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**ORAL SUBMISSIONS MADE TO THE TRUTH, JUSTICE AND
RECONCILIATION COMMISSION ON TUESDAY, 27TH
SEPTEMBER, 2011 AT ST. FRANCIS XAVIER CATHOLIC
CHURCH, NAIVASHA**

PRESENT

Gertrude Chawatama - **The Presiding Chair, Zambia**
Margaret Wambui Shava - Commissioner, Kenya

SECRETARIAT

Nancy Kanyago - Director, Special Unit

(The Commission commenced at 1.50 p.m.)

Ms. Jane Wambui: *Nilikuwa nimetoka Eldoret na kama miaka kumi iliyopita wakati huo wa vita, nilikuwa kiongozi wa chama cha DP kama women's leader.* I remember when the house of our Chairman was burnt down. After two days, there were seven youth outside my gate. Fortunately, there was a boy I was living with who understood Kalenjin language. He was at the polytechnic with my son. The youth told the boy that they were looking for a plot that belonged to a woman who was working for PNU. The young boy told them that the woman had left the place. They asked about the plot and he said that she had sold it. They wanted to know who bought the plot and the boy told them that a certain Luhya had purchased it. All that time, I was hiding. I received many threatening messages from the Kalenjin - they called me *Mama DP* – telling me to move away from that place. They were not telling me to move away with my family; they just wanted me to leave the area. When my house was burnt, I moved away on 14th 2008 to Githunguri, in fact, to my aunt's place. I am from Githunguri.

I would like to say that it was God who saved me. I was not even injured; I do not want to lie. But as for loss of property, we have nothing at the moment. As integrated IDPs of Naivasha, I would like to tell this Commission that we just hear about the Government talking about IDPs. They are our fellow brothers but as integrated IDPs, we have been forgotten. Our group is called Kasi Camp and I am the one who has tried to ensure that that group of 300 people gets food. We get 25 sacks of maize after a month, but is that enough to feed people? So I am requesting that you forward my request to the Government that it should look into our issues of food because when I go back to Eldoret, I feel like they are exposing me to the public and I do not have peace. So, I am requesting the Government to get a place and resettle us even if it is in grass-thatched houses. We do not mind as long as we will live in peace.

Finally, as you see me, as beautiful as I am, I have breast cancer. I underwent breast cancer surgery in 2003. I have gone through a lot; I have taken so many drugs and as I talk to you, I have a session at KNH and sometimes I even lack fare. Do not look at the

way I am dressed or my body size because sometimes I even lack money. Sometimes, I go and find that the fees has been hiked. You need to think about us because we have problems. To the women who are gathered among us, when you touch yourself and feel a lump on your breast, rush to the hospital. Do not wait until it is declared full-blown cancer. It is important that you go early to hospital and get early testing and scanning. If I had not had an early scanning, then maybe I would be dead by now. But I am alive today. After I was diagnosed with cancer, I allowed the doctor to do surgery on my breast and that is why I am alive.

Ms. Nancy Kanyago: Thank you very much for that guidance. How many are integrated IDPs in this particular area? Do you get any assistance? Did you register anywhere as IDPs so that you can get assistance?

Ms. Rosemary Adhiambo: I have lived in Naivasha since 1981. I am a Kikuyu, not a Luo. We keep praying that Kenya may be a peaceful country. When this issue started in Eldoret, I heard the way they were fighting. Then on Sunday, I heard gunshots in town. I did not know what it was. I had prayers in my house and so at around 10.00 a.m. things became bad at Kayole. I heard gunshots, three cars were shot at. I asked myself what was happening. Around this time, my neighbours came and asked me why it was that when some Luo are killed, my community causes commotion disturbing everybody. I told them it was all to do with our culture. I told them that we believe that when you kill somebody, then your family is going to die mysteriously. One man looked at me and my family and went back to the road. I found myself at my homestead and that is when he told me to leave my house. I walked out; I had four daughters and the guys harassed us. I kept asking them to leave us alone because I did not understand what was going on. I was shocked; the guys came with machetes and I wondered whether they were not the same people I had been living with. People were pleading with them not to kill us. I kept praying to God not to leave me alone and He heard my prayers. They took my son and beat him up outside the door but the women outside kept screaming for them not to kill him and just circumcise him. But I kept telling God that it was not the desire of Kenyans to behave like this but Satan was behind it all. So, they circumcised my son and left him outside the house. I kept reminding them that they were my sons. I told them to dress my son and take him to the hospital because he was one of them; they had lived with him since he was a child. So, they took my son. I do not know where they went with him. I called the police and they came very fast. They tried to dress his wound. The chief also came to my house at around midnight and asked where I was and my family. That is when we were taken to the police. The chief asked that we go to the police station at Kayole. So, they took me up to prison where the GSU found me by the roadside. At around 1.00 a.m., I was taken to the district hospital. The boy was taken in for operation up to around 4.00 a.m. I slept outside in the cold. At around 6.00 a.m., I went back to Kayole and found people looting our property, including the roof. I told God that I was grateful for life because I could live without any property. I always pray for this country because these people who incited and did all that do not have any reward.

Ms. Nancy Kanyago: Thank you very much. What is the name of your son?

Ms. Rosemary Adhiambo: My son is Michael Omondi and the other is Daniel. We were brutalized but I do not feel bad because I believe Jesus forgave them.

Ms. Nancy Kanyago: You have also said that women pleaded for your son's life.

Ms. Rosemary Adhiambo: Yes, women came to our door and pleaded that my son and I should not be killed. They were saying that we should not be brutalized and that is why I am grateful to the women in Naivasha. I have lived with them for a long time and I pray for them. I pray that God continues blessing them and giving them the same heart.

Ms. Nancy Kanyago: Have you gone back or you are still afraid to go back there?

Ms. Rosemary Adhiambo: I am afraid to go back to that place because I was not evicted by strangers; they were my neighbours.

Ms. Nancy Kanyago: Are you living at the IDP centre at the moment or at a different place?

Ms. Rosemary Adhiambo: I rented a house near the town.

Ms. Nancy Kanyago: Thank you very much, Ms. Adhiambo

Ms. Rosemary Adhiambo: I am requesting that now that my property was looted and I have never received any help – not even the Ksh10, 000 - that you look into the cases of all women. My son's name is Michael Omondi but his health is not very good. The other one is George Otieno.

Ms. Nancy Kanyago: Thank you. Is there any other woman?

Ms. Salome Wangari: I greet you all. My name is Salome Wangari and I am from Molo. Let me say that I started being an IDP in 1992 and that is when my suffering started. I have gone back to the same land four times and every time, they burn my house. This time I have decided that I am not going to go back to the same land but since I started living here, I have decided that I am not going to live in a camp again. I came to Naivasha and looked for a house and I lived there. I have never received any form of support and I never got the Kshs10, 000. I have had so many problems because my mum has high blood pressure. I have worked in the flower farms and I sometimes stop working.

After the post-election violence, I came back to Naivasha. Since then, I have had a young child and I do not know if it was due to the cold, but he has a chest problem. I took him to Nairobi and I received medical treatment. I also have my brother's child and I have been accommodating the child. The child looks like he suffered from a stroke on one side but I do not have money to take him for proper medical treatment. I am just living with the child like that.

Ms. Nancy Kanyago: Thank you. The Commission is looking into issues since 1963. We are not only concerned with the violence of 2008 and we are very happy to hear from IDPs from 1992.

Ms. Tabitha Mwangi: My name is Tabitha Mwangi and I live in Kiambogo in Elementaita. During the post-election violence, we were affected. Our ancestral land is in Limuru but we left Limuru in 1988. Our land was exchanged and we were given land in Elementaita. We had land problems in Limuru and so we were resettled in Elementaita. I was in school when we were in Limuru and I remember the deputy headmaster asking us if we knew a female Minister and I only knew one whose name was Grace Ogot. He would say that it would be his desire that the girls in that school would grow to become ministers so that we would have more female ministers. I put it in mind and I decided to study until I become a minister.

The land that was given to us belonged to the society. One of the big people became interested in our land, so Josephat Karanja decided that he was going to use Ksh30 million to ensure that we were evicted from our land. We suffered for about nine years moving up and down. We would wake up in the morning to find people outside who would beat and harass us. If you go to Tigoni Police Station, you will find my name there because there was a time I was beaten by a watchman because I had become stubborn.

We struggled for about nine years and my parents saw could not stand it any longer. That is when they went to President Moi and camped at Kabarak for nine days. They talked to him and aired their problems and the President declared that we were not to be harassed again and that we should be allowed to stay in Limuru without any conflict. Josephat Karanja went to the President and insisted that we should be resettled in Nakuru because we were many. It was decided that-that be done. So, 22 families were resettled in the ADC land. We moved from Limuru to ADC and that land was later on given to other people so we were now surrounded by a different community but we lived as neighbours since 1988. I could not continue with my education because our life was disrupted. My parents had lost their jobs and no one was giving us any external assistance. We have had problems since then and I decided to leave my parents and move to Kericho.

I left my parents in Elementaita and went to Kericho and started doing business. So, the 1992 clashes found me in Kericho where I was selling second hand clothes. I had gone to get some stock to sell and I was surrounded by a gang of people. We were three Kikuyu women and we were all surrounded by a gang of young men. There is nothing I could have salvaged and they took everything but they told us that they were not going to kill us. The chief of that area talked to them and he escorted us to a place called Kapsoit. We boarded vehicles and went back home without paying rent.

I went to spend the night in a certain field and a man came and told me that there is an Indian who was employing people. I woke up and left the man but he still followed me so I was scared because I thought that he wanted to rape me. I left the place and went back to town and he asked me why I did not go to work. He asked me if I was among the people whose property was looted and he gave me Ksh100. I told God that because I had left

home because of problems, I was not going to go back home. I used the Ksh100 to buy oranges at Kshs2 each, then I sold them at Ksh5 each.

So, I went back home with Ksh250. I used Ksh50 to buy food and I started some new business with the rest of the money. I continued with business and I told God that I was not going to leave that place until he blesses me and God blessed and lifted me up. I lived there and I even bought a plot of land. I became the bread winner in our home. Every time there was a problem at home because it is a very dry place, I would help them out and I managed to lift them up.

Problems set in 2007 during the post-election violence. In February, 2007, my dad was brutally beaten by robbers who were trying to steal some cattle and goats. When he went out and found that they were people he knew, they brutally beat him. He came to my place and according to the Kikuyu custom, a father cannot go to the daughter's place but he came and stayed at my place. He lived with me from February to December and when he was going back home in 2007, he had already healed. He was 91 years old.

He stayed at home for about one month then the post-election violence erupted. I was to vote then go home for Christmas but unfortunately, we did not know the devil's plans. During that period, all the roads were blocked and the situation was very bad. I was doing the business of selling second hand clothes and God had blessed me and I am sure there are some people in this crowd who knew the business I was doing. While I was still there, they came and burnt everything and nothing remained. I thought that my only hope was to go back home.

My father kept asking me where I was and he told me that he was praying that I do not encounter problems. I tried to escape with my child. My son told me that I had brought him up with so many problems and just when God had blessed me, all was gone within a day. He told me that he would rather die there and so I just decided to sing the song that says "my rock is built on nothing else"; because there is no other ground I am standing on except on the rock. As I was still staying there, my father prayed for me but they did not know the problems I faced. I got a call at around 10 p.m. from my sister who told me that our house back home had been burnt and they were not able to rescue anything. I asked her how my father was and she told me that he was there but he had nothing. I told her that it was okay as long as they were still alive.

We stayed for another two days, and on 28th, we were transported by the army to Gilgil. My dad then was 91 and my mum 87 years. On arriving at Gilgil, my father just started crying as he hugged me and said that he thanked God that he was seeing me again. The whole family was in Nakuru; in the Rift Valley. We had no one to look up to, so the following day, we went to the DO at Gilgil and registered as IDPs. Despite my father's sickness and age, he had to go and live in a camp. I said that I cannot take my own father to the camp. I read the Bible and reminded God the blessings unto Isaac in the well. But Isaac was blessed and God told Abraham to go to the stones and God blessed him. I told God that these are my parents and they cannot be employed anywhere and we cannot do anything. My elder brother's property was all burnt and he lost his mind because of

depression. My father would go asking people where he can get employed and every time he was given food, he would say that all his efforts have ended in a day and he used to cry. I told him not to cry and I had to soothe him and comfort him. I told him not to cry because we would do all we could to take him to the same position he was initially.

Since then, I have done all that I can and I have used all my efforts. His son was depressed and one of my sisters went to Mau Narok and started farming there. There was a lot of wind in 2009 and as they were harvesting potatoes, a tree fell on my sister and she died. My dad went and buried her. My other sister was at Mathare in Gilgil so my dad looked at it and wondered what his purpose in life was.

I have really struggled in life; I am the bread winner in the family and no one else was concerned. When my dad saw the struggles I was going through, he started getting sick and became diabetic. He was hospitalized and he got a stroke and went into a coma. I tried all I could but I did not have money. My dad died and we buried him. We had a brother who died in 2004 and his wife was picked by the chief and it is like the chief did not want us back in that land. The chief married my brother's wife and said that because my brother had died, none of us in the family was going to follow my father's property. The chief and his wife took my mum's land and changed the name through the land settlement scheme in Naivasha.

They changed the name and he put his name. They put it under the wife's name. Since then, we were left with nothing. While they were doing all that, my dad was in the mortuary. We tried so that we could bury our father and while we were still following on the issue of land, another sister died. We have really struggled with that land. Every time I ask the chief about the land, he slaps me and hits me with his rod. I went to the DO and told him about the issue and the DO told me to go together with my mum so that he could return the land to my mum.

When we returned to the DO with my mother, he said that I was the one who took the land from my mum and he slapped me but my mum stopped him. My mum asked the DO why they took her land and now they are beating her child. I knelt down and raised my hands and told the DO not to beat me. My sister who had died left children and she was a single mother. Currently, I am the bread winner. I have had one problem after another, but I never leave my Bible. I always tell God that I will never leave Him and He will never leave me.

Since 2009, I have moved from Naivasha to the shamba and every time the land is returned to my mother, it is demarcated and given to the chief's wife. I have orphans who I am looking after, my brother who is depressed and I am the bread winner. I do not have any external support but I just call upon God.

I am not the one who caused the post-election violence. I just voted like any other Kenyan and I did not want to get into problems. I just found myself there and since then, the Government has not given me any assistance. I have not received the help that others have been given. The 22 of us are depending on ourselves and we are suffering up to

now. We are wondering who to go to because the Government keeps hitting on us. I am asking you today, whom do we call upon?

The Presiding Chair (Commissioner Chawatama): I am so sorry for your troubles.

Ms. Nancy Kanyago: Thank you so much. We have a blessing of the rain.

Ms. Zainabu Ali: Good afternoon, my fellow women. My name is Zainabu Ali. I live and was born here in Naivasha in 1954. We have lived in peace and we were not affected by the conflict of 2007 but it has affected my fellow women. So, it as if it has also affected us. I have integrated with different tribes and we have not had any problem. Our group was looking for a lasting solution so as to have sustainable peace. We formed a group and up to now, we are still in the same group. We have a group called Tawakal Women Support Center here in Naivasha and we have 50 children from every tribe here in Naivasha. We have the Luo, Kamba, Somali and Borana. Every tribe is represented in our group, most of whom were victims of the post-election violence.

We are not rich but we do the table banking and issue small loans so that we can help these children. At the moment, seven children are in secondary school and the others are still in primary school. We are trying our level best to give them lunch. Every child lives with the grandmother because they are orphans who do not have parents. Out of our good hearts, we are assisting them.

During the post-election violence, we took two Luo children who had gone astray and we have integrated them in our group. We have given them food and shelter. We lived with them for four months until we got their families who had gone to Kisumu. We stayed with the children and bought them clothes and took them to hospital until we found their parents after four months. We are many women from different tribes in our group and every day we preach peace and security because we have been together for nine years.

In Naivasha, we have a problem of identity cards. I told you that I was born in Naivasha in 1954 and I have a birth certificate and an identity card but my child who is 22 years now does not have an identity card. When you go to fill the forms, they reject them when they see a Muslim name. I do not know why our children are not getting identity cards. When we fill forms for bursary, we do not get but our neighbour's children get the scholarship. Our children also do not get bursary form the CDF kitty. When we fill the forms with our fellow members in the group, their application will be attended to but ours will not be attended to. I do not know whether this is religious or tribal conflict. We do not understand.

(Loud consultations in the room)

The Presiding Chair (Commissioner Chawatama): There is too much talking just here. It is not right nor is it respectful when someone is talking and sharing their testimony for others to make noise. When you make noise, you give us the impression that you do not want us here. I would expect that you will be silent and as somebody stands up to share their experience with us, we shall give that person the respect that is due to them. Many of you went through very bad experiences. So please, can we maintain silence?

Ms Zainabu Ali: We were requesting the Government of Kenya to consider the issue of identity cards. We do not get bursary from CDF kitty for our children and most of us are single mothers with no jobs. We are just depending on the small groups that we form. When our children do not have identity cards, then they cannot get employed. We have about 20 youth who are between 18 and 21 years and are very idle. If you go to look for employment in the flower farms, you cannot get employed if you do not have an identity card. So, it is important for us to get the IDs. There are also many women languishing in poverty and their children are not in school due to lack of school fees. They do not get bursary from the CDF kitty. We do not understand what kind of conflict this is.

Thank you very much.

The Presiding Chair (Commissioner Chawatama): We have heard you. We celebrate the work that you are doing and thank you for taking the children and looking after them during the post-election violence and may God bless you for that. We have heard the issue of IDs not only for your 22 year-old but also for other children. We have also heard the challenges of not having an ID. Your children cannot get employed and they have no access to CDF money.

Ms Zainabu Ali: We are also asking for well wishers to assist in the orphanage and we will be very grateful.

Ms. Nancy Kanyago: I have just one question for her. On the issue of IDs, does it affect all the youth; both boys and girls?

Ms Zainabu Ali: Yes, all of them regardless of the sex. We also have women who we are assisting in the group. They are very poor and they cannot even pay for school fees; they cannot get access to CDF bursary to enable them educate their children.

Ms. Nancy Kanyago: My fellow women, I want to see by a show of hands how many people still have issues so that we can programme our time well.

Ms Rose Wanjiku Njoroge: My name is Rose Wanjiku Njoroge and I live in the IDP camp in Mai Mahiu at a place called Jikaze. I am from Ainamoi in Kericho Municipality. I am standing before you to say that this problem of eviction started in 1992 but it was severe in 2007. I want these wounds to be healed completely so that we can unite and be one tribe. This devil came to tribes which were previously living peacefully with each other. I was born in Kericho and I have lived there for about 50 years. I am now learning the Kikuyu Language.

This was my first time in Naivasha in 2008. My children can speak Kalenjin and Luo. They will speak fluently because that is the language we were speaking. One thing I want to emphasize is that our children have suffered to an extent that they are not aware of which direction to go to. We have been belittled. Our children's education has been

neglected and they cannot attend school consistently. For example, when we were at Naivasha camp, they could not go to school.

When we left Kericho, we were dropped at Nakuru. I heard there was a place called Naivasha and that is when I came to Naivasha. I thought it was not nice to stay in Naivasha because initially, I was married but currently, I am single. I am currently a widow because my husband died. When I came to Naivasha, I told the people I found here that my homeland was at Njabini. I went to Njabini and stayed for several days with my children. I was sleeping and covering myself with a *leso*. It is very cold in Nyandarua and we really suffered. Every time the children kept crying because I would only cover them using a *leso*.

I am a Kikuyu but I think I am another tribe because when you speak to me in Kalenjin, I will speak to you very well. My children can speak Dholuo and I even speak with them in Dholuo. My husband, however, is a Kikuyu. So they were saying I had neglected them and was staying in Kericho. They were saying that they did not even know my husband. I have eight children; one son and seven daughters. I was also rejected by my native people. I would get help from the church. Initially, in Kericho, I had my own nursery school but it was demolished. I was also doing the business of going to Uganda and back. All those businesses ended and I was left with nothing.

As a widow, one is left with a lot of problems. I was the one catering for my children. Let me tell you the pain of being a woman; I was rejected by the Kalenjin. However, let me say it is the devil that fought me and not the Kalenjin. My life was troubled and I became epileptic. My children also became somehow epileptic. I would take them to the Red Cross for help. I felt like my life had ended. I did not have a life anymore and I did not have a place to stay. I thought it would be better to I die. I have two grandchildren and I felt it was time I committed suicide. However, I felt that the IDPs were being given a place to stay here in Naivasha and I came with my children. I slept in an incomplete house and they told me that I would be killed overnight. I told them if I had not been killed, I was meant to live. Before I came back, I told my parents: “Mother, an old woman like me cannot get lost. I am moving away from my problems”. My in-laws told me just to go because I was one eyed. The reason they were calling me a mono-eye is because I had a son in Form Three and a daughter who has two children.

My son who was in Kericho in Form Three was picked by a cousin to go and work in Nairobi. I saw this as a favour. He went to become a caretaker in a rich man’s home.

I continued staying in the Naivasha IDP Camp with my children, including the one who has given birth to my two grandchildren. Even if people were saying that we were rejected by another tribe, the most painful thing is when you are rejected by your own people.

After my son completed high school, I was thankful to God. He told me he was coming back to Naivasha. However, I told him I was leaving Naivasha for Mai Mahiu. He came to visit me and the first thing he told me is that he would rather have the arrow of the

Kalenjin than the arrow from the Kikuyu. I told him not to commit suicide because God has better plans for him and He has a better future for him. He told me that he was going back to Kericho and would call himself Kiplang'at and not Njoroge. So he went back to Kericho and stayed there. He lost a year's effort and went back to reestablish himself.

Life in the IDP camps is not the best. It is painful and people suffer. It is a place you see people naked. Our children go to school but just come back there. Children abuse drugs and have no social life. We are in pain and suffering as we live in the IDP camps. That is why we are crying for help.

You have heard that I have daughters, where do I direct them to? I cannot do prostitution to support them. We get one or two kilogrammes of maize from the Government and one litre of cooking fat. As I speak, I am sure there are people here who can attest to that.

I feel pain even as I speak before you because, initially, I was an independent person but now I have become a beggar. As you see me dressed today, it is just from borrowing and begging. I am crying to the Government to look into our issues because this name IDP came from the Government. I usually say that this is a name for Raila and Kibaki. We do not call ourselves IDPs. It is painful because the way we are bringing our children up, what would be their future. It is very easy to identify an IDP child from their clothing. They do not even have shoes and some are suffering from pneumonia because of the cold.

The other problem is that I have stayed there and I had a child who was a candidate in Class Eight. I looked for a high school but could not get any. One day I got a vacancy at Hope. My child went to that school but the people looked at her and despised her because she is an IDP. She was actually impregnated. I took her to gender and children place at the DC's place. I was then taken to the police where I was directed to another woman who told me to go and report the case at the hospital. When I asked my daughter what had really happened, she told me that the person who was responsible was a man who stays nearby and works at the flower plantation. The lady insulted us and told us to go back to the hospital. I went back to the children's department because I really did not know where I was headed to.

I was hoping that my daughter would go to school and at least assist me in future. Her school fees was even being paid by an external party. The child was suspended from school until she gave birth. The girl had to be taken to Naivasha for x-ray because she was only 16 years old. She was told the fetus was too big and she was having expectancy complications. Later, I took the child to Naivasha and she gave birth although she had complications. She was on a drip..

I did not have money but the doctors told me that I had to pay Ksh4, 000.. The camp was called Kuomba. I went to the DO who gave me a letter which I took to the hospital. When I went back to the hospital, the doctor asked me who told me I was an IDP. They, however, agreed to waive the bill. My child was really weak but the only food I could give her was maize and beans.

A month later, I went back to the police. When the OCS saw me, he really insulted me and told me: “You IDPs are practising child labor”. I told her that those are my children and I am the one who gave birth to them. I went back home and prayed to God to help me. God has helped me.

Thank you.

Commissioner Shava: Thank you very much. We have heard what you have said. It is a painful story when we look for those who are in difficulty and then we add to their difficulties; I do not know where we are heading in this country. As a woman and a mother to hear somebody saying that we are using our children to do business, that is such a bitter thing. I cannot even imagine how you must have felt. I can see how you still feel. The thing that encourages me is to see you here. You are still alive and fighting for your children. I pray that you continue that way. According to the powers we have been given by the law, we will do what we can to assist you. All the women in this room are all from different religions, speak different languages at home and our lives are all different but at the end of the day, we are all women.

As the lady said, even if she did not undergo problems in the PEV, her heart feels the problems of the other women because we are all women. Let us always remember that. We are very sorry.

Ms. Nancy Kanyago: I have already selected the one to speak.

Ms. Caren Achieng: ---- (*Recording hitch*)

I used to meet the police on the way but I thank God because he protected me. I used to walk with my daughter. I was also pregnant. I was just alone and nobody else was on the way. I just used to run up to the house. I thank God for protecting me from the *Mungiki*. I used to worry a lot and never used to sleep at night.

In the morning, I decided to go to work. Where I was working, I was the only Luo. The rest of the people working there were Kikuyu. I applied for my maternity leave, went and gave birth. When I went back to work, I was told that I could no longer work there. He did not give me a reason for that decision. He just gave me a letter. They told me there was no job without giving me any reason. I was patient. My husband was stressed and they did not know where to go. I had a three-month's old child and I did not know where to get food from. God gave me a good heart and I just continued struggling for my family.

I wanted to report this to the labor office but I did not even have the fare to go to town. I stayed without a job for about four months. A friend from Naivasha invited me to come and work in this Catholic Church to teach sign language to the hearing adults. After I worked for about two months, my husband left work in Nairobi and came. My husband used to stay in Nairobi with the two children who went to a private school. I used to stay with the youngest child here in Naivasha. My husband left work in Nairobi and came. He

took my position as a sign language teacher here. He removed the children from school and as I speak, they are not going to school. I do not have a job and my husband does not want me to look for a job. He just wants me to stay in the house and take care of the children.

He told me that if I go looking for jobs, he will throw me out to my village. When I used to work and he was not, I used to take care of him very well. I am surprised that now that he has come to Naivasha and taken my position as sign language teacher, he is oppressing me. I am trying to look for a job. My children do not go to school and he talks of taking me to the village. I do not think it is good. I feel so bad and only cry to God. Nobody else can help me.

Thank you.

Commissioner Shava: Caren, Is your husband's hearing impaired?

Ms. Caren Achieng: Yes, he is impaired.

Commissioner Shava: Why does he not want you to work? How are you living? What are you all eating? Is there something in him that changed? Was he always like that or is there something that happened?

Ms. Caren Achieng: When he came to Naivasha that is when he started oppressing me. When he was in Nairobi, he was a good person. I do not know what happened when he came here. I do not know if he had friends who misled him.

Commissioner Shava: Then when you went back to work after maternity leave in Nairobi, you were told you have no job and not told why; do you think this was related to the elections?

Ms. Caren Achieng: Yes, I think it was related.

The Presiding Chair (Commissioner Chawatama): Where in Nairobi was this school?

Ms. Caren Achieng: The school is called Marion in Kahawa West.

The Presiding Chair (Commissioner Chawatama): Thank you very much for talking to us.

Ms. Nancy Kanyago: Please, women switch off your mobile phones. This is a very special forum for women and it is not good for phones to ring. It also interferes with our records.

Please, proceed.

Ms. Mary Akinyi Kareithi: My name is Mary Akinyi Kareithi. I was born here in Naivasha. I have been brought up here in Naivasha and got my education here. I got my husband here too.

I got married in 1995 in a church wedding. We stayed together with my husband who is called Kareithi. He comes from the eastern part of Kenya and I come from Nyanza; Siaya, Alego Location. We were blessed with three children. We stayed for about ten years. There is something that he used to tell me but I did not know it was an issue for oppressing the women. He used to tell me that when I get the third born we will separate.

I found myself there and explained to him. At that moment the battle started. I was being beaten because I was three months pregnant. He was really beating me and I did not know where to turn to because I am an orphan. The situation worsened and some friends were advising me that whenever I was beaten, I should go the police station and report. I reported severally but nothing was being done.

When I delivered, some gender officers came to Naivasha in 2006 and I reported the case but I did not get any assistance. It was like I was hitting a wall. It became so painful because I was being violated for very many years. Many of you know me here in Naivasha. I was just strong because I am a mother but I do not have parents. I have to show my children that I am their mother and I am there for them.

During the PEV, we still had the case pending in court. I was pursuing the custody and maintenance of the three children. I was going through a very difficult situation. Now, in 2008 during the PEV, I just expressed myself that although we have differences, he should come to save us as a family. I remember he called me and told me *Wajaluo* were not wanted in Naivasha. I told him, Kareithi for sure just come and rescue us. I told them the children were their blood. "They can kill me but they will never kill the three children".

I was hopeless there. I did not know what to do. I just locked myself in the house and told my children we should keep focusing on God. He is the God who saved Shadrack, Meshack and Abednego. I told them even this hour God is going to deliver us because he is the father to the fatherless and husband to the widows. After 15 minutes, those men came with axes, *pangas*, *rungus* and I was there hopeless. I did not know what to do. They would say: "We are going to rape her before we kill her". Others would say: "This is a good lady, she has a big heart, she has been helping us and since she got married to our community, we are not going to kill her". My neighbour would say: "The blood that you are looking for is there". I cried bitterly. I asked God, "Why did you let me get married to this community?"

Remember my husband had a car. He would help other Luo outside but he would just leave me there. I did not know what to do. We were with my brother. My brother told me, "Let them come in". They were going to slaughter all my children and put them in a polythene paper. I told God, "Give me the mechanism of talking to these children". We prayed. My brother prayed in Islam and I prayed the Christian way. They said, "If we kill

their mother and the boy who is a Kikuyu what are we going to say?” I think the Holy Ghost confused them.

We got out and I left my children because I could not carry them. As we were going with my brother, I remember we met some two guys. Those guys said they would rape me. My brother stood and said, “You guys would rather rape me but you are not going to rape my sister”. My other sister had called me and told me that: “When they ask you *wakiawa*, tell them *wakia maito*”. At least when they asked us that, I replied.

Then we reached the police station. Many members of my Luo community knew that I got married to a Kikuyu. Some of them started saying that I am spying on them. I was not comfortable there. I called the Red Cross guys and they told me they would go with me as they go to rescue others. I entered the car and we were going round. Out there, the situation was more serious. We found stones on the way and they wanted to kill and circumcise us. Near Mt. Longonot Hospital, I had a salon where I used to plait their wives’ hairs. When I saw them, I asked them, “Why do you want to finish me and I have been plaiting your wives’ hairs for so long?” I was with another Luo who urinated on himself but God helped us go through that place.

I told the Red Cross guys that I would go back to the police station. They had better lock me inside. So I went back but I was not comfortable. I remember that night it rained.

So, I decided to go back and look for my children. I got there and found them. My friends were worried about my whereabouts. Since I was in the house, they advised me to get out before my head was chopped off. The attackers were asking for identity cards. They wanted to know my last name and I told them it is Mary Akinyi Kareithi and they told me that my middle name is the reason why my throat would be slit. I once again prayed as I packed up my things and left with my children. I went back to the police station. My neighbours were all away and nobody helped me with the kids. I prayed again and told God that I was not comfortable there. Good Samaritans from KenGen came. They knew I am a staff and some had even attended my wedding. They also knew what I was undergoing with the children. So, I was taken to KenGen. My husband was called but he refused to come. I just thank God that, at least, I have a place. I stayed there for one week but my husband called and told me that I am not a staff there. I told him that I was just picked by Good Samaritans. He came to see me and, instead of sympathizing with me, he battered me and ran away with my children. I screamed and he was stopped at the gate, but he still left with the children. I was taken to the hospital. My husband came again and told me to vacate the place. I asked him to arrange for a vehicle to take me to Siaya but he refused. He came and told me that I should go to his house. So, I went back to the police station. I did not know what to do. I asked the Red Cross people for a tent. Little did I know that where I was being taken had Internally Displaced Persons from Eldoret, Kuresoi and elsewhere. When they knew that my name was Akinyi, they thought that I was a spy. I encountered other problems there again. Some of the people I met in the camp are here. I can see Mercy there. I was living like a bird because I could not live in the Luo camp. I was just hidden by the Red Cross people. I wanted to go home but they

told me that, at some point on the road, people were being asked to produce their identity cards. So, I was just left there. I could not fit in any camp.

I want to say that I am a single lady and I have been having a case in court for the last five years. I have gone through thick and thin. I remember that at one time my husband battered me until I went into a comma. I was being given medicine through the brain. There was a time that I was poisoned through food. When I took the sample to the police station, I was told to take it to the Government Laboratory. From there I do not know what happened because the policeman told me that there was no poison but some people whom I showed that stuff told me that it was mercury. It interferes with internal organs and one dies without people knowing what happened. To cut the story short, I just want to encourage women to be there for their children because if you do not encourage yourself, you will even commit suicide. Even if you pass through fire, just focus your eyes onto the Lord. I had a brother who had been beaten up and later infected with HIV/Aids. He had written a note in his things. He had mentioned the names of the people who had hurt him. If I knew, I could have kept that note.

Madam Commissioner, there are very many women who are suffering. As for me, my mother-in-law does not want to see me. I remember they took my son to Meru where he is schooling. One day, my mother-in-law called me. When I went there, they threw me out and I slept out with my child. I have been pleading with the court to help me because my business was ruined during the clashes. Right now, I have nothing. I want to ask women to be strong and courageous. I want my children to be role models because they are tomorrow's leaders. I want to ask this Commission to assist us. Thank you.

The Presiding Chair (Commissioner Chawatama): The Bible teaches us that as older women, we must help the younger ones. They need help in understanding the ways of life. You have heard this young woman and the pain she has gone through. There are some of you here who have never gone through such pain. There are people who are young but look old. Before my sister spoke, I looked at her and she looked okay from the outside. To my mind, she looked like a very successful businesswoman until she spoke. When I heard her story, I was shocked. We have heard from many women from different places where we have held meetings like this one. We have heard from women who lost their husbands, their children, those who were raped and their property destroyed. There are those whose husbands walked out on them because they were of a different tribe or they had been raped. So, to the husbands, they felt that they could not live with them and walked out leaving them with their children. We keep hearing these stories.

I believe that when a nation has reached a place that Kenya has reached, we need to hear the voices of women. We need to hear women talk about peace, national unity, healing and reconciliation. Everywhere we have been, our men may suffer but the women have suffered the most. That is without exception. I do not know the population of women in this country but if every woman stood up and said "we want peace" you will get the peace that you seek. We have been to Kericho, Nakuru and Naivasha and the women have told us how they depended on God. Who is this God that you are depending on? Where is the God that this young lady talked about? Is it the God of Shadrack, Meshack

and Abednego? He is the one who is ever present when you are going through fire. That God says that he will never forsake you. We should know him and know the life that he wants us to live. We should know that he has plans for us. So, it is not just mentioning God but knowing that he is the one who created you and that you belong to him. This is not the life that God intended for any of the people that we have listened to today. That is, having a life of suffering, not having a home and moving from one place to another. I do not think so. The women we have listened to do not even have a photograph of their loved ones. Everything was destroyed. It is time to say that enough is enough and that you want peace, national healing and reconciliation. You have to want it, believe in it and mean it. I have said that I have cried enough and that I will not cry again. I have never heard such hardship and I have never seen such pain. We must do something as women. This cannot be for nothing.

We need to take advantage of this opportunity; suffering should end. Forgiveness, love, unity and understanding should be there. Let us be each other's keeper because you are all Kenyans. You will never have another country. You will never have any other sister if you do not love your own sisters in Kenya. How can you love me as a Zambian when I will leave and go through that door and you will never see me? How will you remember me?

We have come to the end of our sittings, but before I close, I would like to tell you a story. I am Zambian and I came here two years ago. I am a mother of four boys. We went home in August and my last born son knocked on my bedroom door. He is called David. He told me that he wanted me to meet somebody. I asked him who it was and he told me that it was a special girl. I told him to bring her in. He did so. He introduced her as Martha Muriithi. I was in Zambia and not in Kenya but my son brings in a girl from Kenya. I knew that you are my people and that this is my land where I shall be forever connected. So, when I weep, it is because I have come to love this nation and its people. One day, I might be an in-law to all of you. I have four sons. This is a small world and I would not want you to hear that I have mistreated Martha. If she is the wife to my son, she would have the best mother-in-law and she would testify to that fact. I pass on this chance to my friend and fellow Commissioner.

Commissioner Shava: Thank you, Madam Presiding Chair. It is always difficult to speak after Commissioner Chawatama because she speaks so well but I will do my best. Why are we here today? Why are we here talking about our problems and remembering difficult things? Some people think that we should not do this. Some people say that we should leave the past alone and forget. But everywhere we have been, including North Eastern, Upper Eastern Kenya, Mt. Elgon, Western Kenya, Nyanza and now we are in Rift Valley it seems to me that nobody has forgotten anything. So, when we say that when we talk we remind ourselves, that is not true. What I see is that under the skin, all the wounds are there. When you look at me, you will not know if I have pain; you do not know how I woke up in the morning and you do not know what my life is like. When I look at you, it is the same. We all walk around looking as if we are okay but in this country, we are not okay. There are problems. So, for me, I think that when we talk and cry, it is the way to heal the wounds. This time is so important for us as women. When

we sit and listen to each other's stories, for example, those who have lost husbands, children and property that they have worked for in life. Why? This happens because of people. It is not something that has happened because of anything else. But it is because somebody wakes up one day and decides what happens to you. We can say that we are trying to live together with others but if we continue to suppress the truth, then we will never live together in peace. Somebody told us yesterday that it is not about building many police posts that will bring peace to Kenyans. Naivasha is an example where many Kenyans from different places are born and live together but it is as if there is a disease in Kenya. Somebody called them devils; they come during elections. There is a lady who talked to us yesterday, she was about 80 years, and she was asked whether inter-marriages were common at her time and she said that it was very unusual. Kenya today has common inter-marriages. The young lady who spoke to us just now is an example. Myself, I am an example. I am from Central Kenya but I am married in Western Kenya. So, when post-election violence came and my children were asking me why so and so was speaking like that, I did not have an answer because that is not what I have taught them. That is not how we have raised them. My sister-in-law rang me from Kakamega to find out how we are doing in Nairobi. She told me that Kakamega was peaceful and that if we have problems in Nairobi, we should go home. I made a joke and asked her where I will pass. So, you can imagine how I felt when I realized that I cannot even go to my home because there are some people who have decided where I belong and where I do not belong.

I think we cannot continue living like that in Kenya. As one woman has said, the problem is not about different ethnic communities, the problem comes in when we have elections and we allow our politicians to push us to do certain things. I would like us to ask ourselves, as women; what is our power? The people who are doing the killing, the lootings and the raping are men. As women, we are the mothers of these men. We are the wives and sisters of these men. So, how are we influencing them? How do we speak in our homes about our fellow Kenyans? Do we want Kenya to be a place which is divided; that this place is for this and the other one is for that one and nobody is allowed to cross? We heard yesterday from the Isahakia Community who came to this country in the mid 1850s. Some of those people cannot get identity cards because of a certain tag that has been put on them. We were told that when there was the war of secession in Northern Kenya and some people there at Independence wanted to join Somalia, some people did not because they felt like Kenyans. Then they have been paying for that ever since. Why should somebody else get an identity card and not another because of something that happened three generations ago? How do we treat each other? When we see such injustice, do we speak out or do we say it is not our business? When we do that, you will find that one day there will be nobody to talk for you because everybody else will have been taken.

What are we going to do between now and the next elections to make sure that what we saw never happens again? What are we going to do to support each other as women, not just until the next elections, but all the time? These things happen to us because we are women. All the experiences here are the same. So, it is not about your ethnic community but it is because you are a woman.

I am now waiting for the Commissioner to come and close before I hand over the programme to Nancy.

Ms. Nancy Kanyago: Thank you very much, my fellow women for your patience. There are those who came very early in the morning and I thank you for that. We have now come to the end of today's meeting because we do not want you to go home late. I would like one person to come and pray for us. After that we shall allow the Commissioners to move out as we close the session.

The Presiding Chair (Commissioner Chawatama): On behalf of the Truth, Justice and Reconciliation Commission (TJRC), we would like to thank you very much for the warm welcome. We were warned that we would be opening up wounds but sometimes wounds need to be opened and dressed so that proper healing can take place. You have spoken to us and we have heard all that you have said. At the end of the process, we shall write a report and make recommendations. Your voices will be added to many Kenyans who are going to participate in this process. I believe that change is coming and I also believe that it has already begun. You have been very patient and we will wait a little while longer. We are closing our hearings for Naivasha. We are moving to Narok, Eldoret and Lodwar. We are here for you. Please, pray for us and we too shall remember you. Thank you very much and God bless you.

(The Commission adjourned at 4.00 p.m.)