.

(Opening Prayer)

(The National Anthem was sung)

I work with the TJRC. This hearing is especially for the women so that you can voice out your views. As you know, the TJRC was started to look at the human rights violations that Kenyans have undergone since independence up to the year 2008. Our work as a Commission is to write down your statements. After that, we will have hearings like the ones that have been going on at the Youth Center from yesterday up to tomorrow.

While in Mandera, we noticed that for every two men who wrote a statement, there was only one woman. Therefore, we felt that it was better to have the women hearing separate from others so that we can hear their views because we did not get enough statements from the women.

I would like you to feel free to speak out because this is your hearing. We have had such hearings in Wajir and Garissa and the women are just expected to share all their views.

We have our Commissioners with us and the Acting Chairperson is Tecla Namachanja, and the Presiding Chair today is Margaret Shava. They have come to see you and to hear your views.

As you know, the TJRC is looking at many issues; killings, issues pertaining to land, rape cases among women, health and education and issues to do with the police and if you get any services in the police station. If we look at the statements we received, it seems as if the women did not speak out; we did not get anything to do with health or education and it seems as if the people of this place are satisfied with the kind of services they are getting. We did not hear anything concerning water problems so when we are in Nairobi we think that you have water and you are satisfied.

I would like us to have some order. You will tell us how you have suffered and then you give out your recommendations; what do you want done so that you can get a solution to your problems? Tell us your problems and give us your expectations so that we get a solution to those problems.

The hearings will run up to 12.30 p.m. and so, if you get a chance to speak, be brief so that you can give your neighbour a chance to speak as well. When you stand to speak, first tell us your name and you are free to speak in any language that you will feel comfortable with.

Ms. Arfun Sheikh: My name is Arfun Sheikh, I live in Mandera District and I will talk about the problems of women. When we talk about the Government and its fairness--- This Commission is here to talk about truth and justice. The problems we have undergone from 1962-1972 have not stopped and we are still having the same problems.

The women and mothers who live in Mandera will tell you about the hardships they have suffered and it is extremely sad because in 1967 to 1970, we were raped, massacred and our brothers and sisters killed in El Wak. Our livestock was destroyed and our animals died and I am here today to talk about what happened in El Wak and I will tell you about the girls who were raped. We want those people who were ruling at the time to be taken to Kenyan Courts. My mother was raped when she was four months pregnant and as a result of the rape, she prematurely gave birth and today she is dead. I was a young girl then and I used to wear one piece of cloth but today, I am not wearing that.

Kenya is my country and homeland and we have the right to have justice, but Kenya has not given us justice. People of North Eastern have not been given any justice and we are waiting to see the results of this hearing. We were burnt and raped in 1970 but the killings of that time were not as horrible as what is happening today. My uncle was killed the other day by the Kenyan soldiers; if there is any truth and justice, why did they kill him? If the problems stopped in the 60s and 70s, why are they still shooting people? Two days ago, they killed my uncle at Fitna and we still do not know why he was killed.

I want the Commissioners sitting before us to show us some justice and we want the rulers to be brought to book. I am not educated. So, I cannot tell you the exact date but my children are educated so they can remember the dates. I did not go to school because North Eastern Province has not been given justice in terms of education. We also want to know why there are frequent curfews only in North Eastern. Mandera County has El Wak, Banisa, Lafey and Mandera districts and the problems in these districts are the same. There are curfews all over these districts.

We are asking you to take those who are responsible for the killings and the massacre to court so that justice may be done.

Ms. Nancy Kanyago: Thank you very much. You have said that you have the names of victims; the Commission would like to have those names.

Ms. Arfun Sheikh: My mother's name is Surura Ahmed and I can tell you she died because of the rape she suffered in the hands of the soldiers. My sister Ashura Dahir Sheikh was also raped, we took her to hospital for four years but now she is dead because of the rape. My father died while he was 98 years old but he was invalid because his leg was broken and his name was Dahir Sheikh Ahmed Hassan. My cousin, who was called Bura Ali Shimro, was killed in Fino and I want the Government to tell us why he was killed.

Ms. Habiba Mohammed Ibrahim: My name is Habiba Mohammed Ibrahim, I am fifty years old and I cannot lie. We have undergone a lot since the days we were displaced from where we were living. Some women who are here are lying but all of them must have been raped. One of my legs is broken and the other one is burnt. I do not have a husband and my cattle were killed. They killed 50 cows and took away 50 camels. We can no longer cry because the tears are gone. They came to Takaba and Eldidiba. They went to the borehole and killed our sons and husbands and took our animals. We are so poor because we were left with nothing; we do not even have schools and the Government is not with us.

My brother was killed at a borehole called Eldidiba and he was buried there and I can provide you with all the names of the people who were killed. Hassan was from the Gabra community. He was killed at the borehole and buried there. We can neither cry nor laugh because there are killings everywhere. We cannot tell which safe days are for us because anytime we can be killed.

(Loud consultations)

Ms. Nancy Kanyago: When a fellow woman speaks, let us be quiet and please switch off your phones. You have seen that what you are talking about is so painful and so, if your fellow woman speaks, just give her the chance to speak out without interfering.

As I had told you earlier on, please, tell us your recommendations; a solution to the problem you have. There is a woman who has said that she is a widow and that she has not educated her children. If that is your recommendations that the Government helps in educating your children, then please, give us that recommendation.

Ms. Fatuma Hassan Ibrahim: My name is Fatuma Hassan Ibrahim. I live in Mandera District. I will talk about the present problems. I am 58 years old though I was raised in the countryside as a nomad. I have gone through a lot of hardships and those problems were caused by the Government. It started when my father was killed in a place with two dams called the Degodi dam and the other one is the Wagare dam. It is only the names that divide the two communities but both can use either dam to water their livestock. One day, early in the morning, I was taking care of the cows and my father and some elders came to the watering point; they arrived earlier than me. Later, when I went to the dam, I found my father and eleven elders dead and my brother who was there was shot at. They killed cows and 12 camels. I and six other children hid in the bush.

We were nomads. On the day we wanted to move away from where we were watering our livestock, we saw a Borana man who was called Major Alkano. He was responsible for the massacre and I saw him kick my father's body. We had 280 cows and only 11 remained alive. The rest were killed and the calves we were taking care of were saved. We ran away to the village of Rhamu and left the corpses where they were. They took the dead cows and goats, packed them in their trucks and took them. When we arrived at Rhamu and found a fenced place, we were made to stay there. Since that day, there was a curfew. The soldiers killed our men and raped our girls but there was no one to complain to. When you complained, they ran you over in their trucks and they told us that the soldiers are the law themselves and if they kill you, you have no one to talk to.

During the war between Ethiopia and Somalia, 90 people were injured and 14 killed in Mandera and yet, we were not at war with either of the two countries. We were told not to talk about it to anybody. When our children went to *Madrassa* (Islamic schools) to learn, they were told to come out and were shot dead. When we went to the Special Branch to report or the CID, they made us look as if we were from Somalia. They also bombed our children and when we gave the information to the Government, they told us that it is the Somalis who put the bombs there. They said that we looked like the Somalis from Somalia and Ethiopia and if we complained about any problem, they would tell us that a Somali is a Somali and they did not care if we died.

Kenya has shown us that we are still not independent. We are still being colonized and we have no rights. When we see your Commission here talking about justice and truth, we think it is a dream and we think that you are not going to do anything for us. Our children suffer and they go through a lot to go to school. Once they write their exams, they are cancelled; they are not marked. We are treated as people from Somalia and we have no rights in Kenya. When our children finish high school, they have no access to college or work and so, they come back to roam around in towns doing nothing. Since our children have no access to colleges and jobs, they will be forced to join the *Al Shabaab* because the *Al Shabaab* is accepting them. They want them. But Kenya is rejecting them and refusing to give them their rights. We do not know if the people from Mandera are regarded as people from Ethiopia or Somalia. I think we have been cut off. I am not educated and I know little about the history of the world but I can give you the names of the people who are dead.

There was an elder who was called Hussein Galabe Habbo and a Degodia man called Hussein Abdi Mohamud. They were among the people who died in the massacre where my father died. These are the people I know by name though there were others who died but I did not know their names. My brother is called Ibrahim Hassan and he also died.

Ms. Nancy Kanyago: Though some of the things you are talking about happened a long time ago, you would like the Government to do something about it. You have spoken about losing your cattle, people have been killed and the educated children who are finding it hard to get jobs. You should speak about the justice that you want to be done; what can be done for a woman who has been violated? What do you want the Government to do for you?

Ms. Fatuma Ali Kerrow: My name is Fatuma Ali Kerrow. My people were killed at a place near Markamer; men and women were killed and my two sisters were taken by the soldiers. One of my sisters came back the other day with ten children she had with a Luo man who took her. She does not even know her language. Her name was Mariam, but now she is called Mariam Okello Ocheru, because she uses the name of the man who abducted her. She stayed briefly with us and then she went back.

My brother in law was killed with his four children and today, his daughter is always at the market with scars on her body. The massacre was in a large scale and every Somali is suffering. We did not even know that my sister was still alive until she came back with ten children.

I live in the township and our children cannot get any jobs while others are chased out of school. We do not even get any pension or bursary. We have no schools and we are really marginalized because we are a minority. I do not think we will ever recover; things will just get worse. We are Kenyan citizens, raised here and though we try to educate our children, they are forced to use wooden pens to write since the Government does not provide learning materials. After educating them the hard way, they come back home because they do not have any access to colleges or jobs. We want justice to be done and we want to be treated right.

Ms. Jamal Yusuf: My name is Jamal Yusuf and I will talk about what happened in Mandera since we have a Commission that will listen to our problems, opinions and our suggestions.

In 1965, they abducted a girl after the massacre. In 1972, the girl was found at the police station and we could not take her back because we were afraid of the police. The girl's name was Habiba Jilow Hassan and we have not seen her since 1972.

We are suffering from lack of water, education and inadequate health facilities. The soldiers raped so many women and nobody did anything for us; we are still colonized. We are still suffering the way we did during the colonial period. The other day, a man was abducted from school and the Government did not do anything about it. We do not know whether to identify ourselves as Somalis, Ethiopians or as Kenyans because as Somali people, Kenya is not doing anything for us. If Kenya cared about us, it could have investigated about people who were raped and killed and they do not have any consideration for us.

The Government should not belittle us. Our children have no jobs and even when they struggle and get Cs, they are not considered for jobs and colleges. We are also suffering from lack of water.

Ms. Fathumo Maalim Mohammed: My name is Fathumo Maalim Mohammed. Disasters and calamities befell our people before. However, I was young and so cannot talk about that because I do not have a vivid memory of it. I will talk about events that happened from 1979 to date. There has been a curfew in Mandera from 1972 up to now.

Secondly, every time we try to talk to the Government, we are told that we are *wariahs* and we have no rights. Anybody who is posted to Mandera as a DC or a PC treats us like

aliens and refugees and yet, we are in Kenya just like all the other Kenyans. As for politicians, before any elections, they promise to represent us but they do not. Once they are elected, they pursue their own interests despite the promises they give us. We are citizens of this country and yet, we are treated as aliens. Any DC posted here should ask the people what happens and he should do what he is posted to do and the Government should ensure that he takes his responsibility seriously. Mandera is between two countries. There is a place with a Government and a place with no Government. So being in between, our involvement in education matters was minimal. It is especially bad for the girls because people believe that if you educate a girl, she will be bad. That was the mentality of the Somali nomads. Now they understand that if girls go to school, it is the same as when boys do the same although they do not get jobs at the end of the day. We are still lagging behind because our resources are taken elsewhere. Everybody should get an equal share of the national resources. While other parts of Kenya are developing, we are still being marginalized and suppressed. Even if you try to get education, you do not get a job and that makes the educated and the uneducated equal.

We do not have water in Mandera. Our river is seasonal and even when it has water, it is still not enough. The water at the dams is dirty. The Government should teach us how to purify water. The Englishmen say that where there is a will, there is a way. This means that if the Government wants to do something for us and if they are willing, I believe they have the resources to do so. The problem is corruption and the money that should have been used for development is being used by the Government officials to make their own deals. They also use our taxes and they do not do anything for the country and the districts. When a DC is posted here, he is usually poor. He does not even have nice shoes. But after some time, he becomes so rich that he drives Land Cruisers and Pajeros around.

We have no medical facilities because they sell the medicine that is supposed to be used in the district hospital to Somalia or Ethiopia. All you can get in our hospitals is cough syrup and panadol because the medicine is sold elsewhere. The Government should allocate money to hospitals and create public awareness because the people who work here have their own personal missions.

Recently, a man was killed in Fina. We believe that if a soldier is given a gun, we trust him to be responsible with it. What is shocking is that they break a man into pieces. After that, they shot him with four bullets. We have a Constitution in this country. We are asking ourselves if the police really know the law, why should this happen? We want the TJRC to tell us why five soldiers should break a man into pieces before shooting him with four bullets. This was an elderly man who was born in 1912. We know his children and he is among the respected elders. We want to know why the police would do such a thing, if they are educated. Why are they oppressing us like this? What is the TJRC going to do about what happened the other day? Thank you so much.

(Ms. Isaak Yusuf took the oath)

Ms. Isaak Yusuf: My name is Isaak Yusuf. I was born in 1964 in a place called Sala. This is where camels are given water. My father did not own camels, but he owned cows and goats that were more than 100. I was a child then and my father told me that they

claimed that each camel is hiding a *shifta*. So they broke the legs of the camels and they took the goats and left the others to die.

One day when I was six years old, we moved to a different place and decided to farm there. My father started vomiting blood. We became refugees in Mandera. I attended school up to class four and I had to drop in order to work. I was the first girl to work for the NYS. I learnt how to sew and I became a tailor. I was thirteen years old then. After two years, I went to a polytechnic to look for a job. The polytechnic was looking for a teacher and I was employed. However, my salary was to be divided into three. We were given one third and two thirds went to the Government. My father suffered a lot from the beatings he received from the soldiers. I was the only one in my family who was able to help him.

I worked there for 24 years. For the last 13 years, I have been working for the Government for free. I was a member of the school committee. I used to work for another institute and I was very patient with the Government earning the little salary. They then told me that I could no longer work there. I told them that I wanted my salary because I had been working there for three years with no pay. They said that I was spreading evil and they threw me into a police vehicle and I broke my hip bone and I became barren because of that injury. They took me to Mandera Police Station and I stayed there for nine hours. They fined me Kshs20, 000. They took me to court. The court sent me to prison for three years with an option of a fine of Kshs3, 000, although I was not guilty of the offence they were accusing me of. I paid the fine and that is how I lost my job. I live in a place called Squatters because the soldiers said that I and other teachers had said that if Moi wanted our votes, then he has to give us land and that is how we got the farm, but we were told to leave. They took us to another *Bulla*. Those teachers who came from other places were given plots and my land was given to those teachers so that they could vote for Moi. I am now living as a squatter because I have no other place to live.

When Kibaki came to power, I tried to register to get a plot but I was denied. We were later told that the Government took over that land. Although I was living there, I was denied a plot and a teacher who came from upcountry was given that land instead. My plot and house were sold by that teacher to another man. He did not even need it and I who had the right to be given was denied. I have been waiting for another election to see whether things could change. I have tried to report to the councillor, but he is not helping me because he is worried about his life. All he cares about is his own personal interest. All the prime land is given to the councilors while the poor civilians are not given any land. Every councillor who comes to power grabs some land for himself and his family.

I then decided to enter into politics because I did not know what else to do. They chased me away from my job as a teacher and took my piece of land. I decided to become a councillor. I campaigned and during the nominations, they denied me because I could not buy the seat and because I am a woman. All I needed was the nomination paper and up to today, I still want to become a councillor.

I opened a private school to teach sewing, but I could not continue because of lack of funds. I heard about this programme called the Women Enterprise Fund. This programme is only concentrated in Nairobi. It has not reached Mandera. The few who have access to

it are giving to their brothers and tribesmen instead of making the public aware of the Fund. People in Mandera are very corrupt. The brokers get money when they show people vacant posts and other people do not see the posts and they would not be able to apply for it.

There is no medicine in hospitals because it is taken to other places. People are building flats and driving big vehicles using public resources. Speaking out is healthy and we do not want to hide things because we know what we are going through. There was a committee that was carrying out everything and when somebody else comes, he is told that that is what happens. We are the ones who are encouraging these issues because land is taken from one person and given to another one. Who has given that order and said that I should lead a life of a squatter and somebody else is staying on my land?

I have gone to court and nothing has worked out because I do not have money and strength and my voice is not being heard as a woman. It is only the rich people who are heard in this country. That is all I have to say.

(Applause)

Ms. Nancy Kanyago: Our fellow woman has spoken about many issues like unemployment and land. I would like to explain to you that most of the statements that have been written are about land and the issue of squatters. So, we are very grateful to hear from her. When we look at the statements we got from Mandera, most of them were talking about land. If you want to speak, just raise up your hand and I will see you.

(Ms. Halima Mohamud took the oath)

Ms. Halima Mohamud: My name is Halima Mohamud and I am from the Garre Community. I want to start from the past and then I will come to the present because I do not want to mix issues.

Our first problem is that the Government has murdered us and taken our animals. They have raped women and killed our husbands and our sons and daughters. One day, I was going to fetch water at a place called Gulani after migrating from Takaba; 12 trucks came. They took all the camels we had and I ran away. They killed the people who were migrating with the cattle and the goats. They raped me and beat me with the butt of their guns. They broke one of my teeth and shot me on the leg. I have a permanent scar here which reminds me of what happened that day. We were six and five died. I was the only one who survived. I was six months pregnant and I miscarried. We lost our people, cattle and our children were left orphaned. I hope that what I have said has been written down and I do not know what you will do with the information. Five men who were with the camels were all killed. In total, 12 people died. I can vividly remember that they had six trucks. Those are the problems we went through and I want to see what will be done.

I live in the slaughterhouse. When I am sick and I go to hospital, there are no doctors and no medicines. We are told to go and buy medicine at the pharmacy. At the pharmacy, you are told to pay Kshs30, 000 to be treated. If you do not have the money, you are turned

away. We live in Kenya, but the Government is not taking care of us. When you have a problem and go to the police, they do not care. We do not know if the DC or the Minister said that we should not be listened to. We do not understand. Here, the Government does not listen to us and we do not know exactly who does not want to listen to us. We are taken as dogs. If we go to hospital, you are asked for money. If you do not have, you are told to go back home. We no longer go to the district hospital because nobody cares for us.

Presently, our children are orphans; I have taken care of my children by fetching firewood and selling it. My first born son has gone to Nairobi because he could not go through this. He ran away when he was 18 years old. He did not go to school because of lack of fees. We say that we are under the flag of Kenya, but nobody cares for us and we do not know who to ask for assistance because nobody listens to us. We vote for the MP, but when he joins Parliament, we never see him again until he comes to campaign for re-election. We keep asking ourselves where the Mandera MP is. When he comes, he promises us to do everything. The town has a DC and a DO, but in Mandera, nobody listens to us. All the tribes are the same because our problems are similar. As women, we have brains. This hospital should give us everything that we need. That is all.

(Ms. Hassan Liban took the oath)

Ms. Hassan Liban: My name is Hassan Liban. I was born in a place near Rhamu called Lambor. My brother was killed and my two girls raped in Ashabuto and many Somalis were killed. The military came with their trucks to the water point and they indiscriminately killed any man who went there.

We have suffered in Mandera ever since and nobody is representing us. Our camels were taken by force. The civilians in Mandera have suffered a lot. People were killed in Ashabuto and my brother was there. They cut off my brother's leg and they asked him about the *shifta*. Others and I who were young, were made to lie under the hot sun and they gave us ugali with pilipili and we could not eat it. There was a man who used to work for the colonial Government. His name was Abdi Libah. He said that those children were not able to give them any information.

We were watering our camels and then they told us to identify certain people but we could not. Then I remember I saw, with my eyes, two girls being raped in front of me. Then they cut the lips of another man open and asked him to say where the *shiftas* were. They then broke my brother's leg and asked him about the *shiftas*, which none of us could identify because we did not know anything about them. Then later we were told to move to a place we did not know anything about, where our people do not live. It was just in the bush. Later in the darkness as camels came to the watering point, they would shoot them claiming the owners of the camels were *shiftas*. I said if a man was voted for and he became an MP, he did not represent us and that we only had God to assist us. Every time we vote, they do not even repair our roads. Once we do the elections some men are given contracts and then they pretend to build the roads, but they add more dust to the place. So they do not build roads. What do they want us to do? The Government wants us to be with them, but they do not do anything for us. Do we run away from our own country? We do not know and even the President we elected is not aware of us. He

does not ask how we are, or whether we are fine. He does not care and I am not talking about myself, I am representing all the women in this place.

I do not care about tribe and I hate talking about tribes, because I want us to be united. I want us to be one. We are of the same religion and we are asking the Government to give our children jobs. They ask us to elect them, yet they do nothing but only treat us like rubbish. They have no consideration for us. Look, we are suffering because water is not pure, and we are suffering diseases because of this. People and the donkeys drink from the same watering points, because there is no pure water. We ask the Government to take care of us, but instead they are dividing us into tribes. Let us fear God, be united and forget about tribes. We have to fight for our rights as a unified people, because nobody is representing us or even taking care of us. They lied to us that they would do things for us, and now we want, in three months, to see the results of these promises. Let us see the fruits of what you are talking about before three months are over. We have people lying on the ground and being tortured, yet these people ask them to elect them. Then we have to run to Somalia when their soldiers run after us; we go and become refugees because the Government is doing nothing for us. We are asking to be considered as Kenyans. All the problems are ours and we have to write letters, statements and requests to the Government in groups. The first thing we ask for is concessions. We are getting water borne diseases because animals drink from the same place as people. People are dying and we want the Government to do something about all this.

Ms. Nancy Kanyago: Thank you very much. When someone is talking, you have to be quiet until the time you will be allowed to talk, so that you can get her clearly. You are the first person.

Ms. Nigine Ali Idow: I do not have a lot to say. My name is Nigine Ali Idow and I come from Bura India. I studied in Bura India school and I worked for the Government for 20 years and then retired but never got any pension money. What I saw was the emergency when I was still a child, but I remember my sister who went to water her animals at a water point and we found her dead body. She had been raped and her body had gunshots. Her and her husband's bodies were lying on each other. Their children were orphaned and now they have no rights. You, Commissioners, have come here to listen to us until 12.00 noon. Is that enough and fair? There are so many who are suffering in this place and even four days would not be enough. We request more time to take statements, and we ask you to be fair and listen to us fairly. What is worse is that even forgetting about past massacres, we are still suffering in Mandera. Today, a woman has to leave her house to look for money because the man does not have work. So, she has to go and look for some work or any kind of employment so that she can feed her family as the children have nothing to do. Our children are not given job opportunities. It is as if the Government forgot the existence of Mandera.

I would also request you not to go by air but by road, so that you see how it is. I do not think any human being can use that road, because now it is completely finished. Leave alone those roads, even the roads in Mandera, when it rains, we are unable to move. We are dying and we wonder what the Government is doing. If it does not want to take care of us - it just ignores us. I have no job and my children are in school, but I do not have fees, or even land or anything.

We need assistance like food but when it comes, we do not know where it is taken. Even when it comes to recruitment into the armed forces, it is never done fairly and our children are never recruited to join the Armed Forces of Kenya.

When it comes to identity cards, we are told that we do not need IDs, while our children too do not have birth certificates. They claim that we are not Kenyans and that they do not know us. So if I am not a Kenyan, why am I given that paper? Why are they writing that I am not known? In Kenya, they just think that we are Somalis, and when issues arise, they just subject us to that problem even if the problem is not caused by us. We do not know who to turn to. We need the Government to look at this place and take care of us.

Another thing is that I was a young girl in school during the *Shifita* War. I remember that day when we went to the late Jomo Kenyatta's residence. If you hear the songs that we sang, you will cry. As we sang, the *shifitas* had blocked the way and were hurling bombs at us; then the police came and people were surrounded and there was nowhere to go as the door was closed. They raped the girls as they beat the men. Since that day in 1968, there has been one song that has been sung

Ms. Nancy Kanyago: Thank you. I want you to pass that microphone to your colleague behind you.

Ms. Hawa Asman Ali: My name is Hawa Asman Ali. The Government has been hunting us from the time of emergency to date, and we have resigned ourselves to fate. I do not see people who have bullied and colonized us since Independence to date giving us any rights now. I remember that day when we lived in one of the two houses which we had. I was born in a rich nomadic family, but when they came, they burnt the houses and took my father and my uncle, Ibrahim Ali, as we ran away to the bush. We ran into the bush and got to a water point called Ghasesa where our cows used to drink water. Some cows were for milking while the oxen were used to carry water to the huts. We had 150 cows which used to produce a lot of milk.

My uncles, Hassan Ali and Mohamed Ali, were looking after the cows that day. They killed the cows plus my two uncles, and the water point turned red because of the blood of cows and that of the people. We ran into the bush as destitutes after our cows were vanquished. From wealthy people, we became destitutes, and they took the oxen which used to carry our water to a place called El Wak and they tethered them there. My father followed them and went to a chief called Adawa and informed him of what had happened, including the death of his brothers and the burning of the houses and camels, cows and as well as other animals. If you want to confirm, you can see in the files that it was 150 oxen that they took away that day. There were also 12 camels which used to draw water for us. My father had a wife who used to take care of those camels and who was raped until she died.

So if you talk about the massacre, know that the people who died there were helpless and could not defend themselves; and they were not even aware of their rights. They did not have any mercy on us and they did not stop tormenting us even after the massacre. That day, there was no town or village where we could live, so, we turned into nomads. We

became servants of other people whose wealth was spared by luck. Some people, whose wealth was plundered, may have been forced by circumstances to become *shiftas* because there was no other option open to them. I will not dwell on this so much, but I can tell you that the Kenya Government is aware that we have children who need education, food, jobs and other things. We are all the children of the Kenyan Government, but when a drought strikes us, it does not appear to care. Even when we have internal clashes, they do not care about us.

She gave birth to me; she loved me and no wonder we are loved. When there was the rainy season, my mother, early in the morning carried me on her back so, the sun scorched me. I think that is the same way we are to the Government of Kenya. We are the citizens, the civilians, and there would not be a Government if we are not there as citizens. The Government is responsible for our suffering. For example, it will one time promise to do something for us such as building a hospital, but then there are no doctors. We request for land and then there is such a drought like you have never seen before. There is no water, even in the wells in the *Bahari*, to the extent that we have nothing even to give to our children, and even the chief is not taking care of this. The Government's lower part is the chief, but even the chief cannot come and ask his people what is happening to them. If you ask us about our problems, I have stated my problem. So, I will wait for you to do something about it.

Ms. Nancy Kanyago: Thank you very much; I would like to add that there is a certain lady who talked about this day being very short. We have a short time remaining, but I would like to tell the women who have not gotten an opportunity to write their statements that we have been writing statements at the Youth Centre from yesterday up to tomorrow. I am requesting that after this meeting, anybody who wants to write their statement should go to the Youth Centre, and there are people there who will assist you in writing the statement.

Ms. Abdullahi Jehow: I am greeting the people of Mandera as well as our guests. My name is Abdullahi Jehow; I am from Mandera. We came here to talk about our problems and if you want to know, I was young and I used to live in Hargesy; I lived with my aunt who was also young. Men came and found me with my clothes. They raped that young woman who was with me, and killed a cousin who was with us in 1963. That was when I was looking after camels and they set me on fire and that was what happened. From the time when Kenya became independent to now, the Government is still saying it is hunting for them. We are still living in Kenya and we are requesting Kenya to stop what they are doing to us now. We are all grown up women and we have grown up children, brothers and sisters. When it is 7 p.m., you cannot go and visit your son. Some of our children are married and live in different places; if you go out at 7.00 p.m. to visit them, they will say you are a prostitute, yet you are a known grown up. Even if you are an elderly woman, they will disown you, call you a prostitute and take you to a police station. I ask the Government to lift this curfew, and, though we cannot do much about the past, let them do something about compensation.

Ms. Habiba Mau: My name is Habiba Mau. I will talk about the problems I have seen since the day I was born, and became of age and able to understand the problems. My brothers, our siblings, my relatives, as we all know were massacred in the

Dabamalkameli. I was not of age, but I have listened to stories. What we heard from our relatives is that they went through too much suffering. My younger brother and I were looking after animals when our livestock was killed and finished. We were put on the back of a camel and brought to Mandera where the Degodia and all those in that area were called Ramagalie. There was this white man who was very nice to us, and he educated a few of us. If you went to that man and got some education, the army men would seize you and rape or kill you. There was this man, Dahir Ghusi, whom they killed. Up to today, the curfew is on and people are still suffering. We are all elderly women, yet we are not respected and our dignity is violated. The Kenya military kills our children in front of our eyes. We were even getting food from Somalia and Ethiopia as relief food. We are suffering because of the war that has been raging; I have seen even a 13 year old child going to school killed in front of my eyes just the other day, and we could do nothing about it; we were hopeless about it. I urge anyone who cares about human rights, and fights for human dignity, to help us. We want our people to be educated about their rights and how we are suffering and to have something done about it.

Ms. Nancy Kanyago: I will start with the first one and then I come back to you.

Ms. Habiba Hilo Isaak: My name is Habiba Hilo Isaak. My husband is called Hilo Isaak. When I was seven years old, we had 300 head of cattle and when we were at the borehole called Harasta, my father and my brother were killed. They came to our *manyatta* and killed everybody. They burnt all our huts, one after the other. Everybody who ran out of the huts was shot dead. They took all the dead bodies and burnt them in front of us. Even the children who ran to the bush were killed and burnt there. They killed five people, four boys, a girl and my dad. We cannot count the cattle and the camels. A boy was even tied to a tree and killed. We found his body dangling from a tree.

I do not know why you started all this; I have forgotten about it because every time I remember it, I feel so sad. In a place called Adhuhati in Mandera, I do not know what is happening, because when we talk about schools, we do not have anything. People who have gone to school have come back to Mandera. There is unemployment and everybody is back here, and others are saying there is no school fees. We do not have land and the little we have, everybody is fighting for it and the police cannot separate us. We say we have a Government, yet it is not here for us. The citizens are here but nobody is caring for them. Now, we have drought and famine and our cattle are dying. Everyday, there is conflict and everybody is killing the other and there is nobody to separate or calm people down. We do not know if the Government is here with us, or if they are treating us as people under the Somali or the Ethiopia governments. I do not know why you started all this; I am feeling so sad. I cannot talk so much about that; I am so sad that I cannot talk further.

Ms. Nancy Kanyago: Thank you for your stories. They are so painful. Please, I would like the congregation to respect people who are talking; when they talk, we need to keep quiet or maintain silence.

Can I ask where the Sisters from the Red Cross are?

Ms. Habiba Abdinoor: My name is Habiba Abdinoor and I will talk about when I was 12 years old during the colonial times. We had come from a water point and they shot dead 300 camels and donkeys which were carrying water for household use. There was another time we were taken from Sara place, and they killed Mohamed Maalim's mother. On another day, as we relaxed, they set fire on our hut. They said if a man fights you with an arrow it is okay, but if he starts moving it to and fro, it is more painful. We used to be patient but now you mentioned it and did nothing, that is more painful. So, I am telling you now, we are still suffering. Because of the curfew, when our children are caught, they are called *shifita* and put in the cells. The ID for Somalis is called *worrior*; when the rest of Kenyans get the ID, Somalis are given another card, and this is discrimination. They give us a card called Card *Warrior*; they practise racism and discriminate against us.

Another thing is that our children who complete school are discriminated against. The Somalis in Nairobi live mainly in Eastleigh, and they are discriminated against; everywhere we go we are discriminated against. Kenyans sell goods to us at very high prices and we cannot sustain ourselves since these things come from other parts of Kenya. They do not do it for any reason other than because we are Somalis. This is all about discrimination and that is why I stand here. I do not believe you will do for us anything but still, I have little hope and we are asking you to build our roads first and then remove that *worrior* card. They should also not control our prices; let us be free to decide on our prices. This is all we want.

Ms. Nancy Kanyago: I know the Commissioners are listening to what you have spoken out, and I believe that they will go to work it out. They are going to answer you; they are going to tell you what the TJRC is doing; maybe, you are thinking that we have not helped, but I believe they will tell you what the TJRC will do for you.

Ms. Habiba Ibrahim: I am Habiba Ibrahim, and the problem I am talking about today in this meeting is what I went through. My dad had 50 camels, 35 head of cattle and then we came and settled in Safu. We lived there with my dad and my two uncles who used to take the animals to the watering points. My dad, my two uncles and all the animals were killed as they took them to the watering point; two ladies, who were also taking animals to pasture, were also killed. They took all the people in the *manyatta* and killed them. Two women and I ran and hid in the bush. The borehole where the killings took place is called Haro. My father died; they killed all our cattle and I remained orphaned, living with my mother. There is a fruit called Singo which is a root of a tree; we used to eat it when we were in the bush.

When we take our kids to school, we are told to pay fees. When we go to hospitals, we are told to pay, and we cannot get medicines. As a citizen of Kenya and a resident of Mandera, I am just talking about this. I do not have anything more to say.

Mrs. Nancy Kanyago: Who else still wants to talk?

Ms. Dero Muhammed: My name is Dero Muhammed. About 20 years ago, I remember I came from a watering point. We were so many people, including men. Soldiers then attacked us. They pulled the women's hair and their breasts. They pulled the private parts

of men. The soldiers attacked and each person was screaming. Men and women were screaming. They took us to a watering point called Al Kilibah. They were 50 men and the rest were women.

They squeezed the private parts of the men and they were screaming. They tied their private parts and castrated them. They were vomiting and screaming. I saw that being done to one man so, I screamed and ran away. I ran and attacked the man who was doing that. The man they were castrating fell aside and then we saw it.

They asked the women: “Among these men who are the *shiftas*?” They took the women aside. Then there was the daughter of Haji Barre. I was eight months pregnant. They took us with them to Al Ibah. One of the girls attacked the man who was trying to rape us and we ran away. I went back to the men. The girl ran away to the other side. The other soldiers, who were castrating the men, ran after the other girl. They held her legs and dragged her to where people were being castrated and others being beaten. Her mother was watching this. One of them took a very large stone and hit the girl on the back. The girl was screaming.

He asked the mother if she would marry her daughter to him. The mother said since they were of different religion, he could not marry her. He kicked me on the back out of his frustration. I started throwing up; I vomited. Another soldier, who was castrating the men and beating them, came back to me and made me sit down. I was only wearing one piece of cloth, which was the traditional way of putting on. He threw a knife at me, which got in at one side and came out from the other side. You can even see the scar today if you want to.

There was a girl called Fatuma Ahmed; he cut the tip of her breast. Milk was coming out. The girl was in so much pain. The dogs fell into the well. The men walked around in confusion. A man stepped on the girl. She was bleeding from behind as well as from the mouth. The mother was watching her and said: “No, I will not give her to you”.

As we were at the watering point, later we heard that men were taken, killed and thrown into the lake. I remember that the daughter is now crippled; she is in bed up to today. Mr. Abdul’s hand was cut because they stepped on it so much that they broke it. Many people are disabled and injured.

We stayed there that night; then they took a heavy cane and beat the man. They walked with him as they beat him. That is what happened to us. I request the Government to compensate us. They are responsible for the death of our men, the bareness of our girls and the death of our livestock and donkeys. If the Government will not do something about it, do not disturb us by asking us questions.

Ms. Nancy Kanyago: Thank you very much.

There were three women who wanted to talk. Those will be the last people, then I will offer a chance to the Commissioners to talk.

Ms. Aisha Ahmed: My name is Aisha Ahmed. I will talk only about what I witnessed; what I am sure about and what I was told. I cannot talk about what happened at independence. I will tell you what I saw. I once saw there was that place, Jirma, which my father told me about. My aunt, my father's sister, was taking livestock to the watering point. My aunt was raped there. She put her thighs together so that they could not rape her. They took a dagger and cut her on the sides, so that she could open her legs. They cut her breasts off and she was very helpless. She was bleeding. I knew about it because my aunt was sick and I asked my father what had happened to her. My father told me what had happened.

When that incident happened to her, she already had one child. After the incident, she became barren because her womb was destroyed and she could never have a child again. She died recently.

My father used to live at a place called Biebon. That is where we were born. It used to be a bush. We used to live on a farm. People never used to live there. We were among the first settlers. Later, they introduced a scheme which brought people to settle there. The Government started subdividing the scheme. They told my father to give up his farm or give it for a *Harambee*. He thought over it; my siblings and me were watching while my father was fighting. My father took a *panga* and said anyone who dared enter in his farm, he would attack them using the *panga*. The soldiers attacked him, they beat him and tortured him. My mother could not watch and, therefore, joined the fight. They threw her around like a ball. She wanted to fight alongside my father. Her knees were broken and today, she is an invalid and cannot walk. She became disabled. She is bed-ridden because of the torture she underwent on that day. We tried to treat my father but he died from the injuries.

That is all the information I have for you.

Ms. Nancy Kanyago: Time is not on our side. I will take these two other women, then we go to the Commissioners.

Ms. Asli Dilo Salat: I was not living before Independence; so, I was not there during that massacre. If you know what happened in Bulamaskin--- It is what I witnessed. They built for us a school but burnt it afterwards. I was not aware of what happened at Independence. I witnessed in Bulamaskin every morning, they would tie the men together and force them to do work. The soldiers would take *pangas*, and men, among them my father, were forced to work. My father's hand was injured. He was among the people who were being beaten by the Kenyan soldiers. They were torturing them and forcing them to work.

I know of a man who died because of that torture. My father's hand was injured and up to today, we are still suffering. We were not spared even a single day. Every day, we were told to produce *kipande* and work by force. I was working at Mandera Hospital for 18 years. I even broke my knee and suffered, yet I was never paid any salary.

Even today, you cannot send children to the shop. If you send them there, the soldiers will grab them and tell you they are in prison, and will want you to bring some tea, which means, give a bribe; otherwise, your child will not be released. If you are addressing the issue of human rights, know that we are suffering and help us.

Ms. Fatuma Roba: My names are Fatuma Roba. I feel so bad when you talk about the people who died a long time ago.

Secondly, we do not have anything; they killed all our cattle. I do not know why you are reminding us of all these things. Only God knows. Let us not talk about the past. Let us talk about the present, because we have passed through that. I am 57 years old. I have orphans. If you look at me, you will see that I am going through hell as I bring up those orphans. My son was jailed because he was told he raped a girl. They did not ask the boy anything; they just jailed him. If you are looking for the truth, I am going through hell. There is curfew everywhere and our kids are being held. If you go to the chief, he tells you: "Bring cash". If you go to the DC, he tells you to bring cash. Our kids are being taken to jail everyday; do you hear me? We do not have any rights. My son is in jail because I do not have cash to get him out. We do not have rights. We do not have a Government. For everything you want, they need cash. I do not have much. We do not have hospitals.

Ms. Arfur Sheikh: I am Arfur Sheikh; I am coming once more. Is the Government doing any justice? Are they about to give us our rights? Are they going to give us justice finally? Are they cheating us or lying to us? Are they making fools of us? Are they using foreign methods to play with our minds? I do not understand. There is no President in Kenya, from Kenyatta, Moi to Kibaki and Raila; they have all done injustice to us; why? They talk of Independence, Independence, yet there is no Independence ever. Up to today, there is still colonization. We were suffering yesterday and we are suffering today. What is the difference? It is one and the same thing.

If people were killed during the colonial days, people are also killed today. The blood is still wet and can be seen. We still thank God. We are praising the Lord because when they bring us women Commissioners, that gives us some little hope. We used to see men representing the Government, and being the heads of commissions. At least today, we have women, who have the same feeling as us, who are like our daughters and can identify with us.

If I talk about North Eastern in terms of education, I do not think there is a lady who is as educated as you, lady Commissioners, here. Kenya has reached a point where we can have women Commissioners.

The other day, they killed about three million in North Eastern Province. Mr. Kibaki was the President. Was it colonial time? No! Why are we still addressing what happened in the colonial period, yet there are pressing issues happening today? Today, the Government is not giving us rights as women. The Government does not have a law. What kind of law is this? A man is killed, yet when we ask why, they do not address it. They do not care. These days, we are seeing commissioners who are women like our

daughters and us. We want the rights of mothers to be respected. We are not given our rights. Everything that happens is against women. If someone is raped, it is the woman. If somebody gets pregnant, it is a lady. It is the ladies who carry the child. If the man dies, she is the mother and father. The women are suffering a lot. Why is the Government not seeing the suffering of the women?

Ms. Nancy Kanyago: I will give you time and then the other woman will be the last one.

Ms. Habiba Mohammed: I am Habiba Mohammed. I am so sorry, the other time I was so moved, and that was why I went away. I was born in Ndhandhu. We used to take our animals to a place called Heldagale. In that place, we had a lot of problems. I think I have talked about this before. When my brother was killed, his brother ran away. I have his ID card. He ran away and up to now, we are looking for him. We do not know where he is, and his brothers are dead. I am pleading with you that every problem we have here is on women. Women fetch water and firewood; everything is handled by women. The orphans are with the women. Everything goes on around the women. All the problems go around women. Women are the ones who are suffering so much more than men. When it comes to food, it is the women who look for food.

In the first place, this is the first time you are here. You are looking at our problems; I think you will help us out. I thank you so much for coming here to listen to our problems. I know you cannot do everything for us but, I know God will help us through. God will help you to look into our problems and, at least, help us solve them. We do not know whether we do not get resources because of the DC or the MP we have. We cannot get ID cards because we are told we are refugees.

Every time we put our problems to the MP but he does not help us. We have gone to school but we cannot take our children to secondary schools, because we cannot afford the fees.

Thank you very much. I am pleading that we get IDs for our kids.

Ms. Nancy Kanyago: This will be the last person.

Ms. Abdi Shukh Hassan: My names are Abdi Shukh Hassan. I am from Women for Peace Development. We have been assigned the role of mobilizing women and bringing them to the hall. We expected many more women than what we have today, but unfortunately, you all know we are in stressful period. Most of the women are committed; they cannot even make it to other places. They take care of everything. That is why you see that women are very few today.

I think most of the stories, or problems, that women have, have been narrated by the women who are in this hall. Right from Ndhandhu to Mandera BP1, the women have expressed what they have undergone, their feelings and the situation in which they are now. I will add a small point to the things they have mentioned, such as education.

As you have heard, this community has come from very far. They were not interested in going to class. You could hear mothers say that they had 300 or 50 camels. This was a

pastoralist community, and was proud of their culture owning many animals rather than sitting in a class. Because of the problems they have undergone, they were forced to come to the villages. It is because of the circumstances that now, they have to take their children to school. Otherwise, that was not their lifestyle.

The schools available are not up to standard. We lack a lot of educational materials and facilities, which are used by the other communities outside this region. That is why you will always see our children getting the lowest grades in the district.

Coming to the point about girls, you have heard girls always get lower marks than boys. This is because we are not taking enough girls to school, although we have started doing so. We are, however, still below average, because the girls come from communities whose animals have been depleted, and do not have any other resources. They are very poor and are forced to go to towns by circumstances. When the girls are taken to primary school, you will find many of them in Class One. However, as they get to Class Seven and Eight, you will see their graph going down. The girls undergo certain stages; they get their periods in the midst of boys, and do not know how to take care of themselves. Therefore, most of them get scared and miss classes. For a week, the girls miss school while the boys continue studying. Some of them feel ashamed of going back to that class. They will even tell their mothers that they are not going to school because the boys will laugh at them. These are the things that discourage them.

Those who make it up to Class Eight have already been proposed to, and are likely to wed before the Class Eight results are out. This is a situation where the parent has no option. They have to get something for the other children to live and survive on. These are some of the things that make our girls not go to school. I would recommend, or prefer, that the Government should construct modern secondary and primary schools with better facilities. They should build girls schools, so that when they reach that stage, they are only girls and will not fear each other. They will advise each other and if possible, they should be supplied with sanitary pads to use instead of running away from school.

The other thing is that at the secondary school level, this is a very big district but we have very few secondary schools. We want more secondary schools with good facilities to be constructed. At the divisional level, we want better secondary and primary schools.

From education, I want to move to health. I think most of these women who have children have never seen a hospital. We have had a Government for almost 50 years; we have a very big district hospital in Mandera but unfortunately, it lacks medicines. There are very good wards in a big hospital but no medicine for children. Coming to delivery, if a woman is in labour and she is taken to hospital, she is given all the prescriptions to buy drugs from a pharmacy. We ask the Government to fully equip the hospitals we have with medicine and personnel. We would like the Government to give us more nurses and doctors. Our people have lost their livestock; so, let them get access to medicine and education.

The other thing I would like to talk about is the police. I wonder why we are surprised when our people are killed. We have been in this system and we are used to it. The police

are trained on emergency law; they are told this region is still under emergency. They are told that when they go to North Eastern Province, they should hit what they doubt. They cock their guns right from Garissa all the way. That is the reason they do not care about civilians. If they are given serious instructions during training, I do not think they will just kill. In Mandera, you cannot argue with a policeman. You cannot tell him he is wrong; he will just pull you into the car and take you to the police station. This is not their problem. It is the problem of those who train and bring them here. These people act the way they are trained.

The other thing is that tomorrow, I think there is recruitment into the forces, the Regular Police and Administration Police, and you can hear our women saying our boys are jobless. Tomorrow, there is police recruitment in Mandera. I understand there is a new system they are going to use. Still, you might find that the children of the needy, poor and marginalized communities are left out and well off children are recruited. That will not be a surprise to us. Has corruption been stopped right from recruitment? I hear these ones are going to be trained for 15 months. We request the Government to train them to know that they are going to work with human beings and not animals or wild animals. I hope we will have a better police force after this recruitment.

We work with Women for Peace; we are aware of existence of funds, but getting them is very hard; we have the Women Development Fund and the Youth Development Fund but we have never had an opportunity of getting the funds here.

Also, it is the committee which decides. You cannot complain about what they give you. Maybe you are attending college or university where you pay, say, Kshs80, 000 and so when they give Kshs15, 000 you cannot complain. What they say is final. It is a small group that they own. So, we would like to be given more opportunities when it comes to distribution of the decentralized funds.

There was a curfew. I think for the last three years we have been under curfew. Whenever we ask the men they tell us that it is at the request of the women. We have Somalia and Ethiopia neighbouring us. They always have conflict, but there is no time when Belahawa or Suftu are under curfew. Every evening our youth cross the river to go to Suftu to have their leisure. If you ask them why they go there, they tell you that it is because of the curfew here. They say there is freedom there and you can move around until morning.

If you go to Belahawa, there is freedom of movement. Mandera is in Kenya and it is recognized by the world. We have the armed forces. We have everything. By introducing curfew, it means the Government is not ready to supply us with enough security to protect us. Instead of protecting us, they say that they should lock us in our houses so that we do not move in the evening. That is the reason we are kept under curfew all this time. If the Government can assure us that they are going to protect us, there is no reason why we should be under curfew for three years. There is no law which says that. We request the Government to give us enough security to protect us if, indeed, we are a community in Kenya. The curfew should be stopped.

During the new Constitution campaigns, we had a meeting with our MP here. He told us that if we voted for this new Constitution, the police would be very loyal and friendly. They would be asking us: “*Tafadhali nakuomba*”. *Je, umeona askari akikuambia hivyo?* That is why we voted. We wanted to be friendlier with the police and the Government. However, that curfew is still there. Police hostility is there. We would like the Government to implement the new Constitution so that we are given the freedom of movement that we require. We cannot be under fear all the time.

I heard a woman say that we do not want tribalism and we should have somebody to take care of us. The Constitution says that there should be no tribalism and we have a right to choose a woman leader. We will vote for a woman. Women have a right to be voted for. We want to vote for a woman leader so that she can protect us. If you do not choose a woman leader it will be up to you.

With regard to birth certificates, if you go to the office responsible, there is always a crowd. There are a lot of people there. Brokers go there to look for work. Parents mill there. As you stand there, brokers approach you. We have reached a stage where, say, my child cannot get a certificate unless I pay Kshs3, 000 besides the official Kshs150. We are, therefore, requesting the Government to give us birth certificates right from the time they are born. Even if they are born in the villages, we have chiefs there. They can report to the chiefs and be given certificates without problems.

A baby girl was born in one of these clinics in July last year. The health personnel said that they would take the information to the Registration Office. As of today, those certificates are not available. Do we have a Government in place? Are we being run by locals? Are we being run by brokers? We want the Government to intervene.

With regard to IDs, it is another hell. These days, they have started issuing them in bits. When these people are not paid they do not care. They will do things haphazardly. There are cases where you get an ID which has somebody’s photo. When this happens, it is returned and kept there. It is a delaying tactic on their part. My request is that the process of issuing IDs and birth certificates be looked into. I will now hand over to Mariam.

Ms. Mariam Noor Osman: My names are Mariam Noor Osman. I am a teacher. I work for a women’s group called Women for Peace who fight for the rights of women. Women here address so many issues including how they suffer because of the Government. They also talk about other hardships that they go through.

We should know that we pay tax. The Government is, therefore, responsible for constructing roads, hospitals and taking care of every need of the people. We need to be keen about what our leaders do. We need to follow up on the issues of corruption. It is our own fault that these things are happening. That should change after today. We have the new Constitution now. We should read and understand it. We need to be treated like the Constitution is stating. We should take care of ourselves. We need to inquire whether things are being done rightly or wrongly.

The military have been raping women. What are we doing about the internal rape which our men are committing? There are cases where mothers protect men by accepting the elders to settle matters of rape. Is what you get from the elders enough to compensate the girls' deflowering? As a mother, I request you women to take men who rape our daughters to court. The traditional compensation is not enough. Do not accept little compensation. That man should be taken to court and even if it means castration, he should be castrated.

The census results showed that women are more than men. You should wake up and not wait for the men to fight for your rights. This is because women form 52 per cent of the population in Kenya. Women should wake up. There are now seats for women in Parliament. We should not just fight for those seats that have been set aside. We should also fight for other seats. We should not be afraid to take advantage of the opportunities the Constitution is giving us. Come out and stand for elections even if they do not vote for you.

I have written my recommendations and they are before the Commission. All women who were visited with atrocities must be compensated by the Government. There are orphans who were left behind and they must be taken care of. The Government should immediately compensate these people without taking them round in circles. Those who were injured and became disabled should be compensated too.

The people of Mandera are faced with drought and lack of water. People here drink contaminated water. It is the responsibility of the Government to dig wells and provide clean water to the people. The Government is responsible for that and we are not begging for it. That is our right because we are paying taxes.

With regard to health, we need our hospitals to be staffed with doctors. For example, our women need the services of gynaecologists and birth attendants. The Government should open training schools so that some of the women are trained on maternity issues. That way, they will help mothers who cannot access district hospitals. We are not begging, we are demanding that.

The Government knows about the rainy season and the drought season in this area. The Government should have plans in place to cushion us from drought. We do not want to be given little relief, say, a glass of flour. We want something tangible. The people must be able to do something in their day to day life so that they can save for the drought. During the rainy season, they should be able to prepare for the coming drought. It is upon the Government to help them.

During the *Shifita* War, camels were killed and people became poor. It is upon the Government to compensate us. This is something open and people know about it. I know that TJRC is collecting statements. We hope to find justice through the TJRC.

(Applause)

Ms. Nancy Kanyago: Thank you very much. Our time is over. I would like to give this opportunity to the Commissioners to talk to you.

Commissioner Shava: Thank you very much, the women of Mandera. I will give an opportunity to Commissioner Namachanja to talk to you.

The Acting Chair (Commissioner Namachanja): First of all, I would like to appreciate your coming here to talk to us. I would like to appreciate those who have given out their views. I know four days cannot be enough for us to speak out our problems. There are heavy and painful problems we have experienced. Please, bear with us because of the short time that we have to be here.

Statements are still being received. If you have issues and you have not had a chance to speak to us, you could still go to the Youth Centre to write your statement. You have this afternoon and tomorrow.

From your speeches, it is as if you have lost hope. You even do not know how this Commission will help you. However, I want to assure you of one thing; you have spoken out your hearts and I know you will not go with your problems to the grave. You have already spoken out and also written history. You have talked about the way you were tortured by the Government. The coming generation would just have heard of those stories, but now you have spoken it and even written it down. The generations to come would not have known that these things happened. I thank God that today we have written the history.

I would ask my fellow women, especially the women leaders like Mariam, to continue writing those stories so that people can read them and those ills are not repeated. Most of you have given us your recommendations. You may not get justice directly from the TJRC, but your recommendations will be written down. We will hand them to the Government.

It is our responsibility and that of leaders from this area to ensure that we get justice. Thank you very much. We will continue praying for each other. We are very sorry for what happened.

Commissioner Shava: First and foremost, I want to thank you. The history of Mandera is very painful. When I listened to you it is as if you have been living in hell every day. Some of these problems are beyond human endurance. The fact that you are here today – you are walking, talking and you are alive – I salute you.

Some people say that the past is the past and we should leave it at that. Then there are those who say that if you do not know your past then you are doomed to repeat it. When I heard you speak today, I think that in Kenya, we have a bigger problem. We do not know our past. I will tell you a story from my life.

When I was studying history in High School in the 1980s, the history of Kenya ended at 1971. So, I asked my teacher why the history had ended. She told me that when you pass

1971, that becomes politics. What she was telling me is that we are not allowed to know what has been happening. Our past is considerably concealed from us so that when you go to Mandera---

I am a Kenyan like you, but it is just that in my life I have worked in this part of the country with refugees. I have also worked in other countries like Congo, Sudan and Rwanda where there have been big problems. I thought my country was not like those countries. I came to do this job because I thought if there are problems in our country, I had better help my country first.

The stories you have told us today remind me of the stories I heard from my mother. Where I come from, we also had something called emergency. However, it was brought by the British and not our own Government. My sister went to do some research in Nyeri and she asked women the age of our mothers and grandmothers whether there were any stories of rape in the area. One of the women laughed and told her that she was asking the wrong question. She told her: "You should be asking who in this area was not raped." So, if there is war in any country women must always suffer the humiliation, indignity and inhumanity of rape.

We travelled to Mt. Elgon. It is very beautiful and green. If you come from a place where there is no water, you would think that place is paradise, but the stories are the same. The army came and castrated their men. Women were raped while children disappeared, some to neighbouring countries. They do not have food. They cannot get justice because the court is 500 kilometers away and when they get there, they are told to come after three months. The problems are a bit the same.

The Government gives more protection to animals than people. The Government of Kenya thinks that animals are more important than people. The Government protects the national parks where animals live when people do not have land to grow food. When we went to Nyeri, we found that in 1952 during the State of Emergency, the Government removed people to the village, just like here. And, until today, the wife of Dedan Kimathi has not been able to get her land back.

We also went to Uganda where we found a refugee camp that has got Kenyans. These Kenyans have been chased out of their country by their fellow Kenyans and they are basically told: "We do not have room for you here." So, I know that when we go to some of those places and tell them what we have seen in Mandera, they will be shocked. But this is what the Truth, Justice and Reconciliation Commission is all about; it gives everybody the opportunity to write their own history. You write it yourself. The stories that you are now telling us today, we are going to write them in our report and that is what other Kenyans are going to read and that is what they are going to know. You will also have the opportunity to read the histories of other Kenyans and know how they have been living. *Hakuna mtu atakaewafunga macho.*

I have listened to what you have all been speaking and although many people thought that you are not educated, I can see that there is nobody who can lie to the women of

Mandera. I can see you hear and you know. So, this is your opportunity to make your stories known to everybody else in Kenya except for the fact that the way you are living here is as if you are under colonial emergency law. The fact that even today, the police are so unanswerable to the population who are their employers that they are killing people with impunity and nobody can ask them, is absurd.

So, in conclusion, I will say that I really liked what one speaker said, that we have to own the problem. These things are terrible, awful and they are still happening. How are we going to change them? What is my role in changing these things? So, the first thing is to realize that you can do something; you are not helpless.

Secondly, as it has been said, you need to organize for change. Get into groups, find information and education. Find the way to get to the people who make decisions and come to a common position so that you can fight from one position and make your position known. Our Director of Special Support, Ms. Nancy Kanyago, is in charge of some of the partnerships that we have formed. We have formed a partnership with the Gender Commission and the Kenya National Commission on Human Rights. These organizations can all help. You should be able to get information on how you can know your rights.

We also have partnership with the Gender Violence Recovery Centre (GVRC), and the Kenya Red cross as you can see here today. These are the people who can help us to talk through the problems that disturb us and also to access medical treatment for the injuries that happen when women are raped. So, I will urge you to get in touch with Ms. Nancy Kanyago in your organized groups and see how we can help each other in that way. I will urge you not to get tired of seeking education for your children, especially your girls.

There is one man who told us in Wajir that he thought he was doing a good thing by educating his boys. His boys have grown up, they have gone to university in America and they stay there; they do not communicate with him, they do not send him money, they do not help him. He said that his neighbour educated his daughter and today he has a house where he lives in, he has another house next door for rental and the daughter always visits him. So, I will encourage you to change your attitude towards educating your girls. I think it is a good thing.

Finally, as it has also been said, please turn for elective offices. The Constitution is here. I do not know if anybody watches Indian movies or Nigerian movies or cinemas in town. When something important is about to happen, there is a lot of music. There is music and drums then you know that something important is going to happen. But in real life, important things happen and there is no music or drums. So, we do know that this is an important moment. Our Constitution is a very important tool. It gives us the opportunity we have been asking for and demanding for, for a long time. There are opportunities to participate in decision-making in your county at the local level and at the national level.

As our leaders over here said, you do not just go for the women seats; you go for all of them. You go for the seat of a Member of Parliament. Sit in Constituencies Development

Fund (CDF) positions where money is being distributed. Who for example, has made a decision that, whereas Mandera is having problems of food, you cannot walk across 200 metres and buy food? Do we think it is a good idea? Do you think you should be allowed to go across and buy food as you want? So, who decided for you that you are not allowed to do that? You need to sit in that place where decisions are made and make sure that the decisions being made affect your life in the way that you want your life to go. So, I can hear we are very tired and we need to go. But the last thing that somebody said which I would like to echo is, remember that I am not from here, I am a Christian and not Muslim, but when people were discussing the Constitution they said that we must oppose this Constitution because there is a different law for Muslim women in terms of inheritance that is putting Muslims above Christians. So, my challenge to the people who heard that argument was that, in the law that governs the way Christians get married, there is no provision for me to go away with the goods when my husband divorces me, but in the Muslim law there is. So, how does it disturb me when my Muslim sister is getting what she is supposed to get? In fact, I would support that and I will defend it. So, I am trying to demonstrate to you that our tribe is Kenyan and our tribe is woman. When we allow anybody to make those divisions, we are the only ones who lose.

Thank for coming today and for letting us have this discussion.

Ms. Nancy Kanyago: Thank you very much, for the stories that you have brought. We have come to the end of this Commission meeting. I would like you to stand so that we give the Commissioners a chance to go out.

Sorry, I have forgotten one thing. We started with prayers and we have to end with them. After this I will call upon people to congregate at the Youth Centre for the afternoon hearing from 3.00 p.m.

We have seen that there are no women there. So we will go to the Youth Centre. Let us get somebody to pray for us.

(Closing Prayer)

(The Commission adjourned at 1.15 p.m.)