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**PERMANENT FROM FOR INDIGENOUS ISSUES (PFII) 3<sup>rd</sup> Session (10-21<sup>st</sup> May 2004)**

**Theme: Environment**

**Ogiek people of Kenya and The Environment**

Mr. Chairman, indigenous sisters and brothers.

I consider a privilege to address the third session of the PFII, more so on the theme Environment. My names are Daniel Mpoiko Kobei, I represent the Ogiek people of Kenya, with a population of about 25,000 people out of a total population 31 million Kenyans.

The Ogiek People of Kenya inhabits the Mau forest Complex in Rift Valley Province and Mt. Elgon forest in Western province of Kenya. Environment in the Ogiek perspective is like talking about a home, culture, medicine and food. We have lived in the forest as our home, our livelihood, our religious sites are found (specific trees are treated as sacred and they are not suppose to be cut), this includes the rivers and the streams emanating from the same forest. Our forest is our environment. We live and eat from the forest.

Mr. Chairman, in the same environment our precious mothers and sisters gathers food and medicinal plants, for both prevention as well as for treatment of children and adults against diseases and withcrafts. In the same environment we did hunting of wild game, we no longer do freely because it has been considered unsustainable and moreso demonized as poaching. Ogiek are expert hunters with formulae known to all Ogiek. It is a taboo to kill an animal suckling or being suckled, hence we believed in the recreation agenda as godly. In other words Mr. Chairman female animals were hardly killed. Currently hunting has been banned though tourist are licenced to hunt and not the Ogiek.

In early 90s there was land influx to Mau Forest complex by other communities masquerading as Ogiek. These communities were well connected to the Government of the day causing Ogiek people to be considered both landless and their Environment destroyed by clearing up the forest to pave way for agriculture. Despite of Ogiek people taking the matter to the High Court of Kenya, justice has never prevailed since 1997, but instead the Government is the process of giving Title deeds to non-Ogiek, but telling the whole world that "Finally the Problem Of Ogiek has been solved". The Government is deaf to the Law as well as they seem not to consider the adverse effects of environment caused by clearing of the Forest by the communities who are not friendly to the forest and the logging done by multinational companies e.g Timsales, Raiply etc. Mau forest is one the main source of some major rivers and streams in Kenya e.g River Mara, which ends up in Lake Victoria. The effects are detrimental to entire people of Kenya especially those on the lower areas.

The Mt. Elgon case is worse still since their Land was declared a national game reserve without the consultation of the Ogiek people staying in the Chepkitale Forest of Mt. Elgon Forest. This took place in the year 2000.

Kobei

SASP

Mr. Chairman, Ogiek people are Environmentalist by naturalization hence the environmental impact assessment should take into consideration the knowledge of Ogiek as far as forest management is concerned. This is because Mau Forest Complex and Mt Elgon forest are Ogiek land hence they cannot be denied the right to manage their lands and the resources thereof. Much I can say about the situation of my people Ogiek due to land problems hence environmental degradation. May I now underscore recommendation to this 3<sup>rd</sup> session Permanent forum for Indigenous issues (PFII).

- PFII to lobby for the Ogiek People to be settled permanently in their land and be allowed to manage their natural resources therein e.g forest products. The Mt. Elgon Game Reserve to be reverted to the Ogiek people of Mt Elgon so that they can decide on its management.
- the PFII to lobby for Ogiek people to decide on their own settlement procedure without imposing government personnel on them, who intimidate and at times harass them
- a rapporteur on indigenous peoples issues to come to Kenya and document the issues of Indigenous peoples of Kenya in relation to the mandates of PFII.
- UNEP and other environment related organization to support the Ogiek to redeem their forest and more so to include Ogiek people in their Environmental issues.

Thank you.