

MAIYOITO PASTORALISTS INTEGRATED DEVELOPMENT ORGANISATION

A presentation by Joseph Ole Simel

Distinguished representatives of the High Commission for Human Rights, Members of the working group on Indigenous populations, Excellencies, my dear colleagues i.e. indigenous elders, youth, chiefs and all representatives of indigenous communities, distinguished representatives of observer governments, United Nations organs and non-governmental organizations.

I would like to express my deep and sincere gratitude and on behalf of the Mainyoito Pastoralists, which is an indigenous community Non-governmental organization operating in Kenya to the The Human Rights Fund and IWGIA for their generous and kind support accorded to us. They have enabled me to attend this crucial and important meeting, which is a great honour and privilege to me.

The lives of the Maasai of Kenya, especially those from Southern Kenya is characterized by poverty, frequent displacement, poor health, lack of education and high dependency on state institution to improve their well-being and many aspects of their livelihood.

As things stand today, the legal and constitutional frame is overwhelmed by corrupt and oppressive leadership and weak political will when it comes to implementation of projects and programmes for indigenous peoples. The Maa communities suffer the problem of high levels of illiteracy, ignorance, poverty and lack of institutions with interest and understanding of indigenous issues. The United Nations and the Community of Human Rights have a moral duty and responsibility to join us in every way possible, as we demand justice, fairness and recognition as equal citizens.

The current National policies and Laws in our country do not recognize the cultures and traditions of the Indigenous peoples. The Maasai have lost and continue to lose their land, their only source of livelihood and the symbol of their heritage, but the current system cannot do anything about it, instead it continues to violate our rights by allocating our resources to other people including government officials.

The Maasai people remain the most backward section of the Kenyan society 40 years after independence. When it comes to development priorities and implementation of development projects and resource allocation there is always marginalization and neglect, indigenous peoples are always the last to be considered. There is an urgent need for the institutions framework for both policy and law at national, regional and international level to see the development of human rights approach in resource allocation so that the indigenous people can also benefit.

The Republic of Kenya at the moment is going through the Constitution Reform Process This has become necessary because of the social, economic and political challenges that the country has faced in the last 30 years. It is in this process that the marginalized pastoral indigenous communities hope that the new constitution will address their plight, historical injustice and disadvantage.

We request the United Nations, and its institutions, Human Rights Organizations, NGOs, and the International community at large, to give us support so as to ensure that the new Constitution recognizes and addresses the past injustices committed against the Maasai by both the colonial regime and the post independence governments. We demand that the new constitution provide proficient return of our land. We have lost and protected the little that is remaining. We demand that the new constitution should be able to protect our culture, language, and heritage and assure us of political autonomy and representation.

Indigenous People

Modern policies and laws both at the National and International level continue to discriminate against indigenous people, both directly and indirectly. This discrimination poses a great danger to the very existence of these communities.

Throughout their lives, the indigenous people encounter discrimination, intolerance and prejudice. For example the education policies, also pose an increasing danger to the cultural identity of the indigenous peoples. It does not put into consideration their special needs. *Our children are not taught in our language so that assimilation process by the dominant communities becomes faster.*

Failure to nurture the rule of law with fairness and impartiality will result in lawlessness and hence the breakdown of law and order. The commitment to the rule of law by those who govern will be the most valuable treasure to any community and guarantee for peace, cultural freedom and prosperity.

With continuous destruction of our environment, both internal and external displacement from our land, economic production, culture and heritage, and with scarce resources and lopsided priorities, more and more young indigenous peoples are on the streets instead of career training. These are left with no choice but to rise to inaction or destruction through antisocial behavior.

To solve the problems of the indigenous peoples, the indigenous peoples must first have the freedom to discuss and seek solutions to their own problems. To solve these problems, governments and international agencies must first trust the indigenous people with solutions to their own problems.

The indigenous people must also stop imagining that the World Bank/IMF, National Government policies and Development programmes is enough to solve their problems as indigenous communities. What the indigenous people need is their freedom. With freedom, they will be able to solve their own problems, which are also everybody else's problem in one way or another. The Indigenous people need freedom to set up a bank of ideas where all people in a community can contribute. Then, national leaders can pick the best of these ideas and use them in policy making. Freedom means self determination.

The indigenous people must earn and preserve their freedom from dictatorship and benevolence.