



10 November 2023, Peak Hotel, Nanyuki-Kenya

### Press Statement on Forced evictions

Indigenous Women Council (IWC) is a national women movement with more than 60 members organizations in 29 counties, mostly arid and semi-arid lands. The membership includes diverse community leaders from pastoralists, hunter gatherers, fisher-folks, women living with disabilities and minorities communities. Indigenous Women Council convenes with an aim of amplifying collective voices at the national, regional and international level.

IWC is aware that the Ogiek are indigenous peoples, a traditional hunter-gatherer community, and that the Ogiek have been facing challenges of land tenure since colonial occupation of their land in Kenya's Mau Forest. After independence, there was illegal occupation and leasing of Ogiek ancestral land by Kenyan government. Ogiek lands continued to lose area and quality as Kenya government issued their lands to non- Ogiek who cleared natural forest for commercial plantations, and permitted the Nyayo Tea Zone Authority to clear forest for tea plantations that led to further displacement of the Ogiek peoples. The Ogiek have also suffered historical marginalization and discrimination due to their indigenous identity.

IWC notes that the Ogiek community have chosen to engage in litigation to challenge their situation. They have used legal mechanisms in Kenya and at the African Court of Human and Peoples' Rights. IWC is aware that the Ogiek were recognised as an indigenous people and as legal owners of their ancestral land in the Mau Forest by the African Court of Human and Peoples Rights in May 2017, that they have suffered numerous human rights violations, and that the African Court also delivered a reparations judgment in June 2022, requiring that land to be returned to the Ogiek and for them to be fully consulted regarding any development on their lands. IWC is aware that the Ogiek have also filed historical land injustice claims with the National Land Commission.

IWC recognizes the Ogiek community as a forest dependent people, who have indigenous knowledge on protection of the Mau Forest. In the period where they were given opportunity, they have demonstrated rehabilitation of the Mau Forest with over a million trees grown on the Logoman Forest. The Kenyan Government should build on such expertise to rehabilitate the forest cover.

IWC is concerned by recent developments and continued human rights violations, including the Ogiek's lack of recognition as an indigenous community, the lack of implementation of the African Court's judgments, lifting of the land caveat, and recent forced and illegal evictions going on in Sasimwani area of Narok County, Kenya, in direct contravention of both the 2017 and 2022 African Court's judgments. Threatened eviction of Nkareta Ogiek will also resulted in the total dispossession and homelessness of more than 800 persons. There are also threats against Ogiek still living in parts of Eastern Mau Forest Block (Kiptunga).

Further, IWC is concerned by the period in which the evictions are being conducted. There are heavy rains in the region. IWC is specifically noting inhumane treatment of women and girls who have been left homeless.

IWC is calling on the state, specifically Kenya Forest Service, Ministry of Environment and Climate, to immediately stop the forced and illegal evictions of the Ogiek, to coordinate a humanitarian response, to investigate allegations of Gender Based Violence and to implement the African Court's judgments in full.

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Chair, IWC