

UN Permanent Forum on Indigenous Issues, Eleventh Session
New York, 16th– 27th April 2017

Agenda Item 4:

*Implementation of the six mandated areas of the Permanent Forum with regards to
“Indigenous peoples’ collective rights to lands, territories and resources”*

Thursday 19th April 2017

**STATEMENT ON THE SITUATION OF THE SENGWER INDIGENOUS
COMMUNITY OF EMOBOT FOREST, CHERANG’ANY HILLS, KENYA.**

Read by: Milka Chepkorir, A Sengwer Indigenous Community Member.

At last year’s Permanent Forum I asked for help to stop the continuous eviction of my peoples,
the Sengwer of Embobot Forest, Kenya.

I asked for help to try and stop the EU WaTER project that is providing funding for Kenya Forest Service (KFS) to evict us. It was just after one of my fellow community members was badly wounded by KFS while he tried to film and records their human rights violations.

We appealed to the EU WaTER project throughout 2017 to stop funding KFS harassment but instead the harassment simply got worse. Hundreds of homes were burnt and shots fired by KFS on peaceful community members. Again we appealed to the EU to suspend its WaTER project that funds KFS. They ignored us until on 16th January 2018 one of our community members – Robert Kiprotitch – was shot dead by KFS. Only then, and in response to an appeal from the UN Special Rapporteurs, including Vicky Tauli Corpuz, did the EU suspend the project.

The harassment by KFS continues, and the Finnish Government continues to fund KFS. We also fear that the EU may resume funding for KFS, and are concerned that UNDP may use REDD funding to fund KFS.

We ask for support to make sure that the harassment ends, and to make sure our rights to our lands are recognised.

We agree that our forests need to be protected, both because they are fundamental to our way of life, and because they regulate the flow of water to downstream communities. But we know from bitter experience that when our community rights to our lands are not recognised then we cannot protect our forests and our lands.

The only way to secure these lands and protect these forests is to secure our community's rights to our lands. Across the world where indigenous peoples collective rights to their forests is

recognised their forests are far better protected than when armed guards are brought in from outside: armed guard and institutions who have no long term interest and care for our lands.

RECOMMENDATIONS

We recommend that the Permanent Forum

1. Call on international donors, such as the Finnish government, to stop funding the Kenya Forest Service until and unless such funding supports the Government of Kenya to change its approach to forest conservation to be based on recognising and respecting our rights as Sengwer people to our ancestral territories.
2. Call on the EU to uphold human rights standards in all its development projects, and not to release the funds to the Kenyan government for the WaTER project until a time when our rights as the Sengwer people to our lands and resources, including our rights to practice our customary sustainable use of our land, are recognized and respected.
3. Call upon States to immediately halt colonial conservation methods, such as demonstrated in the case of the WaTER project in Kenya, and put an end of harassments and forced evictions, such as those the Sengwer people are suffering on their ancestral lands. States, Conservation Agencies and other International Donors should embrace the safest way of Conservation that is protecting indigenous livelihoods and rights, and biodiversity together. To recognize the rights of Indigenous peoples to their lands, and support them as managers of their lands and resources, based on their indigenous knowledge and practices are the best way of achieving this, and ensure the conflicts between communities and governments would finally come to an end.