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Public Hearing Transcripts - Western - Mt. Elgon - RTJRC24.05 (Mt. Elgon County Council Hall) (Women's Hearing)

Truth, Justice, and Reconciliation Commission

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**ORAL SUBMISSIONS MADE TO THE TRUTH, JUSTICE AND
RECONCILIATION COMMISSION HELD ON TUESDAY 24TH
MAY, 2011 AT THE MT. ELGON COUNTY COUNCIL
HALL – KAPSOKWONY**

Tecla W. Namachanja	-	The Acting Chair
Gertrude Chawatama	-	Commissioner, Zambia
Nancy Kanyago	-	Leader of Evidence

(The Commission commenced at 10.10 a.m.)

(Opening Prayers)

Ms. Nancy Kanyago: I take this opportunity to welcome you all. Karibuni sana nyote mnaoingia sasa.

As a Commission, we said that we have to take this opportunity to listen to women because we know they are affected in different ways more than men. Women feel that they cannot speak out their issues in front of men or boy-children. In this hearing, you are supposed to feel free to relate to us whatever that you have undergone. This Commission is going to articulate very many issues that happened in this country since Independence up to 2008. We are aware there are those who were affected by the post-election violence. There are very many issues, including those pertaining to land, killings and so on.

There are other problems that are unique to women, for example, during the delivery of children. The hospitals are very far; there are no schools where you stay and so on. All those issues, this Commission will look into them. There could be the problem of inheritance too. I will give you this opportunity to speak out. Also give us recommendations on what you feel we should do.

Who would like to start for us?

Ms. Janerose Ndiema: My names are Janerose Ndiema. I was born in a village called “Kapkoto” in Cheptais Division. I am married in Kameru Location, Kapsokwony Division, Mt. Elgon District.

I am grateful that the TJRC has come here to hear women’s problems. We have many issues that we would like to speak out. We were in a meeting and our appeal was that you set out to hear women issues in this area. I am grateful to a certain lady called “Rahab”. She really helped us. She took our statements which contained our wishes as women. Thank you for listening to our problems.

There are women who were affected and they could not make it here. They pray that the lady who helped us out should go to the ground to talk to them. She will be able to speak

to many women and children who were affected during fighting. I am also grateful to Commissioner Tecla Namachanja who listened to us.

Women were not part of those who started the whole problem. The source of all these problems is land. This problem has been there since time immemorial. Women were beaten up and tortured by the SLDF. They cut women's ears. They killed our husbands and buried some of them even without heads. The people who started fighting---. I do not know what to say. We were very innocent.

There was harassment from the political leaders. I personally was a victim. I occupied the seat of the civic education of our council. I was, however, forced to step down or else I be killed. I wondered why they were out to torture women. That was when they beat me up. I even do not have teeth. What I have now are artificial teeth. My body was cut because of the political leaders. They would say that if it is not ODM, do not vie for that seat. Where is the right of women? We talk of equality, but where is it? Try to help women the much you can. Women were abducted and raped. Many of them miscarried, while others were killed. They were stepped on until the fetuses came out. It is very painful.

We do not know the source. I am talking on behalf of the women who were tortured like me. There are women who do not have families now because their husbands were killed. They are now crying to God. The police would come and ask which party one belongs to. They said that they were sent by political leaders. It is very painful because we are widows now. Without a husband in the family, there is nothing you can do. One can only cry.

Look at the history of Mt. Elgon. There is no industry. There is nothing for which you can say that even women can be employed. We went through a lot of pain. Look at how you will help us. We do not have school fees and our children do not go to school. I am, however, grateful for this hearing. You have decided to come and cry with us. The conflict was politically instigated. The politicians ought to have been here to see the cry of the woman. They are away now eating and sleeping well as we suffer. The woman has been denied her right. Where are we headed to? I request this Commission to hear our cries. Bring us back that woman who said that she will visit the ground to cry with the women and speak to them.

If you look at my body, you will find that it is full of marks. It is all because I wanted to vie for a seat and I was forced to step down. When will we get justice? Now that you are here, let justice prevail. Speak to us so that we know where the truth is.

Our children were killed and buried and we do not know where. We do not know where our husbands' heads are because they were beheaded and we buried them without their heads. If, indeed, this is the TJRC, let us know where justice is. I am grateful that you have come here to listen to us.

Ms. Nancy Kanyago: Thank you for coming out to speak about your personal experience and on behalf of the women of Mt. Elgon.

The Acting Chair (Commissioner Namachanja): Thank you very much, Ms. Janerose Ndiema. If you look around this room, you will find that every woman is crying. You are not weak just because you are crying. We know you went through very painful issues. We normally cry. We will continue crying. So, for those who are crying now, do not feel ashamed.

We are here to join hands. Even if we came here just to sit with you, we will cry. That is why we set apart this special opportunity to be with women only. If we had the men here, they could underrate our issues. Today, let us speak out everything. Do not feel ashamed. Even if you know the source of all these problems, please, speak it out. Nobody will take you to court. All these testimonies you will be bringing forward, nobody will sue you in court. That is the reason I asked Commissioner Chawatama to be the Chair of this session. She comes from Zambia. These issues will be heard in all nations.

Ms. Nancy Kanyago: I am glad that you have taken this opportunity to speak about your painful experiences. I would like to assure you that whatever you say will not end at this place. We will take your statements and recommendations.

Mrs. Ruth Chepkwony: My names are Ruth Chepkwony. I would like to tell my story about what happened to me. I want to thank this lady very much. She came to preach peace at Chebyuk at some time.

On Sunday, 17th September, 2006, in the evening, the SLDF came to my door and knocked. They entered and pointed guns at me. When my husband and I looked at them, they asked him what he was doing in the house. They were putting on police uniform. They said that they were police officers. They beat my husband with a gun until he fell down. There were seven people in the house that time. Four had pangas while three had guns. Others were outside. When they got in they beat my husband and children. They also beat me up. Before they got us, we had gone to hide under the beds. My son who was under the bed stuck there. The other one was bending and he was told he will “eat” a bullet. My husband told them not to kill the boy. The boy came out and knelt down. My husband and the kids were now kneeling down. My son was beaten until his neck got broke. Even now his chest is still swollen. My husband was badly beaten. His head was cut three times; his back too.

As they were beating us, they told us to remove guns and money. My husband did not have anything to say. I told them we do not have anything. I asked them that I go and get whatever money that I had in the house. They told my husband that they go out with him and the children. They took them away. They “slaughtered” my son. They went with my husband and shot him six times at the back. One bullet entered his neck and came out through the mouth. They cut his head, his private parts and hands. I had run away to a neighbour’s place and we could see the torture going on. When we went to look for the body the next day - we went up to the DC’s place - we were shown where one of the killers came from. We found him there. He was drinking chang’aa and his clothes were blood stained.

I have been displaced from my home. I am very afraid of those people. I have ten children. Two of my boys are in secondary school. One is at home because I cannot pay school fees for him. I abandoned my shamba and I do not have a place to dig. I have very many problems. I ask this Commission to plead with the Government to help the women who are widowed. Let the Government pay school fees for our children. There are very many women who are displaced. The Government should help us even to take our children to college. My son has a C+ (plus) but he cannot get even a course.

I was appointed to be a representative of the widowed women. I am asking on behalf of the women that the Government settles us elsewhere. For as long as we continue living with these people, we keep seeing them and we cannot have peace. We are always in trouble because you cannot tell whether they will come for you at night. If the Government minds us, let it build a school for the orphans and sponsor them.

The Acting Chair (Commissioner Namachanja): Did you get an opportunity to bury your husband and your child?

Mrs. Ruth Chepkwony: Yes, I buried my husband. He was the first one to be killed. He was taken to Webuye Mortuary. I was not given the burial permit and the death certificate. Eventually, I was given the burial permit. We kept moving from place to place and I do not know where those things are.

The Acting Chair (Commissioner Namachanja): Where did you bury your husband?

Mrs. Ruth Chepkwony: I was living in Kibura, but *mzee* was buried in Chepchoror.

Ms. Nancy Kanyago: Could you clarify to the Commission what Phase III is pertaining to land issues? Most women talked about it. What is it?

Mrs. Ruth Chepkwony: The issue of Phase III is what brought about this conflict. There were differences between the Dorobo and the Soi. They wanted to divide Phase III between the Dorobo and the Soi. The Soi refused. They did not want to mix with the Dorobo. So, the Dorobos said that in Phase I and Phase II they were mixed, why not in Phase III? They said they would occupy the land forcefully even if the Soi had refused. That is how the fighting started. They started killing the Dorobo ahead of time. So, it is the Dorobo who were killed. The second time, the Dorobo started to revenge.

Ms. Nancy Kanyago: Were those settlement schemes organized by the Government? Did you have title deeds?

Mrs. Ruth Chepkwony: It was the Government that had put the land apart. It was for the Dorobo. The Soi people live in Chebis and they have their own title deeds. We, the Dorobos, do not have the title deeds.

Ms. Nancy Kanyago: You said there was a Government operation. You have said that you still are afraid to go back where you used to live. Are the shambas still unoccupied or are there people cultivating the land?

Mrs. Ruth Chepkwony: Some people went back, that is, those who did not go through what I went. They are living there. If you have been a victim, you would fear for your life. I was beaten and my head was almost cut off. When I go there, I am traumatized. I cannot go back because I cannot be at peace in that place.

Ms. Nancy Kanyago: Thank you, very much. Who else wants to speak?

Mrs. Phylis Mengich: I am grateful to the Commission for coming over to listen to us. My names are Phylis Mengi. I was staying at Kapsiro where they call “Kaimkun”. My husband was a GSU officer in Nairobi, but he got a road accident and he was sacked from the job. He came back home in November, 2005. He stayed at home and in 2006, the Chebyuk issues arose. There are people who came to him and told him that he was a police officer. They wanted him to take some youth to the forest to train them so that they fight the Dorobo. My husband refused and said that he had a road accident and his limbs were broken. He said he had no strength to go to the forest. He also said that he had got saved.

When he said so, they told him that he had collaborated with the Dorobo. In 2006 and 2007 things became a mess. I fled Chebyuk, my matrimonial home, with my children. In June, 2007 I went back to my place. I had cultivated Irish potatoes. I harvested them with my husband who was still there. Before I could take them to the market, we heard gunshots. We woke up at 6.00 a.m. and there was a huge crowd down the river. When we got near the crowd my husband was taken. Some of them said, “We thought it was the Dorobo. We could have finished them today.”

When he came home, they had elected him to be a community police. Before he got near the village, two young men approached him. They told him that he was the CID of the Dorobo. They told him he was going to die. When I came back after selling my potatoes, a neighbour woman told me that my husband was almost killed. I asked her why and she told me that it is because we were living amongst the Dorobo. It was claimed that my husband was training the Dorobo.

I went back to Kopsiro and found my husband had been cut. She said, “Mama Josphine, you have come. Today, I was almost being killed.” I asked him why he did not want us to go to Chebyuk where everyone was. He refused, but eventually he accepted and we went to our matrimonial home. We stayed there for two weeks. We later moved to Trans Nzoia and stayed there for one week. From there, on 16th September, he came back to Chebyuk and found my daughter home. She had been sent away from school because of school fees. My husband told her that she would go back to school the following day. My husband went to talk to a board member. He also decided to go and check on our house. My daughter told him not to go there, but he refused. My husband was mentally disturbed, especially after the road accident. On reaching there, he found that the iron

sheets had been removed. He looked for the sub-chief, but he did not see him. He found the Dorobo youth seated in a school and they were happy to see him. They told him to go back using the same route he used because the alternative route was dangerous. He told them that his house had been vandalized. He did not go far. There were gunshots. He was cut at the back and his legs.

I made lunch for him at around 1.00 p.m. and up to 2.00 p.m. he had still not come. Then I thought maybe he had found a vehicle and used the road to go somewhere else. We stayed until 6.00 p.m. In the evening my last-born sister came. I was just stretching my hand to shake her hand but she looked very shocked. I asked her what was the matter, and then she said, "Dorcas' father had been killed!" I did not talk to her but my brother asked her why she had come with the sad news.

Then my brother told her "you, stop talking carelessly". We sat a little and I wanted to prepare dinner and when I was cooking my brother was holding my pestle and I just kept quiet. Then he said, I think it is not true. We sat and waited and slowly by slowly another person came from Kapsokwony because it was on Monday which was a market day. He came and sat there while people kept coming and crowding our place. Then one person said that; "the truth is, I have been told that this is what has happened and I have seen that man actually dead." He said, "I have seen him and he is actually dead and even the vehicle has taken his body to Webuye."

That day I did not sleep; my heart was disturbed the whole night. I was so much disturbed and at 5.00 a.m. in the morning, I woke up went to Kapsokwony accompanied by my brother in-law who has a hotel there. When I reached there his wife had already opened the hotel and I asked her where my brother in-law was and she told me that he was still sleeping. I went and woke him up; I greeted him and asked him whether he had heard anything. I told him what I was told and he told me that is not truth but just people's rumours. Then I sat with him and after that another teacher came, followed me and told me "sister-in law, I am very sorry for you" imagine a news person has told me that Mengich had been killed. We went to the police station and told them that we wanted to know the truth. We asked them about whose body that was taken there in the evening was. They told us that it was for somebody called David Boiyo Mengich; Ex-General Service Unit (GSU) and I told them it was the one we were looking for and they told us that it had been taken to Webuye.

Then we went to Webuye and we viewed the body and confirmed it was my husband's body. The DC gave us the vehicle and while we were coming back, at Chebyk, there was no way to pass; the *Janjaweds* were all over on the road. They were saying "there is no passing here"! So, we decided since we were not allowed to pass, we asked them to give us a place to bury the body. They gave us a place to bury the body and it was a place we had never gone to; we just strained and struggled until we arrived at Trans-Nzoia where we buried my husband and we went away.

The people did not even feel sorry, they just told us: “You are just bringing us the corpse for what? Why could you not take it to Chebyuk?” We just buried the body at Trans-Nzoia and I came back with my eight children.

By that time my daughter was in Form three while my husband died at Kambi Mulo. My daughter was then learning at Kambi Mulo and I feared that she could be killed too. I went and removed her from there in September, and took her to Kibuku where they told me to pay them Kshs20, 000 so that she could get a chance. I wondered why they were treating me like that. I took her to Kimobo Secondary School and when I explained my problem they just told me to look for money for uniform so that she would learn for free during third term and then at the beginning of the New Year she joined Form Four and she got grade C. She was not satisfied with that grade and then she said that she wanted to repeat. I asked her how she could do it while her father was not there to support her, she cried and cried. I just took her back to school to repeat and she got grade B plain. When she got a B plain, it enabled her to join a parallel a programme at the University. She applied to join university and she immediately got an admission letter. When the letter came, she wanted to go to university and she need Kshs130, 000 per year. I told her to be patient because Kshs130, 000 was a lot of money and we did not have the money. She started crying and told me that if she did not go to school she will follow her father. I did not know what to do because it was as if the devil was following us.

Besides my daughter, I have a son who is in Form Four and a daughter in Standard Seven. I am very grateful because you have come to listen to our problems. I do not have anything to add.

That is all!

Thank you.

Ms. Nancy Kanyago: Thank you very much. I do not know whether the hon. Commissioners have questions to ask the Witness or any clarification.

The Acting Chair (Commissioner Namachanja): Those women who have spoken have said that different communities were living together in peace before the conflict. What do you think can be done at the moment so that those communities can also reconcile and live together in peace? Or maybe, have you reached a point where the issue pertaining to peace and living together cannot come to consensus or what is the way forward?

Ms. Rosemary Kiboi: Thank you very much the hon. Commissioner for coming to listen to our problems. Before I talk I want to introduce myself.

My name is Rosemary Kiboi. I was born in Cheptais, Tekweit Division. I am married in Kapkatet Sub-location in Kopsiro. We are grateful that you have separated us from men because yesterday we listened to what the men were saying and we could not talk. This is because you would say one thing and leave the rest as we were oppressed in very many things. We could be punished in many aspects. Thank you for the knowledge and the

wisdom you used to decide that women should be separated in order for them to say their own things.

As you see us today, when we follow matters of crime, we all cry. Our children and husbands were killed; there are very many things we have gone through. We have cried tears and now you can see the tears are just flowing.

Thank you very much.

I want to say that, the story of Chebyuk farms was given by President Moi. It is Moi who gave out that farm and it was corrupted until the District Commissioner was forced to divide it for the second and the third time. The same lot of people that had been given the land during the second time got it again during the third time. When they were registered for the third time, the people who had been living in that place brought in foreigners and gave them two and half acres each. The people who were there were displaced and were told that originally they were not the occupants of that place.

So, what we are requesting the Commission is that the people who were displaced do not have land and they should be given land. These people should be returned and be given their land so that they get their land rights and live in peace.

Like what my sister said, it is the same story of Ndorobo, but this came at some point when the Soys were killing each other because we used to live in Soy but they killed our Soy husbands, children and the policemen came and beat us up.

We did not know, but the story is that the people who were displaced were taken away and foreigners brought in and given the farm. We do not know whether these people are still there, and if they are there, they are still crying.

If the farms at Phase Three are not given to us, then there will be no peace and that is where the problem is. The two communities had no problem and we used to live in peace. But the act of displacing and bringing in other people yet the farm was given to us by the President is not fair! It was corrupted and the beneficiaries were sent away and new people were brought in. So, the people who were sent away are the ones who are coming back to be beaten. So, if you got something, you will either eat it or you will throw it away. These people are still crying and I would urge the Commission to listen to us and pity us, we are crying as women because we have been oppressed by very many things. Even as we come to you, what the first and the second speakers said is the whole truth.

The third lady speaker who is a chairperson at the school where my child attends had her husband killed. I am also crying because my father was killed and my son taken away by the military. He had just come from school after finishing Form Four and he was helping me at work when the Kenya Army came and told him that he was one of them and they took him away.

My son had never held a gun; he did not even know how to hold a gun. He was taken away to Kapkota, I walked all the way to Kapkota crying and I was told that he had been taken to Kakamega, when I went to Sirisia, I was told he had gone to court, when I went to court I was told he had been taken down. I fell down and cried. I did not know what I was supposed to do since my son was a school leaver.

Then another old man told me that the people who were taken yesterday were left alone. If their names were found in the list, they were taken but his name was not on the list, then he was left. Then they were released at 6.00 p.m. When they reached at Namwela, the citizens beat up my son in the ribs and died on the spot.

So, all of us have cried and we are still crying before you. Please, the truth is that we are in slavery because the displaced people are holding us at ransom. They are saying that if we do not all fight so that we send away all these people, all of us will be slaughtered. So, they just take your child by force and say they are going for war, if we do not fight together we will be slaughtered.

So, if your child is just taken away, and he does not know how to hold a gun, he is slaughtered at that point and then they tell you that your child is just there! If you talk badly, they will come and go away with you and slaughter you.

It was something which made us sad! We are the way you see us! We have neither husbands nor children. Even our children were taken away. When the army came, they took away our sons and jailed them. One time we were told that they have been allowed bail through bonds. We were told to take bonds against the quarter farms. So, those children came back from Jail and they are just suffering because they have no farms as they were taken away by the army. There was no evidence, they just said, bring ten, twenty or thirty thousand. Because we did not have anything we started selling the quarter acre farms we had been given to pay the court. So, we are in trouble!

Please, we are in trouble and it is good that you have put us aside as women as we cannot talk in front of men because many girls and women were raped. They were completely traumatized, infected and they have problems with their private parts and cannot talk in front of people.

Please, we are requesting for help. Now that you have come to listen to our story, please come and help us. That is all.

Ms. Nancy Kanyago: Thank you very much.

Ms. Beatrice Nang'endo: My name is Beatrice Nang'endo. I am very grateful for today's women hearings. I am standing in front of you to narrate about what happened to me on 27th October, 2007. I was with my child and we were seated and talking. My child said, "Mother, people are really taking away their property. Let us sleep today and then tomorrow we also take our property." I just wondered what we could do because people

were leaving and we were staying back. That evening at around 7.00 p.m., I told my mother to go and sleep while the rest of us stayed outside.

I told my son, Moses Ndhiwa, who was a teacher--- We slept and we did not know that the perpetrators had come at around 9.00 p.m. and abducted him and they went away with him. They went to my neighbour's house and woke the wife up and wanted her husband and the wife told them that he was not in. They told her not to be stupid because they knew he was inside. They started pushing the door and the windows. They pointed guns into the house; my son kneeled down and raised his arms and pleaded with them to forgive him and he told them to take anything but spare his life. But they said they did not want anything, but his head and the wealth.

They took him and went back to the neighbour's house whom they had earlier tied; they killed the neighbour by cutting his head and put it into the bag. Then they started beating my son on the road; they came up to his House and they wanted to kill him in his house and he started fighting back, he pleaded with them to take everything they wanted. He told them that I was having more cows which they could also take but they told him that they will take all those but first they wanted his head.

For sure, that was what they did. They told his wife not to speak nor shout and, she was to see what they were doing. They just went with my son, cut him and killed him. They took the wife and walked around with her up to midnight. We do not know what happened because the other sons were sleeping in the forest. I was in the house which is a little bit far; I did not hear what was going on.

At around 5.00 a.m.in the morning, I heard footsteps of somebody who was coming very fast, then I heard a voice calling; "Mother mother"! I responded as I was sleeping with my grandchildren. Then I heard; "Moses is no more". I asked in shock: "Where has he gone"? She replied: "They came at night and took him away." The wife took us and showed us where they took him and killed him. We went there and witnessed where they killed him and the body was not having the head because they took it. They asked his wife to carry the heads but she refused and agreed to walk with them. They went with her and when she came back, that was when she told us about what happened.

I cried until the time the officers came and took the body. We came to the road and upon arriving at the road, the vehicle came but the bridges had already been destroyed and roads closed by the big electricity poles. The police took the jembes and pangas and started unblocking the roads. That was when they got a chance to take him to Webuye mortuary.

When we took the body from Webuye Mortuary, they refused and told us; "you cannot bring the body to bury it at home because we are coming to stay in this village." We then requested the community at Chepukwai to allow us bury my son there. We buried my son Moses at Chepukwai. He left behind eight children and at the moment, the wife is crying and does not know what to do. I just told her that my husband died and left me with very young children and I took care of them and now they are grownups. I told her not to go as

we can help each other to take care of the children. That was when my son's wife was consoled and we have continued taking care of the children. It was just recently when the late Moses' wife was going to deliver, she discovered that those who were behind the clashes had been apprehended and put in jail.

Recently, on 25th she was involved in a road accident as she was going to see the doctor at Webuye before her days to deliver were due. At this moment, I do not know what to do, because the children have been left to me because she died even before nurses could cut the umbilical cord during delivery. I cried and cried and I do not even have strength.

There are many things in my head as life is so difficult at the moment. I was born in 1950s and at my age, I cannot be able to bring up this family and I do not know how the Government will assist me. Every day, I buy milk for the young child whose mother died during delivery. I do not even have money; I just try my ways to get money to buy milk for the young child in order to bring it up.

I am very grateful because one of my daughters assisted me when she saw the child crying, she gave me kshs100 to buy milk for the child. That is all. I do not know how you can help me.

Thank you.

Ms. Nancy Kanyago: Thank you very much. The Commissioner has a question to ask you.

Commissioner Chawatama: Ms. Rosemary Kiboi, I would like to know if at all, you ever found the head of your son or whether he was buried without the head.

Ms. Rosemary Kiboi: I had forgotten about that. I buried my son without the head and it is very painful to me up today. I have not seen my son's head and I do not know where it is up to now. I buried his body headless!

The Acting Chair (Commissioner Namachanja): We are very sorry.

(Ms. Rosemary Nafula took the oath)

Ms. Mary Nafula: My names are Mary Nafula and I live in Cheptelon. First of all, I thank you very much for coming here to visit us. You have given us hope because when problems are there and you sit together with a person who can give hope, even if the problems are too big, at least, you can console yourself. When you sit down and fold yourself, if someone comes to visit you and counsels you, at least, hope comes. If you had problems and you think you are too far, you will not know whether your mind is working. So, I am very grateful that you have come to wipe our tears. Thank you for coming to visit us today in Kapsokwony.

I am not the only one who was affected here in Mt. Elgon; all of us were affected. In the 2007, many bad things happened. I ran away with my young children as the big ones were living in the forest with their father. When I came back, I asked my fourth son where his brother, my first born was. He told me he went to Trans-Nzoia because during the clashes, everyone was moving to where they could feel safe.

When I came back, I started doing business of selling vegetables so that I can sustain myself.

On the third day, after I had come back, I was told that my son had been killed at Kapsokwony. I heard people talk about it saying that the *Janjaweds* came and took the boy telling him that they must go with him to war! So, the young man did not know what was going on; he was just a young man who did not know how to hold a gun. When he reached there, he was killed!

I was called and told that my son had been killed. His father complained because those were the people he knew; he asked them why his son had to die. He asked them why, yet they were the ones who forced him to enter the battle field. He forgot that those people were not supposed to be asked questions because they were dangerous. Even if they killed your son, you were not to ask anything, leave alone crying; you were to keep quiet, or you say that it was good. So, the father felt so bad; unfortunately, I was far as I had gone back to our home.

When I came back to sell my vegetables and take care of the remaining children, I found that they had killed my husband too. I did not understand what was going on because I thought they had killed only my son; again they had killed my husband. I heard them say that it would have been good if the whole family was killed so that the homestead was closed. We just continued praying and God kept helping us; I took away the children and I hid them in my sisters' and uncle's places. I remained with only one child and the rest were taken by my relatives. I thought that, even if I died, the rest would remain.

Thank you very much for coming to listen to us, cry with us and wipe our tears.

The Acting Chair (Commissioner Namachanja): Were you given chance to bury your husband, and if you did, where did you bury him?

Ms. Mary Nafula: I buried my husband in the place where I live. We prayed God the day before we buried him and God covered us. We brought the body, buried it and then we left to our hiding places.

The Acting Chair (Commissioner Namachanja): Be blessed!

Ms. Nancy Kanyago: Thank you very much mum.

(Ms. Everlyne Kimutai Ndiema took the oath)

Ms. Everlyne Kimutai Ndiema: My name is Everlyne Kimutai Ndiema. It was on Saturday the 27th October, 2007 and I was with my husband from morning to evening. In the evening, I prepared supper and the children ate and my husband told me to prepare the children so that they could go to sleep at Kambi Neru. The children went but I remained behind with him. We were seated and we ate ugali together and I told him that we should go together because I should not remain behind as I had seen the police from the other side running and I could not tell what had happened.

When you see the police running, there must be something which might have happened. My husband told me that it was not true. I just insisted that I wanted to go with him but he told not to; then I was just frightened and I told him that maybe, something was going to happen.

I went running to Kambi Neru where my children were and I slept. I left him behind and he told me that he will follow me up. I had left him in the kitchen and after a short while, rain started falling. It was wet where we used to sleep and we were taking out the water and we were putting the ashes so that it could dry for us to sleep. I was waiting for my husband to come but he was nowhere to be seen.

While I was waiting at Kambi Neru, they apprehended my husband and they took him away.

(Inaudible)

I even do not know how deep the grave was. When my mother-in-law and I saw that my husband had died, we decided to run away. We could not stand there to wait for death. There was no assistance but I just struggled alone. Right now, I do not have shelter. I also do not have a mother-in-law, uncle or a brother-in-law. Both my parents died. So, I do not know where I am heading to and from. I cannot even go back to Kopsiro because all our people were finished. People were being forced to be circumcised; others were beaten. Sometimes, I think of committing suicide in the river because I do not have anything. I am struggling with my children because they are going to school. My life is just full of struggles. If my husband could not have died, I would be having a farm. My brother-in-law left three wives who also have children. Now, the children have started becoming criminals. Sometimes, the relatives tell me that I could be the one who made plans to kill their father. That was what made me think that I should leave that village. They really gave me problems in February. They came and took my *jembes* away. If you see street children at the market, they may be my children. I do not see any way forward. Even now, the children are just suffering. I do not have anything and sometimes, I think of stealing. God bless you.

Ms. Nancy Kanyango: I want to thank the women here. You have talked about your painful experiences and the way you feel pained when you see the children suffering. Let me see how many want to speak.

Commissioner Chawatama: What is your tribe mama?

Ms. Everlyne Kimutai Ndiema: My husband is a Teso and I am Sabaot.

Commissioner Chawatama: That is what I want to know and I am very sorry.

(Ms. Salome Senje took the oath)

Ms. Salome Senje: Madam Chairlady and our Commissioners who have come to listen to the cries of the people of Mt. Elgon, my name is Ms. Salome Senje and I come from Kapsirwa Division. First of all, I would like to tell you that when these women speak, they should tell us where they come from. I am saying that because they have told this hearing that what brought clashes is the issue of land and all of us agree. That land is at Kopsiro Division and it is a small farm which is called phase three. Those clashes were here, they moved to Mt. Elgon, Bungoma and now they are at Trans Nzoia. I am asking myself; what happened in other incidences, for example, that lady's husband is Teso and did not have a farm in phase three? All the tribes were affected in the clashes of Mt. Elgon. Since the Commission has come to hear and solve the problem in Mt. Elgon, we want these issues to be resolved once and for all. I am very grateful because you have come today and listened to our problems and I believe that you are going to solve our problems once and for all. I am one of the victims.

The clashes started in 2006 and it was about land. People were being killed one by one. We were going to hide in the evening and sometimes, we could sleep at our neighbours' houses. Sometimes, people were even being killed during the day. A certain man was killed at phase three. I was a councillor then and the people told me that it was now extreme. My uncles' son told me to move away. I went away to my place of birth in Amoria. I stayed there until early 2007. At that time, we had started politics and the issue of land turned into politics. The issues of land became political and I want to tell you the truth because you have come to look for it and to reconcile us.

Those young men who started it were very few but afterwards, they started calling themselves "Baghdad Boys". They started committing crimes and later changed their name to ODM Boys. Those boys were not acting alone, they were being sponsored. It reached a point where they thought they were going to spoil the name of the party, so they changed the name to Sabaot Land Defence Force. That was when the fight started. I want to tell you that very many people lost their lives. Sometimes, you can wonder what made those people kill others. So, I am appealing to the Commissioners, because they have to find out the truth, to look for the former Member of Parliament, the former Provincial Commissioner (PC) Mr. Maseru and the District Officer I (DOI) at that particular time, because we know those were the people who were in the Government at that particular time. You should ask them to explain what went on in Mt. Elgon because we lost our wealth and people's lives.

In my village, I had lost everything, but at that time, I had left the village. In 2007 October, my in-law was chased away from his house and killed. Up to today, we do not know where the body is. The one who remained in the village was also chased away. That village was like a court and also acted as a barrack of that particular group. In

November 2007, when they found out that I was vying for a seat on a PNU ticket, they destroyed everything at my home. What was happening in Mt. Elgon was at first about land but it turned into politics. The conflicts were between PNU and ODM parties. There were so many people who were denied a chance to contest. Even the former ODM councillor's nomination papers were taken from him and they said that he was not capable of vying for that seat. So, if the clashes were about land, why did politics also come in? For those who insisted on vying, they got killed. If it was not for my legs, I could not be alive. When you are solving the problem in Mt. Elgon, do not just deal with land only but also address the issue of politics because the issue was land/politics. It reached a time when you could not vie for a seat using a party ticket that they did not like. They could have killed you.

I am grateful that you have come to listen to our cries. I am among those who are very sorrowful to see my fellow women cry. They lost their children until life lost meaning. I wanted to tell you that regarding the issue of land, I was a councillor at the time when they were dividing that land. The Government collaborated with the Ndorobo's to divide a half of the land. The Soi were supposed to get the other half. The Soi were given 869 plots and the Ndorobo were given 866 plots. It reached a time when people wanted to use the issue of land for politics. So, they told the people that the land they had been given was small. The Government had divided land in liaison with elders nominated from every sub-location. These included Emiya, Chepkurur, Kurnotuny and Meisop. What I want to tell you is that when you deal with the issue of Mt. Elgon, deal with land and politics. Even after the elections, the conflicts continued to 2008.

I am very grateful that the Commission has come to listen to us. We want to live in peace in Mt. Elgon. We want to know who started the conflicts in Mt. Elgon. We do not want those issues to come back because we have lost our children and property. This Commission will bring sustainable peace to us in Mt. Elgon.

Thank you very much for listening to me.

Commissioner Chawatama: Thank you. You have suggested solutions to the Commission by saying that we should look for other people to come before the Commission. You suggested that we should talk to the former Member of Parliament. Please tell us more.

Mrs. Salome Senje: Madam Chairperson, that is because when we had those clashes at Mt. Elgon, they were the leaders. I wanted them to come and be interviewed on how the clashes started and deteriorated to that point. I also want you to call the former MP, Mr. Serut.

Commissioner Chawatama: Thank you very much for sharing with us and also for suggesting some people that we could talk to. As The Truth, Justice and Reconciliation Commission (TJRC), we are looking for ways of getting the truth. That is why we are inviting everybody. We thank you that you have been courageous enough to mention the names of those that you want us to get information from. You are right. As your leaders,

they must be able to give us information that we seek on some of the things that happened here. It is time for Kenya to face certain facts and when things go wrong, people should speak. There is nothing wrong in seeking the truth. There is nothing wrong in seeking justice. I do not know when my mother gave birth to me. If she knew that one day I will sit with a group of women and share their pain and sorrow, I am so sorry for everything that you have gone through. I am so sorry for the loss of your husbands and your sons. I admire you for the courage to be able to speak about what happened to you.

I admire you for just deciding that your life will continue. You have continued with your children not knowing where their next meal will come from or not knowing how you will educate them. My encouragement to you is that keep living. When you heal a woman, you heal a family. When you heal a woman, you heal a community. When you heal a woman, you heal a nation. This nation will not heal if the tears of the women continue in this manner. Find it within your heart to ask the Lord to heal you.

I am very happy to be here with you today and to hear your experiences. I encourage you to speak because if you speak, the healing begins. Please continue healing.

Mrs. Mengich: Everybody had run away and I was trying to hide myself but one day, they came for me. They banged on my door, flung it open and beat me up. They threatened to kill me. They took me to the forest and raped me until the next morning. I lost consciousness, my body was swollen and I could not walk. I did not know them; so, I cannot tell who did it to me. They did not want me to see them. I got sick and did not have anything to eat. All my children ran away. At that time, policemen came and I thought they could assist me but instead, they burnt my house. Today, I do not have anywhere to stay. I am just moving around; at one time, I am in Kapsokwony and another time, I am in Chemoge. I am just wandering around and I have no land. I do not have anywhere to stay. I am really suffering and I am not able to do any work because I cannot walk properly due to my broken leg. That is all I wanted to say.

Mrs. Chebus: Madam Chairlady, my name is Violet Tuit Chebus. Our experience is very painful. That war started in Kopsiro. I went and took 11 head of cattle and came to Kibuk. We were five women and we were staying in Kibuk. We divided children amongst ourselves. I broke my hand in 2007 and so, I gave my cattle to my son because there was nowhere to graze them. They were just grazing by the roadside. When he was looking after them, he was killed. By then, things had become very bad. My husband ran away and went to Nandi. My husband was old. I remained and stayed with the children. Others were going to school in Kapsokwony and others to Kibuk. One of my sons was killed. They told me that my boy had been killed the previous day. When I reached home, I reported the matter to police officers. I wanted his body so that I could bury him but they declined. We found dogs had eaten his body. I did not know what to say because I was heartbroken. My neighbours helped me to dig the grave but the boy's body was taken to Webuye up to today.

There is too much pain and we did not know where to go to. The other child also got lost, although we tried to follow up the matter with the police. We found the body near the

river. He was trying to cross the river using the short-cut. Another child ran away and went to another woman's place in Gitwamba. The army killed another one the next day. Another child was also hit with a metal bar and died. As I talk here today, the incidents are very painful. All the 11 cows were stolen. I also had coffee trees but now I have nothing. We had a tractor but when they were burning houses, they also burnt the tractor. That is what happened to us. I used to have a 5 acres of land in Sawe. I lost that one too and up to now, it is only a friend who is hosting me in a small place. We were five but we have all scattered.

I am grateful that you have come to listen to these things. Things were bad because of the war.

Ms. Nancy Kanyago: Thank you very much. I would like to ask you a question. Did you get an opportunity to bury your son?

Mrs. Chebus: I did not bury him. I left his body in Webuye. My other relative who works in Kakamega came and we dug a grave to bury the girl who had drowned. The other one who died in the forest, they just brought the news that they had buried him there the previous day. The other brother was buried in Kapeten. It is good to tell you these things because it is so painful. We lost many loved ones.

Ms. Nancy Kanyago: In our customs and traditions, for those who did not get an opportunity to bury their children or husbands, what do you want the Commission to do for you so that people can commemorate their loved ones by burying them properly?

Mrs. Chebus: I will talk about that later. Let other people also speak.

(Ms. Jenipher Chepkeny took the oath)

Mrs. Jenipher Chepkeny: My name is Jenipher Chepkeny from Cheptemoi. One Sunday morning, my husband woke early in the morning with his sons, tethered the cattle and went to till the land. Then we heard gunshots and we were shocked. When we went there, we saw people lying down and there were no cows and *jembes*. We wondered what had gone wrong and he had not quarrelled with anyone. We started crying. The police came and we took the body to Webuye mortuary. After one week, we buried the body. We ran away with the children. One of them became sick. We took him to hospital but he did not get better. I sold the cow that I had and took him to Kakamega where they referred him again to Bungoma. The hospital demanded Kshs3, 500 which I did not have. They instead gave me a prescription for medicine. They told me that I should use that medicine until I get money for treatment. This child is still unwell. I went through a difficult time. I have nowhere to farm because I only have a quarter acre of land and nowhere to farm. That is all I have to say.

Ms. Evelyn Nambuya: The question that you asked about what type of rituals we do when a person's dead body is not found, in Sabaot when a person has not been buried and you cannot see the grave, your life will never be good even for the coming generations. If

it is possible, find out about people who were killed and then thrown in the toilet. The report can even be found with the District Commissioner (DC). That is the way it is.

Ms. Nancy Kanyago: Thank you very much.

Ms. Salome Senje: Thank you very much, fellow women. There is a woman who has said that we should give a solution at this particular moment but I know that women still have many painful experiences. Let those painful issues first of all get out. The solution that we are looking for after this hearing, even a few of you can sit down to explain. At this particular moment, I will urge you to give me an opportunity because there are so many things that took place here. I know that there are women here who do not have ears. I would like them to stand up so that they can talk for themselves. Let them not fear. They should be able to tell us how they lost their ears. At this particular time, I want to ask Nancy to give women or a woman who lost her ear or ears a chance, so that we can cry together.

(Ms. Phyllis Chemayek took the oath)

Mrs. Phyllis Chemayek: Madam Acting Chairlady, my name is Phyllis Chemayek. I even do not have the strength to stand. I do not have ears. Even when I sit, I just shiver because I do not have strength. They really beat me up. They wanted to rape me. Even though I am here, I feel like fainting. They cut my ear while I was seated. I had gone out to gather some vegetables. Just imagine how I am feeling. When I was coming back home, I found two young men, who ordered me to stop. I looked behind and told them: "You recently cut my ears off". They ran after me and ordered me to lie down. I lay down and told them: "Oh, you are a son to my friend". They ordered me to lie down. They threw away the vegetables I was carrying. One of them came from behind and told me: "Today I am finishing you." One of them told him: "No; do not cut the two ears. Just cut one but do not finish it." So, they partly cut one of my ears and completely cut off the other ear.

When I arrived at home, blood was oozing out uncontrollably. My husband asked them: "Why did you not finish her?" They asked him: "Do you want us to take you also?" We kept quiet. There was no hospital we went to. They used to come every day to see if we were there. They did not want us to go to any hospital. On the second day, they told my daughter, who is in Form Three, to come and see me for the last time. They said that it was better they married my daughters instead of killing me. They said: "These girls are beautiful. They are brown. It is better we take two of them." I have only one son, whom they wanted to take to the forest. We have really suffered. I have a child who is in Form Three but I am not able to take her to school. She is at home. My son ran away. I do not know where he is right now. That is all I wanted to say.

Ms. Nancy Kanyago: Thank you very much, mama. I want to find out whether their threat to take away your daughters was carried out.

Mrs. Phyllis Chemayek: They impregnated one of my daughters. I do not know where my son is. The others are at home but I have nothing with which to support them. Even the one who is in Form Three, it is me who is taking care of her.

Ms. Nancy Kanyago: Thank you.

Mrs. Agnes Chepkesis Kimutai: Madam Acting Chair, my names are Agnes Chepkesis Kimutai. I am one of the victims. They found me preparing food outside. They had already burnt our houses. They asked me: "What are you waiting for? We have burnt your houses, we have taken your things. What are you still waiting for here?" I did not have any plan or money for transport. They had taken away everything of ours, including the cattle. My husband was not around. He was the one who was beaten first.

I cannot even cover myself at night because if I do so, I feel really bad. I cannot even work. I struggle to do things. I am not able to even go and look for work. When I came here yesterday, I did not even have strength in my body. As I speak, I feel like falling down. I just feel some sound in my head. I am, therefore, just asking you to assist me. I am not able to do any work. I am only struggling. When we were beaten, they cut my hair as well. They did not even want anybody to visit you. Thank you.

Ms. Janet Chebet: Madam Acting Chair, I am Janet Chebet. I wish to answer the question that had been put forward by the commissioners. You had asked what the Commission could do for all the things that have happened to me.

We know that when one loses his dear one, there is no way you can bring back that person to life. The Commission is here to listen to the problems we went through. Our elders used to say that if a person dies, the clan would sit down to find out whether there was a way in which the bereaved could be compensated, so that he could be compensated. So, I would suggest that you help the people who lost their relatives, so that they do not continue getting disturbed by what happened.

For those whose things were stolen, if there is a way you could help to have them people compensated, so that their livelihood can become sustainable--- That way, peace may come and they forget what happened.

Madam Acting Chair, let me now try to answer the question on what we would like the Commission to do for us.

I would like to ask the Government to buy land for us. Another request, on behalf of those who have not gotten the bodies of their husbands, is that we would like those bodies returned to them, if they can be found. We would like those bodies to be buried in a mass grave, so that there can be commemoration in Mt. Elgon to ensure that such incidents are not repeated. There was a big conflict in Mt. Elgon.

Ms. Evelyn Nambuya: My name is Evelyn Nambuya. I am one of the victims of this place. On 1st November, 2007, at around 10.00 a.m., I was sitting in the kitchen with my

husband and the children. We wanted to go to a funeral of our neighbour, who had died. Suddenly, I heard people scream in the neighbourhood. We also heard people singing “If you are *janjaweed*, you will see”. We walked out to see what was going on. We saw the police, who were also with the *janjaweed*. We felt relieved when we saw the police. We thought that they had finally come to rescue us. However, when they got to our house, they told us: “Show us your guns”. The people who were talking to us were dressed like police officers. We told them that we did not have any guns. They told my husband: “Where are your sons?” I was with my children. They were sons and one daughter. The other children were those of my brother-in-law.

They told us: “You are saying that you do not have guns?” Again, they said: “If you are *janjaweed*, today you will see”. They then started shooting. When they shot, we were with the boys. I was also with the son of one of the ladies, who woke up. We were with those boys, who had come to buy maize. The boys were taken away, together with another neighbour. They took all those boys, tied them up and started beating them with batons until they bled. When I saw blood, I screamed: “Why are you killing us for nothing? What is wrong?” Those people then beat up my neighbour’s son until he died. The dogs then started eating my neighbour’s son. The two boys were in Form Three and Standard Seven. My husband was badly beaten. My daughter is still suffering from shock. Up to now, she is still unwell.

They went to another compound, singing the same song. It was the lady who is standing behind here. Her husband was shot. There was also another lady who was also shot. We thought that the police were coming to rescue us. We did not know that they were coming to kill us. They said that they wanted the people who were in the bush. So, it is God who helped us. Let the women love God because that was a very difficult time. It was extremely difficult for us.

It was only God we could turn to. It was only God who could help us. There was nothing else. I would like to tell this Commission that life was difficult for the women who have come here to explain their problems. If policemen were killing people at 10.00 in the morning, what was that? We had not done anything wrong. We were split into four groups. We kept running. Some people went to Eldoret and others went to Cherangany. Another girl was beaten up until she miscarried. The baby died in the stomach. Let that girl stand up, so the commissioners can see her.

(The lady stood up)

We come from Sambocho. We really got problems with the policemen. If the army could have helped us, we would have run away. Not many people would have died, but they were here to cover up the killings. Boys were being slaughtered. Others were not buried. Even my son ran away. He was taken hostage by the *janjaweed*. Up to now, he has not come back. He went to Busia. When he reached Busia, he was arrested. The police just arrested people and told them that they were *janjaweed*. As long as you were a man, you would just be arrested on the grounds that you were a Janjaweed and asked to produce your gun.

I was also hurt. I was put in at Kapsokwony. I was told that I was also *janjaweed*. I was told: “You cook for the *janjaweed*.” I said: “I do not know what you are talking about. How can I go to the forest to fight?” They asked me: “Where do you come from?” I replied: “I am from Sambocho.” They said: “Get out”. Then they beat me up until I fell down and got hurt.

I know that it is God who has brought this Commission here. Please, help all those women who have lost their husbands and sons and those whose children’s whereabouts are not known to date. There are also those who suffered in one way or the other. There are those who lost their property. I lost ten cows. On 25th October, policemen came to Sambocho and burnt our cows. They gave us red cards to show that they had burnt our cows. We reported all these things to the police at Sambocho, but the police sent us away and asked us: “Now that the Army has come to do their work, why are you running away?” I asked them: “What work are they doing? Killing people?”

We lost our phones, clothes and maize. I had 42 bags of maize, which they took away. I had one-and-half acres planted with onions and one acre planted with vegetables. I tilled that land and planted vegetables, so that I could earn some money for school fees. I had a child at the University of Nairobi. When he came back, he was arrested, beaten up and accused of being a member of *Janjaweed*. We were defeated. We did not understand what was going on. Let God help us. We just depend on God. It is only God who will manage what we have. Thank you.

Ms. Nancy Kanyago: Thank you very much, my fellow women. I can see that many of you still want to speak. From those who have spoken, the problem has been understood. It has emerged that the Government did not look into the issues affecting the people in this area. What brought about all these issues? You have said that your sons were forced to leave their homes and go into the forest, and that Government forces came and killed those who did not go to the forest. We now know that it is not just the communal issues. We are really talking about the Government’s failure to lead the people in the correct manner. So, I take this opportunity to ask whether there are members of the Bukusu who are also suffering.

Ms. Achuma Iwarich: Mr. Acting Chair, my name is Achuma Iwarich. On 26th November, 2007, I sent my daughter to look for her father. When this issue started, we went to the lower part. My husband said: “Let me stay behind and look for a way of selling the onions, so that I can see where we can run to”. But on that day, I decided that my daughter should go and see her father and bring some vegetables. So, I told her to go fast. In a short while, I saw my son’s wife running back while crying. I asked her: “What is going on?” I thought that the girl who was ahead of her had landed into trouble. She fell down and said: “Father is not there.” I asked: “Who told you?” She said: “I found Mama Judith, who told me that as my father was coming from the farm, he met with some *askaris*, who killed him”.

I asked her: "Where is your sister who went ahead of you?" She told me: "Let us wait for a little while." When she came back, we screamed. After screaming, we said: "Let us see whether the persons who were ahead will come back, so that we can know the truth of the matter." In a short while, my daughter came back, crying. She was carrying a sack on her head. I approached and asked her: "What is it?" She told me: "Our father is not there." We then started screaming. We then asked: "Where is the younger brother of your father?" She said "When we reached there, we found our father lying down, and the dog was sitting next to him. Our uncle has remained with our father."

My father-in-law said: "Now that the other one has been killed, and the other one is sitting there, they might also kill him." So, he dashed to that place. When he arrived in Kamneru, he found that they had gone to report the incident to the police.

When we were taking the body of our father home, our house had already been burnt. So, we were wondering where he would sleep. In the following morning, we were told to go and bury him. We woke up very early in the morning to go and bury him. When we arrived at home, we found that they had also gone to the other side of the village to wait for us. When we arrived there, my in-law, who was there the previous day, was told: "Stand up! Stand up!" We stood up. They asked us: "Are you the people who came here yesterday?" He said: "Yes". They said: "Go and bury the body and do it very fast!"

When we went to the farm and tried to dig the grave, we found that the land was as hard as a rock. We were around eight people. We tried to dig the grave, but it was not possible. We did not have enough time. We struggled really hard until 4.00 p.m., when we put the body of my husband in the grave. We filled the grave very fast using our hands. At around 5.00 p.m., we started going down to the other part of the village, but there was gunfire all over the place.

We tried to call and announce that we were the ones who were approaching. When we arrived in the lower part of the village, we met with the police, who were also doing some campaigns around starting from Chepwal to the other side of the village. They made us to stand and shouted: "Remove the guns?" We said: "We have no guns. We are from burying our dead." They yelled: "Remove everything you have?" We removed everything we had, including the blankets that the deceased was using while in the farm and then we were allowed to go home.

I was staying at my matrimonial home. I had two sons who were in secondary school. They were both in Form Two. At that particular time, I did not even have school fees. My elder son was just a casual labourer. He was the one who was assisting the others. The other one had just come home. To date, life is difficult.

So, I am requesting you, commissioners, to remember us the way we are. I have no school fees for my children. I am personally saved. I have been trying to improve things, so that we can at least meet our basic needs. I go to fetch firewood. I also do casual jobs, so that I can get some food. Please, remember us.

That is all I have.

Ms. Nancy Kanyago: Thank you.

Ms. Gentrix Nasambu: Madam Acting Chair, my name is Gentrix Nasambu, from Changeiyo. One day, somebody came to see me. My husband was seated there with me. That person asked me: "How are you seated?" My husband gave him a seat and welcomed him. He said: "I would like you to pay tax to me." My husband told him: "I do not have money with which to pay tax." The person told my husband: "I know that you have not paid any tax but, right now, I want you to pay tax." That person insisted that my husband had to start paying tax from that day. So, the person stood up and left. The next day, a gang of people came to our house at night. My husband had finished eating and was sleeping. Members of the gang started making a lot of noise at the door. I woke up my husband: "My husband, wake up. I am hearing some strange noise".

When he woke up, we went and peeped through the window. My husband told me to go to the other side and see the direction in which they were headed. As I went to the bedroom, I heard an explosion. I hid myself under the bed. I did not know that they had already killed my husband. When I woke up, I stayed for eight hours. When I went to check on him, I found that they had shot him in the head. I saw somebody standing beside him. He was holding himself on a hoe with which we used to till our land. I asked myself: "Is my husband alive or is he dead?" I carried and lay him on the bed. As I was going to lay him down, I wanted to scream but my child told me: "Mum, please, do not scream." I fell down and kept quiet until morning. When I woke up, I found that they had taken away all my cows.

I am begging this Commission to assist us. I have seven children, who need help. I have land, but I am not able to plough and plant anything on it. I am just begging you to assist us.

Ms. Nancy Kanyago: Where were you living with your husband?

Ms. Gentrix Nasambu: It is called Changeywo in Kopsiro Division.

Ms. Nancy Kanyago: We are running short of time and I would like two last women to speak. I would like to hear one from the Bukusu and one from the Teso, and then we can finish up.

Ms. Eunice Naliaka: I thank the visitors who have come to visit us from the Commission. On 2nd August, the military came and picked people. My husband was picked on 2nd and they went with him up to Chelebei and then up to Kapkoto. On the third day, I tried looking for him and did not find him. On the fourth, fifth and sixth days, I tried looking for him again but I did not find him. On the seventh day, they told us to go to Bungoma. I went to Bungoma and looked for him everywhere, but I did not still find him. I came back home and was disheartened. I thought that, maybe, he was killed on the way and they threw his body in the bush. On the ninth day, my brother-in-law came and

told me to go to Bungoma because of my husband had been found and was in a bad state. When I reached Bungoma, I found him and he was bending and crying. He had been beaten badly. When he saw me, he cried and said: "Oh my wife, I cannot get well." I also started crying with my child on the back. I was told that he was going to the theatre. He really cried and said that if it was possible, he should not be taken to the theatre. He went to the theatre and thereafter taken to the ward, and the nurse sent me away. When I went back, I was told that I could not sleep with a sick person in bed. I went back home and returned to Bungoma the next day. When I reached there, he told me: "Please, look at me for the last time. You will never eat with me again. I was not a *Janjaweed* and not even in the forest. I am just dying yet I am innocent." I started crying and told him: "If you die, how will I take care of the children, because it is you who used to look after the children and bring them up? If you leave me, what shall I do because I do not have anything?" He said: "Eunice, come here. Whom have you come with?" I said that I had come with my brother. The Red Cross people who were taking care of him took my hand and said: "We do not know how we can help you or him. Let us just try to treat him. If God wishes, he will be well." The nurse sent me out. When I left the room, I started crying and wondered if he would really get well. At midday, we were told to go back to the ward. When we reached the gate, the watchman held my hand and allowed my brother to go in. The watchman said that my husband had died. I felt a lot of pain. I went to the ward and even stripped naked. I almost became mad. My brother held me and helped me board a vehicle. When I reached home, no one knew what had happened. I broke the news and we did not know what to do to bring the body back home. We had financial problems and did not know what to do to bring the body back home for burial. The Red Cross people assisted us to bring the body home and we buried it.

From the time my husband died, I have lived a difficult life. Feeding the children is very hard. The other day, my son wanted to register for exams but we could not afford. The other day daughter asked me: "Even if I register for exams and pass, will you manage to pay my fees?" So, I made her repeat Class Seven because I know that I cannot manage. Even now clothing is a problem. I do not know what to do.

I do not have much to say. I just ask the Commission to help us. We are very saddened. Just remember us. That is all I can request.

Ms. Nancy Kanyago: I know that there are very many of you who want to speak, but I would like to give this opportunity to one woman from the Kipsigis Community. There is another one there. I will then take it back to the commissioners to close with their own remarks.

Ms. Mary Muneria: My name is Mary Muneria from Kaptama Division, Chemoge Location. My problem started in 1992 when there was fighting. Originally, I came from Kericho and was married here in Mt. Elgon. I had never heard gunshots. The gunshots of the *Janjaweed* were loud. We were in the move in 1992 for almost a whole month. We were sleeping outside without blankets. After one month, I started coughing. I was told that I had pneumonia. It kept on recurring and then became Asthma. After that, when I hear gunshots or even when a ball falls down, I really get shocked. At one time, there

was an explosion and I fell down. I just found myself in hospital and had been operated on. I did not even know that I was expectant and lost that pregnancy. I lost the baby and the uterus. After that operation, I did not get well. My back started aching and my legs lost strength. I stayed like that until the other day when my husband took me to hospital. In 2007, there was a problem again in Mt. Elgon. There were many people from Kopsiro in our place. There were *Janjaweed* who came from the upper region, but they did not do much harm. So, we were now hosting people and resettling them. Since my husband is a politician, a big group of people came and wanted to kill him. By good luck, we had very many dogs. They were almost 20 dogs. They fought with the dogs and asked us to open the door or they would shoot it open. I had the PPO phone number which I had got from him in a seminar. I tried to call the DC and the OCS, but they were not picking. I called the PPO and he told me that he would be there in six minutes. They came and saved my husband. My husband ran away the following morning. He left me here with the children. On one evening, the cow had calved. Despite the curfew, I got out. When I reached the road, the *askaris* held me. I was shocked and even urinated on myself. The chief came and told them to leave me. They took me to hospital and was admitted. I went back home the next day. I was told that I have high blood pressure. I cannot stand well, work or even dig. After that, we heard that they had killed a relative in the bush. I fainted again and was rushed to hospital. I have been admitted to hospital frequently. I cannot even attend funerals because I keep fainting. I am just a shell of a person after the trauma that I went through.

Since these things bring trauma, maybe, we should find ways of getting treatment and any other help that you can bring to us, so that we can do small businesses. I cannot even milk cows. If could get help of that nature, I would be very glad.
Thank you and God bless you.

Ms. Judith Cherop: I am Judith Cherop. I would like to give you a history of what happened. I would also like to express my gratitude to the Commission for coming.

I lived in Phase III where there were a lot of conflicts. My husband was the Assistant Chief at that particular place. The Government decided to survey those plots in order to give them to Ndorobo and Soy. The Government saw it better to give the chiefs and assistant chiefs enough security, because there were a lot of threats. Those who did not want their plots surveyed said: "If you step on our farms, things will change." When the Government realized it was difficult, it decided to get enough security. The assistant chief was given two policemen and 12 KPRs. There were a lot of threats every now and then. They said: "Assistant Chief, you are the one who agreed that Phase III should be divided. If they divide the plots, you will also be involved." So, every now and then, there were threats. On Sunday 28th August, 2006, my husband went to Webuye to attend to issues pertaining to his work. In the evening, he said that he had gotten some information on the way

That evening I prepared supper very early. The two KPR officers and those policemen had not come. At around 8.00 p.m., the KPRs were doing their patrol. My husband and the police did not come until around 12.30 a.m. When they arrived home, we just heard

bullets on the iron sheets. They were shooting the house. They told my husband to come out and split those farms that he wanted to split. They were shooting every corner. They started to destroy the front door. There were also other people who were hitting the walls. They were very many. The first bullets hit the iron sheets. My husband jumped from bed to the floor. I also followed him. I said: "God, if you love us, just save us today." They cut the door and threw it away. The windows were also removed and thrown away. They also broke down the bedroom door. They told my husband to stand up and start dividing those farms the way he wanted to do. My husband came out and knelt down and told them: "Whatever you want, I can give you." One of them said: "This person has really disturbed us for a very long time on land issues. He was shot and fell near the bed. They carried the mattresses, blankets and all the beddings and threw them outside. There was a KPR who had come to the bedroom of the children. They shot him and he fell on my legs. There was a lot of blood that was shed on my clothes. I was full of blood. I had a young baby of six months. The child cried a lot and one of them said: "Why do you not step on this child? Today, we are destroying everything." There was a hen next to the child. They stepped on the hen and threw it. One child, a girl aged 13, was shot on the forehead and she died instantly. God helped the other ones. That attack went on from 1.00 a.m. to 3.00 a.m. I felt as if I was dead. I think they were more than 100. They asked: "Where are those policemen who were walking with you? Why do you not bring them now? This is a big army." My husband and the KPR were there dead.

At 5.00 a.m. in the morning, I decided to stand up even if they could kill me. Their leader was talking a lot. He told the others: "We have finished." They went away. I got out and there was no one. I started screaming and they told me to go back to the house. I got into the house and started calling the children. I had nine children. I asked the elder girl: "Leah, are you okay?" She said: "Yes, we are okay, mum." I told her to call their others by their names. She started calling and said that Lydia was not responding. All the others were alive. I told them: "Now, there is nothing more we can do. The house is completely destroyed." One neighbour heard my voice. She came with a lamp. The KPR and my husband were dead. She told me to light fire and people started coming one by one. One of our sons, aged 16 years told me where he had run to. My neighbour told me to go to the police. On that day, the OCPD was on the lower side with about 40 policemen. The OCPD came with many policemen. I have never seen a policeman cry, but they got in and came out crying. It was terrible. All the good things had gone. I was left naked like an animal. They wrapped the bodies and took them to Webuye mortuary. There were four dead people, a father, child and two KPRs. At around 9.00 a.m., PC, Mwasera came with hon. Serut. When they arrived, hon. Serut said: "I am very sorry, mama. This is a terrible thing. It is very sad. Just bear with it; whatever they do they will not defeat us. I know that they want us to stop the subdivision of land, but they will not defeat us. We shall continue with the distribution of land." They left me with my problems. The bodies were brought back on 2nd. The threats continued and they said: "Even if he is brought, we will burn his body. There is no burial that will take place. Even if he is buried, we will exhume his body so that the Government can see that we have resisted and refused this *shamba* subdivision. We have started with this and will kill all the chiefs and even the DOs." I started packing my things and went away. We wondered whether to do the

burial there or elsewhere. The DC and chiefs made arrangements and took the body to his father's farm. Maybe, you saw it in television.

From that time, people started moving away. That is how it started. I now have a child who is in Form One and I cannot afford school fees. I do not have any other means and I have many children. My children keep asking me: "What shall we do, so that we live the way we did when our father was alive?" There is one child who keeps telling me: "Our father used to go to seminars. Which seminar did he go to and he is not returning?" He still does not understand that the father is dead. The others ask him: "Do you not know that our father died?"

Thank you.

Ms. Nancy Kanyago: Thank you very much.

Ms. Salome Sendet: Thank you very much for this opportunity. What has been said by the woman who has just left is true. All those deaths and killings started from her farm. I would just like to blame the Government, because it did not take action. It started with her husband since he was the assistant chief, the Government did not take any action. We had the Government but it did not take any action. The Government should have taken action to end the conflict. They did not do their work properly in time. All what happened here should not have reached that point. I blame the Government because the subdivision of that *shamba* started in 1971.

So, the Government should have taken action and finished the conflict and killings in Mt. Elgon. In 1971, the population was small. In 1989 when the Government realized that the population had grown, it decided again to divide the *shamba* into five acre portions. I still blame the Government because if it had completed the process, the 2006 chaos could not have erupted. In 2006, the Government came and started subdividing the land again. That subdivision led to the problems because the land was small and the population had risen. Those who were born in 1971 had become adults and also wanted land. The Government should have subdivided the land very fast and what happened could not have happened. That land is still being subdivided but my fear is that, that subdivision is being done very slowly.

I would like the TJRC to stand with the community of Mt. Elgon so that, that subdivision can take place before the forthcoming elections. That land has been a stepping stone for politicians to get votes. I would just plead with you to help us and the problems of Mt. Elgon will be over.

Also, I would plead with the TJRC to urge the Government to resettle the landless. The problems in Mt. Elgon would end if that is done. Again, we are now in Bungoma County and if we are not careful, it will bring problems. The problem will come with positions of leadership in this county. We are a marginalized community. We have been having fights with the Bukusu people on the other side for very many years because of division of resources and also leadership. Mt. Elgon was in Bungoma District for many years and

we know the problems that we had. Employment of our children was difficult. We still have that fear now that we have gone back to Bungoma County. Will our children still be tortured like in the previous years? It is our plea that when you do your report, you should consider the problems of Mt. Elgon regarding the division of power, resources and land. The community in Mt. Elgon is a minority and it does not want to be suppressed. The TJRC should find a way out for us to be recognized by the major communities when it comes to leadership positions, so that we can live in peace in Bungoma County.

Lastly, I plead with you to help us. If the people who were affected could get compensation, the issues in Mt. Elgon would reduce. I know that you are the only people who will help us, as a community. It is only the Commission which can help us to solve the problems in Mt. Elgon. We depend on you to end the problems in Mt. Elgon. I know that when you go back, you will favour us.

You asked about what you can do for us. Remember those who died. I would like to concur with the others that there is nowhere land can be bought. The Government should set aside the land that people fought over. Those who were buried elsewhere can be exhumed and reburied in mass graves. That way, we can remember them.

With those few remarks, thank you very much for listening to me. As I said earlier, I am Salome Sendet. I am a nominated councillor. Even the other time when we had those conflicts, I was still a nominated councillor.

Thank you very much.

Ms. Nancy Kanyago: Thank you very much. You have narrated all your stories. Who is the chairlady of Maendeleo ya Wanawake?

We are very grateful that you have given us this chance. We know you have come from very far and not all of you had a chance to speak. I would just like to urge you that maybe for those who did not get time to speak or write statements, there is still time. You will still get a chance. For this week we are still here at Mt. Elgon. You will still get an opportunity to write your statement and your personal stories.

I know you did not get a chance to speak, all of you. Those who have spoken, have done so on behalf of many and for that we are very grateful. I will give this opportunity to the chairlady of Maendeleo ya Wanawake, Mt. Elgon, so that she can give us the last remarks before I give the Commissioners a chance to speak.

Ms. Janepher Mbatiany: Thank you very much for giving me this opportunity to talk. I feel that it is good that I say a few things before we finish. I want to thank the Commission for keeping your promise. When you came here the first time, you said that you would come back and for sure we have seen you again. We thank you very much.

You have heard women talk. You have seen how they were affected and you know for sure that they are hurting inside their hearts. I want to second the nominated councilLors in saying that we, leaders, were there when problems in Mt. Elgon started. We, as

women, tried to see how we could manage the situation. We knew for sure women, children and mothers were to be affected a lot.

We keep saying all the time that people are marginalized in Mt. Elgon. We have been forgotten. It is like we are not part of this Government. We say this because when people started dying in Mt. Elgon, nobody in the Government got directly involved in the matter. They did not even bother when they saw that people were dying. It is like they were chickens which were dying in Mt. Elgon. We are grateful that when things got worse at least the media people reported the scene to the world. When it was displayed to the whole world, the whole world got concerned. They started asking what is happening in Mt. Elgon. Where is this Mt. Elgon? That is when the Government now moved in.

We remember at one point the wife of the President came to Kopsiro. At that point, things were really bad. You could see women with children; nine or ten children and also with luggage running away, not knowing where to go.

I, as a leader, remember I said that it was high time the Government set up a centre where women could find refuge as they were looking for a solution. I remember very well they told us that people cannot be refugees in their own land. So, no one took up the issue. They just ignored us. We had no refugee camps. People just suffered in the market places. You would come to Kapsokwony Market and find children just roaming there. You would think it is a school because the Government just ignored us. It did not establish a centre where people could take refuge and find amenities.

I remember after post-election violence, there was a community that was assisted immediately. When there were problems, the Government dashed there to look after them. They looked for settlements for them. Food and clothes used to be taken to them and they were given tents. Nothing of that nature took place in Mt. Elgon. This is why we are saying although we are in Kenya, we are a forgotten community. Women in our community did not find time to go to school. We did not get that opportunity. Many women are just illiterate. They do not have a chance to look after themselves. That is why you will find that they have been left with children and they cannot even afford medication. They do not know how to continue with their lives.

Up to now, we do not have any training institution in Mt. Elgon since Independence. We do not have any training institution in this district. It is like we are not part of Kenya. We are farmers. We are the ones who feed Western Province. We feed the whole country, but we do not have even one industry where our children can find employment. That is why children went to the bush to fight. They went because they are idle. They do not have any other thing to do. Remember, if you have not gone to school, you do not have a job, you do not have a piece of land; what else will you do?

Many of them went to the bush to fight even without them wanting to do so. It was because circumstances forced them to do so. So, we, as the women of Mt. Elgon want this Government to help us. These women you are seeing here and have heard them talk would not have reached that point. As we talk now, half of the population of women in

this area is widowed. These widows are young mothers. We got married early because we did not go to school. Once you attain the age of 13 years and you are circumcised, you are told you are supposed to be married and start getting children. When you get children and they are also not going to school, what will the situation be like in the next 20 years? We shall not have anybody because a community where a mother does not go to school is not a good community. So, we, as women, are crying for help. We have been marginalized for a long time. We are behind educationally and in every other aspect of life.

Now that these women have been left as widows and they have orphans, I do not know what the Government is thinking about them. I want to tell you that the case of Mt. Elgon is unique. It is different. Nobody is taking the issue of Mt. Elgon seriously because what will happen to these young widows? I do not know what the Government is thinking. Most of them do not have pieces of land. According to our culture, our women are not supposed to be given pieces of land. So, even when their husbands die, they cannot inherit that piece of land. They are landless even as they are talking. Many times, the Government buys land to settle landless, but they only give it to men. If there is any chance for women to be given anything, let widows who have experienced the problem, be given the first priority. Let her be the leader. Let her stand on behalf of the others. Let them also register their names, so that one day they will be allocated land. Let her write her name because she understands the problems of other women.

The other issue is that we would like to request if we can start a special fund to assist the orphans in Mt. Elgon because if we do not do so, their future is doomed. They will not have a bright future if they do not go to school. We do not want to ruin our future generation. These women do not have any resources to take their children to school.

Since we have many organizations and NGOs which spend a lot of money on various activities, we would like to request them to educate our children. If you educate them, we shall not fight over land. If a child is educated, he will be employed and in future buy his own *shamba*. So, we are requesting, please, help our children to get education. That is the only hope we have in Mt. Elgon.

When people died in Sachang'wan, the Government built a monument of remembrance. Just as other people have said here, we are requesting that a monument be built in Mt. Elgon so that when we see it, we shall remember what happened. It will also serve as a warning, so that we do not find ourselves in this situation again. So, we are also requesting a lot of help.

Lastly, many women have not talked, but I believe you have heard and seen the kind of sufferings we underwent. There are women from Cheptais Division- I have not seen them here. I know the ones who were really affected greatly. They have a different story altogether. I am requesting that the TJRC gives women another chance. I believe this Commission is our saviour. In our culture, a woman is marginalized and not given any position. We are not recognized. Today we can talk freely because we have got an opportunity which is very rare to us. We can talk endlessly about issues affecting us.

These women you see here are not even half of the population of the women of Mt. Elgon. If it is possible, we could have a similar meeting here in Cheptais and another one in Kopsiro. This is because women of Kopsiro did not come here to air their views. They also suffered like us. How will they be assisted?

I thank you very much for listening to us. This is the situation at Mt. Elgon. May the Lord bless you.

Ms. Nancy Kanyago: Thank you very much chairlady for Maendeleo ya Wanawake. I will give an opportunity to Rahab. We work together and she is the one who has been the local co-ordinator of this region.

Ms. Rahab: I thank all the people who have come here today. Before I express myself, I would like to say sorry on behalf of everyone who is here. This is my second time to be here in Mt. Elgon. This year, I came here with another Commission. We started with Cheptais. At that time, Mt. Elgon was not a county. Mt. Elgon District is in Bungoma. We felt that because of many problems that the people of Cheptais, Kopsiro and Kapsokwony have, Cheptais be the district headquarters. Instead of taking you back to Bungoma, the TJRC says you have very many and unique problems that are not found in any other part of country. Instead of them going to Bungoma, they gave you a very special opportunity and that is why these hearings are being held in this particular area.

We have the Judge and the Acting chair. They will take your issues and give us a solution. I am very grateful for the TJRC. When you came the statement takers were not enough. I know that Kapsweri got a statement taker. So, I am very grateful to the Commission.

Another issue that you pleaded with is that you said that you will go back to the districts and divisions, so that you can reach the women on the ground. You also said that you will go to schools, so that you will talk to the children who were affected in this particular area. The Commission took your plea. At the moment, I would like to tell you that we are just going round for hearings in Nyanza and Western Province.

I am very grateful for the people of western region because you are the first people to be heard. After the hearings, I know that they will take care of that. They may implement your recommendation and make arrangements to come later. All those who were not able to talk today I know that the voice of a weak person has been heard today. The voice of a woman has been heard today. All those who have talked, I know that you have talked on behalf of all the other women in this country. Most of the problems that you go through are similar to those that many women in the country go through even in different places. Even when we went to North Eastern Province we also heard things which made it impossible for us to eat. So, know that God is great and this Commission has been established by the Government. This time the Government has given the weak person a chance to talk. So, wherever you are today as a woman you know that you have talked and that the tears that you have shed will not be in vain. The voice that you have expressed will be heard. We know that the cry of a woman is not in vain.

I come from Kuria and many of the things that you talk about, we also go through them. Today, I am here. I am not in Kuria. I was born on 24th December. My mother told me that on that day we celebrate the birth of Christ. I am also somebody's wife and a mother. I want to challenge you: Do you discriminate against your children? When you are carrying your child there is a way in which you communicate with the child. They listen to you for nine months.

I know that if we listen to our children, they will be able to listen to us. The people who cut our ears were all our sons. The people who were killed are our own husbands. Right now, there are tribes fighting already. Do you know where your daughter will get married? You do not know. You also do not know whether a Sabaot will marry a Bukusu.

So, in short, I know the voice of a woman is voice of peace. Let it not be of discord, tribalism or hatred. Let us not use our efforts to cook for them to go and fight. Let us be ambassadors of peace in our houses. Let us be proud of being women.

My mother told me that I cry like a woman. I am a parent, but I do not know how to differentiate the cries of my son or daughter. Now I am happy that I was born a woman. I have never felt disadvantaged because of being a woman. Maybe, had I been born a man, probably, I would not have been heard today. Is that not true? Maybe I would be a policeman or I would be doing a different job. Be proud of being born a woman. Just be proud that you are different from a man and ask yourself why it is you as a woman who carries the baby in the womb.

Many times our voices are not heard in our houses. You can have a productive thing to say, but instead of being listened to by your husband, he beats you. He insults you and you humble yourself.

It is like the devil visited us people of Mt. Elgon. Even the children we bore did not listen to us. Let us not get tired. Let us keep on praying. We know we have a solution. The God who created us did not make a mistake. The voice of peace has come; even the Government is minding us. Let us use this chance well. I love you very much. I am not a foreigner. I have become one of you.

On behalf of all the women who are here and they are saying that they do not want their statements to be written, those who have pens, I will give you the names of a statement taker, so that you can see her. She is called Rose. She is from Kaptama.

There is a lady who said here that she has a case which she cannot talk about before men. So, when Rose is found, let her take her statement. All those people who went through different calamities, I know that we cannot talk a lot of what we went through before men. So, I will give you the cell phone number of the statement taker, Rose so that women can see her. The number is 0728062091. Rose come here so that women can see you. I wish to tell Rose to introduce herself and give you her telephone number.

Ms. Rose Chemos Mosop: My name is Rose Chemos Mosop. My telephone number is 0728062081.

Ms. Nancy Kanyago: For those who did not get her number correctly, she is still around. You will have a chance to speak to her later. I will give the Commissioners this opportunity to speak and to finish for us.

The Acting Chair (Commissioner Namachanja): Ladies, how are you? First of all, I wish to thank you very much for coming here and for the manner in which you have expressed yourselves. Before I speak, I have a few questions which I would wish to ask. In this area of Mt. Elgon I know that there are some people who lost relatives and they have not been buried. When I was here last in 2007, we started a women's group and they became leaders. There are a few who were removed from where they had been buried. So, I am asking, once again: Are there bodies which are still buried in graves, caves or in toilets?

Ms. Eunice Songoi: My name is Eunice Songoi. I live here in Kondende Location, Kaplei Sub-Location, Kosei Division. I lost my parents in June, 2007. He was taken to Marang where there was the headquarters of Janjaweed and the military. He was killed by the SLDF. Todate, we do not know whether he was buried or not. I would like to thank the TJRC for your great work. Those bodies are still there. They are very many. We could not even identify who is who by looking at the bones. Because of that situation, I was also injured by the army at my place at Kopsiro where they killed the chief. Up to now, I suffer hemorrhage after every three weeks. So, I would like the Government to assist us with regard to burying those bodies. The Commission should look at those bodies. The chairlady said that they should be put in one place because we cannot identify them. They should be put in one place, so that the future generation can also remember them and that the conflict should not be repeated. Thank you.

The Acting Chair (Commissioner Namachanja): I asked this question and I have been answered. My fellow Commissioners, these are the stories. That is why I asked Commissioner Chawatama to chair this session. I could not chair this session, as much as I am the Acting Chairlady of the Truth, Justice and Reconciliation Commission. I come from this community. I am a trained social worker. When I was trained as a social worker, I was told that as a social worker you are supposed to support the communities. So, you are supposed to empathize.

Judge Chawatama, if you can remember when we had training on trauma healing they stressed the act of empathizing and not sympathizing. That you put yourself in somebody's shoe, feel for that person, but you do not take yourself to be that person. That is what I have been unable to do. I started working with these communities in 1991/92 when we had the first ethnic clashes here. By then, it was the ethnic clashes between the Sabaot, the Bukusus and the Tesos. The stories are the same. There were women who left their children. Some children died because of the harsh conditions they found themselves in. Everybody ran away, but a mother chose to remain to dig a shallow grave and bury the child. I am talking now of the case of 1991/92. The fear that these women face is that their children may have been exhumed and eaten by wild animals.

There is a time I went to Kocholia Camp where there were mainly Tesos. I was wondering: what is wrong with the structure of these women? Why do they have big cheeks? I did not know that even adults could get malnourished. They were malnourished like children. I used to collect sick people, take them to hospital and the next time I am called to collect the bodies. It is very hard. I found it hard not to sympathize.

In 2006/07, this is now the conflict that has dominated the hearings today. That was between the Sabaot sub-clans. As much as other communities suffered, but the communities that suffered most are the Ndorobos and the Soy. Let me check. Are there Ndorobos here? If at all there is a woman from the Ndorobo Community raise your hand. There are five of them. Have we heard the stories of Ndorobo here? How many Ndorobo women have spoken today? Only one? We have listened so much from one section and we have not heard from others. Anyway I was just mentioning this because I wanted to touch on this conflict.

Around 2008 when the conflict was continuing I could not sit in my comfort zone in Nairobi. I travelled and came to this area. I went to a small church at Toyandet. I came to create awareness about trauma healing. What we experienced was very traumatic and we wanted to heal. I had prepared my flip charts. Day One, I was going to teach this. Day Two, I was going to teach this. But when I arrived, for three days we cried together as women. I could not teach. Then I realized that the route between the Soy Community and the Ndorobo Community was closed. Nobody was travelling there. I encouraged my fellow women. I told them we were going to Chebyuk. Nobody was going to touch us since we, as women, do not own land. If we are fighting over land nobody was going to touch us. We went there. The road was very bushy. You could not pass. We reached there with a group of Soy women. Again, for three days and nights, we cried with women from the Ndorobo Community.

They told me that the bodies of some of their loved ones were in pit latrines and boreholes. I encouraged them and told them that most of our youths by then were still in cells. I told them if we spearhead the youth to go and identify these bodies, they will be reprimanded. But for us women, nobody will touch us. I formed a committee of the Soy women and representatives of the Ndorobo Community. The exhumation of the bodies was spearheaded by these women. I am surprised that up to now, we have not exhumed the bodies of everybody. I cannot promise anything now here, but we shall take what you have asked us to take.

My sister Commissioner Chawatama, that is why I could not chair this session. Thank you so much for coming all the way from Zambia to come and listen to these women. That is all I had. Thank you so much.

Commissioner Chawatama: My dear ladies, I consider it an honour and privilege that God saw it fit to take a few months of my life to come and serve you in my capacity as a Commissioner of the TJRC. Sometimes we choose careers and we do not know where those careers will take us. All I can say is that I thank God because he knows the plans

that he has and he knows the paths that he has created for each one of us. At the right time, he moved people. I did not know when I came to Kenya the extent of the work that I would be involved in. Sometimes that is good because if one knew sometimes one would be afraid to come.

You have poured out your hearts. You have talked about issues that are covered in our mandate. You have talked of killings, displacements, rape, land issues, corruption and a lot of other things that our mandate covers. Yes, we have the powers to investigate. We have to come up with a report and we have to make recommendations in that report. Apart from just talking about what happened to you, you have also expressed some of the things that you want to be done by the Government. We thank you for those recommendations, because that is what will help us; you have given us solutions and you have made our work easier.

Some of the solutions will not be immediate. There are certain solutions such as counseling and medical attention which we can try to speed up, but others will take a while, because there are certain things that need to be put in place; these are long-term. We have the powers to recommend for reparations and a lot of you have said that there must be some compensation. There are things that we need to put in place to make sure that compensation goes to the right people.

So, this is something that will take some time, but we thank God that our recommendations will be mandatory, meaning they will have to be implemented. So, I ask for your patience. I know that you have waited for so long for an opportunity like this, but you know that there is a season for everything. When the rain comes, we plant our seed and we allow it to grow. Please, take what has happened today as the planting of that seed and give us an opportunity, as your Commission to do what we need to do – write our report and make recommendations for this to be realized.

Another pressing issue is bursaries for children who have been orphaned. A lot of you mothers have expressed the difficulties that you are facing in taking the children to school. That is a recommendation that we will take very seriously, because we know that if the next generation is not taken care of, again Mount Elgon and other areas will be sitting on a time bomb. We came from the north and we listened to your sisters in the same way that we have listened to you. We thank you for finding the time to come and share your testimonies with us. Continue to pray for us. Our work is not easy. There are things that have taken place that have remained hidden for a very long. It is not everybody who is happy when the truth begins to come out. We value your prayers that the Lord will keep us in good faith, so that we can finish this assignment and that when we are done, you will be able to see that we will have really done a good job.

On behalf of the Truth, Justice and Reconciliation Commission (TJRC), I thank you so much once more. May God continue to bless you. May the healing that has begun continue. May He continue to provide for you; we can only ask for the peace of God that surpasses human understanding. I think when we came here we said that you were our first born, and you will continue to be our first born; a mother never forgets her first born.

So, we will never forget you. As to whether or not we will come again, we cannot promise but we would be happy to come back if that opportunity presents itself. I thank you so much for this session and God bless you all.

Ms. Nancy Kanyago: We have come to the end of today's hearing. We started with a word of prayer and I will ask one of you to close with a word of prayer; we should also pray for the other hearings at the church and your journey back home. Also, pray for us as we continue with our work.

(Closing Prayers)

(The Commission adjourned at 2.20 p.m.)