
Kenya: Local peoples' land rights ignored

Even though indigenous peoples and rural communities are the ones directly bearing the brunt of the destruction of rainforests by intruders, most national governments portray them as squatters and responsible for the destruction of the forest and the extinction of wildlife, and threaten them with eviction or undertake direct actions to expel them from their homeland. This kind of abuse is often linked to forest concessions awarded to logging companies --which constitutes an absurd paradox if the aim of the authorities were to protect the forest-- or the declared intention of protecting endangered species, considering that nature conservation is only possible in the absence of human beings. Both types of abuses are happening in Kenya and the following are two such examples.

The Ogiek --a hunter-gatherer and harvester of honey people, dwelling since time immemorial in the Mau Forest and adjacent areas-- have once again been menaced by the authorities in order to force them to abandon their ancestral lands. In 1991 the state partially recognized their territorial rights to a portion of the Tinet forests, but this did not result in an improvement in their situation. Nowadays the Ogiek --numbering some 5000 people-- have been pushed into the last Forest Belt of the former Mighty Mau and Mt. Elgon Forests. This is the consequence of a process started in colonial times and continued after the country's independence until the present time.

The successive governments have systematically ignored the Ogiek's ancestral land rights, and allocated large areas of former forest lands to the ruling elites. Additionally, part of the remaining forest has been granted to logging companies, which would lead to their quick destruction. Even though Kenya ratified several international treaties related to the protection of the rights of indigenous peoples --like the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights-- they have not been respected when concrete policies are formulated and implemented.

A second example of abuse over land rights is related to conservation. A plan to be implemented by the Kenya Wildlife Service in the Tana River District in Coast Province --with financial support from the Global Environmental Facility (GEF)-- to protect the red-capped mangabey, an endangered monkey species, is being resisted by residents of Ngao and Ndera locations. The official promise to compensate land owners has divided the local residents into two groups: one of them accepts to move from their farms along the river, while the other vows to stay, arguing that money cannot compensate for the loss of their land and the dramatic change in their lifestyle. In fact people are proposed to move to the semi-arid plains of Ozi and Kipini where there are no rivers.

Molu Shambaro, a local leader and member of Parliament for the district, who is opposed to the eviction, has expressed that local dwellers' rights have to be respected, and has proposed that the wildlife service involves local people in their campaign to conserve the Tana River mangabey instead of forcing them to leave their lands. Shambaro asserted that if local people get involved, wildlife conservation and traditional lifestyle in the area will become compatible. He also accused both the government body and its GEF counterpart of corruption, which is

considered to be the main reason for the failure of conservation projects in the country.

