



19TH SESSION OF THE WORKING GROUP ON INDIGENOUS PEOPLES 23-27TH JULY 2001.

THEME: INDIGENOUS PEOPLES AND THEIR RIGHT TO DEVELOPMENT

SPEAKER: MR. DAVID YATOR KIPTUM
INDIGENOUS PEOPLES REPRESENTED: SENGWER OF KENYA
AGENDA ITEM NO.: 4

Madame Chair,
Distinguished Members of the Working Group on Indigenous Peoples,
Member States Representatives,
Distinguished Guests,
Indigenous Brothers and Sisters,
Greetings to you all.

Madame Chair, I wish to thank the distinguished members of the Working Group on Indigenous Peoples for electing you as special rapporteur and chairperson of the 19th session of the Working Group on Indigenous Peoples. Besides, on behalf of the entire Sengwer community and members of Sengwer Indigenous Development Project, I wish to thank the United Nations Voluntary Fund for Indigenous Peoples for the sponsorship that enabled me to attend this session.

Madame Chair, it is a great pleasure, privilege and honour for me to represent my little known community Sengwer a minority, unrecognised, marginalized and discriminated hunter-gatherer indigenous peoples distributed in the North Rift districts of Kenya. As a result of our situation we are known to other communities as Dorobo, Mei, Cherangany all these means we are backward, poor, uncivilised human beings destined for extinction.

Madame Chair, Sengwer community is marginalized socially, economically, politically and culturally. We are marginalized, discriminated and segregated as a group. We are still struggling to emerge from the shadows of oppression and dominion.

Madame Chair, I hereby wish to outline why we have not achieved any economic, social, political and cultural development: -

Colonial Government: We were a developed group – peacefully hunting, gathering and harvesting honey in our ancestral land until the colonial government came in and divided us into three administrative boundaries called districts. This led to destruction of our traditional development structure. We have now become a minority group and do not contribute to development decisions, policies and strategies that affect us because we lack representation at decision-making organs at the local and national levels.

The colonial government went ahead and gazetted our Sengwer ancestral land as government forest. This has prevented us an opportunity to freely access our forests. Our people living in Embobut forest in Marakwet district constantly have their houses burnt and property destroyed by government officials,

since it is our ancestral land.

Post Colonial Government: 38 years since my government got independence Sengwer people are still fighting for their legal recognition as an ethnic group. Lack of recognition has prevented us from getting any special economic attention from the government and even development agencies because we are not known. You cannot find the name Sengwer among the list of ethnic groups in Kenya. The lack of concern from the government to recognise Sengwer as community has continued to subject the community into mental torture, insecurity and abject poverty.

Tribal Districts: Districts are important for economic, social, political and cultural development of a given ethnic group in Kenya. Those without a district of their own do not realise any development. At the district there is a body called District Focus for Rural Development (DFRD), which is mandated to make development decisions and which and who to benefit from funded projects. We do not have representatives at DFRD hence we are not considered for any development. All the funds set for district economic projects benefit only the dominant ethnic groups. At the district level we are subjected to insecurity and psychological torture. We do not have peace and without peace social, economic, political and cultural development is not realistic.

International and National Organisations: Recently, after a long struggle the government gave us part of our ancestral land, Kapolet Forest, which had been converted into a government forest. Lake Victoria Environmental and Management Project funded by World Bank and other Environmental organisations are pressuring the Kenya government to stop allocating Kapolet forest to Sengwer community. None of these organisations understand issues that affect Sengwer. Kapolet forest belongs to Sengwer and they should be consulted first. Kapolet forest will benefit 3,000 Sengwer landless families meaning these families will be able to carry out social and economic activities that will contribute to their development. How then can an organisation come in and stop such a process. Neither do Sengwer benefit from developments undertaken at the lake region nor get a kind of support from the bank.

Madame Chair, the right to development for indigenous peoples, specifically the unrecognised minority hunter-gatherers will only be realised if: -

- I. They are given a legal recognition as a separate and distinct ethnic group
- II. Their basic fundamental human and indigenous rights are respected by the government
- III. There's a political will from the government to respect and implement such rights
- IV. They have an active participation and capacity as leaders in their own development
- V. They have an access to their ancestral cultural and traditional resources such as land and forests
- VI. They are provided peace and security

Madame Chair, I humbly request: -

- I. The Special Rapporteur on Human Rights and Indigenous issues to give a priority in his agenda the problems and challenges faced by minority hunter-gatherers groups in Kenya
- II. The United Nations agencies, International and Indigenous Organisations to give a special focus on the issues affecting minority hunter-gatherers indigenous peoples in Kenya.
- III. The Working Group on the Rights of Minorities to give a priority in their agenda issues affecting the minority hunter-gatherer groups in Kenya
- IV. For an apology and compensation from the colonial government
- V. The Kenya government to include issues affecting Sengwer and other minority hunter-gatherer groups in its constitution, national legislation, development policies and strategies
- VI. The Kenya government to recognise Sengwer and other minority hunter-gatherers in Kenya as distinct and separate ethnic groups. Besides, to give them freedom to exercise and enjoy fundamental human and indigenous rights as stipulated in international human rights instruments – International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination, ILO Convention 169, etc.

Thank You Madame Chair.