



**ORAL SUBMISSIONS (WOMEN'S IN-CAMERA SESSION) MADE  
TO THE TRUTH, JUSTICE AND RECONCILIATION  
COMMISSION ON TUESDAY, 4<sup>TH</sup> OCTOBER, 2011 AT THE  
TEACHERS ADVISORY CENTRE HALL, ELDORET**

**PRESENT**

<b>Tecla Namachanja Wanjala</b>	-	<b>The Acting Chair, Kenya</b>
Margaret Wambui Shava	-	Commissioner, Kenya
Rebecca Mutuku	-	Counsel

*(The Commission commenced at 11.55 a.m.)*

*(The Acting Chair introduced herself  
and the other Commissioner)*

*(Opening Prayers)*

**Ms. Rebecca Mutuku:** We are very grateful to God for giving us this opportunity to come together and share our experiences on issues concerning us, as women. This is an opportunity for us, as women, to speak out and tell the Commission how we have been affected from Independence up to February, 2008. We are going to articulate the issues affecting us, as women. That is why we have sent away all the men. The few men who are here do not have ears. We have closed their ears. They are here to only record what we are saying, and not to hear. So, they have closed their ears. They are doing their work with the equipment that you see.

So, do not fear them. Let us speak out the issues affecting women. There is nothing to hide. We are going to speak on all issues, including rape, because this Commission has been mandated to investigate those violations. There is no form of violation which is not supposed to be looked into. When we were in the public hearings, we did not want to speak about certain issues because even our children were there. Today, we are free to speak before the Commission. The Commission has the mandate to listen to us as we narrate our stories.

I would now like our mother, Commissioner Tecla Namachanja, to greet you, so that I can take you through the procedure of this women's forum. We also have our sister, Commissioner Shava. The two Commissioners are women. They are here to listen to issues affecting women in this area. So, I would like Commissioner Shava to greet you before I welcome the Chair, to also greet you.

Welcome, Commissioner Shava.

**Commissioner Shava:** How are you, fellow women? As you have heard, my name is Margaret Shava. I work with this Commission as a Commissioner. I am here with the Acting Chair, who will also identify herself.

**The Acting Chair** (Commissioner Namachanja): Thank you very much, Commissioner Shava. How are you, fellow women? Today is our day. The Truth, Justice and Reconciliation Commission has been having hearings for all people who were affected to say how they were affected. We started the public hearings from the North Eastern Region and proceeded to Upper Eastern, Western and Nyanza Regions. We are now in the Rift Valley Region. We started from Kericho. We then went to Nakuru, Naivasha, Narok and we are now in Eldoret. From here, we will go to Lodwar, Kapenguria, Kitale and other parts before we go to other provinces.

There is another public hearing going on at the Municipal Hall but, you know, there are other issues which, as women, we cannot mention before everybody else, especially men. That is why we are here today, as women, so that you can have an opportunity to speak out what has affected you from Independence up to now. You are free to talk about issues pertaining to health, development and education and how things like tribal clashes affected you.

So, you are welcome. Feel free, so that you can express yourself clearly. We will have about two hours and then we can continue with other issues.

Thank you very much.

**Ms. Rebecca Mutuku:** Thank you, Acting Chair. Fellow ladies, the Acting Chair has explained everything. Just to inform you, in those regions she has mentioned, on every second day of this Commission's hearings, we had women forums for women to explain what affected them. Women in all those regions have spoken. So, here, in Eldoret, women should not lag behind. Speak out.

If you want to speak, just raise your hand and I will give you the microphone. You will, first of all, state your name and then explain your issues very briefly, because we have been given only two hours. I know that everyone wants to speak. As you continue, you will be given water by the statement takers who are here. If you get water or anything else for consumption, let us not be murmuring, so that we have only one meeting and save time. Who is going to start for us?

**Ms. Margaret Kariuki:** My name is Margaret Kariuki. Above all, God is the leader of my life. I praise God every now and then.

What has made me to stand before you is that during the post-election violence, my husband was the first one to be killed. He was brutally killed as I watched. I saw my husband being killed. It would have been better if he had not left me. He was the pastor-in-charge. He could not understand what was happening. He went to see what was

happening. That was when we saw some Kalenjin youths run after him. One of the youths speared him in the ear and removed the spear. He remained outside for a long time. So, I went out to see what was happening. When I went out, I found that he had been killed.

Another youth used a *panga* to cut his neck, while another one speared his stomach. He was brutally killed. I knelt down and said: “My fellow Kenyans, if I have wronged you, just forgive me.” When my husband raised his hand, the youths did not show mercy on him. He pleaded: “My fellow youths, why are you killing me? What are we fighting over?” Another youth speared him. That is how my husband was killed. I screamed. I did not fear that the youths would also kill me. I went near them. The eighth youth said: “We must destroy this woman”, but one of them in the group, who recognised me, said: “No, no, no!” He held me. His compatriots said: “No, we should kill her.” He said: “If you kill this woman, it is better that you also kill me.” They wanted to rape me.

My husband was already dead. He was bleeding profusely. Another youth had speared him. I tried to call a friend of mine on my mobile phone. One of the youths said: “Snatch the phone from her.” I had some money which they took away. They did not take away my phone because one of the youths who had identified me stopped them. I called a certain person and told him that my husband had been killed. He did not even fear death. He was a very close friend of mine. He came with a vehicle and took him to the referral hospital, but my husband had died.

That is why I feel that it is even better that I die because I am now suffering. I have now been diagnosed as having diabetes and high blood pressure. I was not like this before. These days, I do not even sleep. The attack on my husband, which I witnessed, was very disturbing. I saw the spears and the arrows. Since that day, I only say: “Oh, my God! I have been left behind.”

My children were grown up. They have also died and left us. I am now alone. I do not have any assistance. I did not even go to IDP camps like other people. I cannot make it in the IDP camps, especially in this cold weather. My children took me to Langas, so that I could stay there. I said: “Pray for me, because when I go to sleep, I see the whole attack replaying in my sleep.” When you, people, speak of what happened at that time, the whole scene replays itself in my mind. I was left behind with nothing. All the cows were taken away and our property was looted. All our nice items of clothing were taken away. Even the clothes I am wearing were given to me by a good samaritan.

Sometimes I feel that it would have been better if they had also killed me. I just stay alone in the house. I am only asking for prayers. Whenever you pray, remember me in your prayers. My husband was a devoted servant of God. He tried to plead with his assailants to spare his life, but they did not.

*(Ms. Margaret Kariuki suffered  
an emotional breakdown)*

*(The women sang in praise of God)*

**Ms. Rebecca Mutuku:** We are sorry, Margaret. We know that today we are scratching all the wounds that have already healed. We are just praying to God to give you the strength to speak.

I would like to give an opportunity to another woman to speak. I can see that many hands are up.

**Ms. Joyce Njenga:** Praise God! My name is Joyce Njenga. Christ is the saviour of my life. I have a few words which I am going to say.

The outbreak of tribal clashes brought darkness in my life. My son was also killed on that fateful day. After he was killed, he was thrown in a nappier grass plantation. He stayed there for two or three days. We could not trace him. Since that day, I have been suffering from high blood pressure. I was also recently diagnosed as having heart disease. I am on medication. My blood pressure is high. I am now a widow. That is the name I was given on that day. My property was looted. My children are suffering. Previously, they were depending on their father. Their father died and they have remained behind as orphans.

I was previously working but currently, I cannot do anything. Even walking a distance is a problem. I suffer from high blood pressure day in, day out. I am really suffering. I started having this problem from that day. Many of us women here are widows. It would even have been better for my husband to have fallen sick. He has now left me behind. He heard noise outside. He was taken away, killed and his body thrown away. When we found him, he had died. Since then, I have never been strong. Even as you see me, I am living the worst life in this world. Things are very difficult.

I cannot even afford to buy medicine. My children are not employed. They are just suffering; wandering here and there. Their father was the breadwinner of the family. We have now been left behind. I do not even know what to say. I am before you because the burden is very heavy. These are difficult issues. The conflict and the violence brought problems to us. There are people who have even lagged behind in development because their property was destroyed on that particular day. Even the clothes we are wearing were given to us by good samaritans. If there is any assistance, have mercy on us. Sympathise with us, widows.

*(Hon. Chebii Kilimo joined the meeting)*

**Ms. Rebecca Mutuku:** I would like to recognise the presence of the Assistant Minister for Co-operative Development and Marketing, hon. Chebii Kilimo. Let her greet you so that we can continue.

**The Assistant Minister for Co-operative Development and Marketing (Hon. Chebii Kilimo):** Thank you very much. Good morning, my fellow women. I have come here

today to join you as your fellow woman. I know the pain that a woman goes through. I would like us to be together and above all, let us not forget that God cannot give us a burden that we cannot carry. So, I am here today so that we can share our issues.

**Ms. Rebecca Mutuku:** Thank you very much, hon. Kilimo. There is a woman who wants to say one issue so that we can continue. I just want to give you one minute to tell women what you want.

**Ms. Maria Kiso:** Acting Chair, Commissioner and, Hon. Chebii Kilimo and my fellow women, my name is Maria Kiso. I am a resident of this area. During the violence, I was at Langas. I would like to tell my fellow women that you are carrying a burden and you have seen problems. But you are the people who will say what happened so that we can go in the same path. It is my prayer that, at this particular moment we have been given by the Chair, let us take heart so that we can say the truth. We should not fear to say the truth; if we fear to say all these issues, we will not get help. We want to be patient so that we can say everything because as we stand here, we do not have people as they were killed. So, let us persist.

I am the Chair of the Head Teachers, Eldoret Municipality. I welcome you very much, Madam Tecla Wanjala and Hon. Kilimo and all the women. Feel at home and say the truth. Let us persevere because we know all these burdens we carry- all the burdens of the family- it is the woman who carries them. If it is death, it is you to persevere. It is the mother who carries all the problems. Let us really persevere and take heart so that we can speak out our problems.

Thank you very much.

**Ms. Rebecca Mutuku:** Thank you very much. You have been given five minutes to contribute.

**Ms. Patricia Sawe:** My name is Patricia Sawe; I am a resident of Eldoret, Uasin Gishu County. I have several issues to present to the Commission and others are in form of written statements. I do not know whether it is possible for me to read them. Would you allow me to read what I want to present before the Commission?

**The Acting Chair** (Commissioner Namachanja): If you are going to read, do so in order for those women who have the hearts to express themselves to listen to it.

**Ms. Patricia Sawe:** I also have issues pertaining to a certain cult. What I want to read is what I can present on paper. As a mother, I cry about a certain church called Calvary Temple of Kenya. This cult is endangering the lives of people. This church takes people's children and they pretend to be missionaries coming from America. They have come to corrupt all Government officials even at the grassroots level so that when a person tries to raise issues about that church, he is taken to have a problem.

My daughter was at Nairobi University, but unfortunately, when these white people came from America and they were preaching the word of God in the streets of Nairobi and other towns of this country, they lured my daughter and other people's children into captivity. These children are taken to captivity where they were sodomised and sexually abused. At the end of the day, what kind of children are we going to have? They took my child and I cannot even do anything with that child. Very many women are crying like me because when the child goes into that church, there is no single day that she can come out of the group. There is no single day that you can call the child or see that child.

My daughter was at Nairobi University and I am praying and appealing to the Commissioners and hon. Chebii Kilimo who is here, to help me. For four years now, I do not know where my child is for four years.

Last year, she got married. When I tried to raise the issue, I was arrested and put into the cell. I was framed that I lied to the police and that I gave them false information. I have complained and written letters to the Office of the Prime Minister and the Minister for Internal Security; even the Immigration Office. There is nobody who has taken any action to assist me and other parents whose children have been taken by this cult. I know if it could have been a child of an MP or a Minister, a judge or a lawyer, that child would have not disappeared as my child did. I am just crying before this Commission to look into the issues of this cult because the Constitution has come to the aid of Kenyans and not to assist white men who pretend to be missionaries, yet they have come to take people's money and property and to take people's children to do what they want with them. I do not know which kind of a church can perform a wedding ceremony without involving the parents.

At the moment, I do not know where my child is. She did not even finish university. I do not know whether he is employed or not. We are very grateful that you came here to listen to our problems because we know that you are qualified--- But others who do not qualify do not go home. We are wondering where we are going to get them.

I even went to the Human Rights Office here in Eldoret and there is nothing they have done because they are used to taking bribes. They look into issues when a person gives them a bribe. I am crying on behalf of very many women whose children have been sexually abused and taken and they do not know where they can get them.

There is no single person who has been sworn as a judge so that our courts can do what they are supposed to do. I do not know whether this time round, we have a woman who has become a judge - she came to safeguard the foreigners who have come to Kenya instead of Kenyans - she is called Hillary Chemitei - How can she protect the people in the courts? This lawyer told my lawyer that: "I will ensure that your client is arrested." I did not even finish two days. I was arrested and charged for an offence that I did not know. I was charged for a criminal offence because I complained why my child got married without my consent. I do not even know the people who have taken my daughter. It is not only my daughter, there is also another girl who was in Nairobi University, she

was to become a Neurosurgeon and the girl has been reduced to nothing. That girl has been reduced to nothing! How many girls have been removed from schools?

There is also another old man who had taken his daughter from Pangani and he want to give her out to that Calvary Temple Church of Kenya. I am praying to the Government and this Commission to investigate clearly the issues pertaining to this church because very many people are crying. They are pretending that they are teaching the children but they do not even have a school; not even a playing ground, leave alone teachers. The rights of those children are being violated left, right and centre by those Europeans while they do not even have their children there. I have written letters that I will present before you. I have sent them to every office and no action has been taken.

I am pleading to this Commission to investigate the matter and find out how these foreign churches are violating the rights of young Kenyans. Let us not say that there is freedom of worship and that this person is above eighteen years. Let us take into consideration the fact that since these children joined the cult, they do not have freedom any more to come out; one becomes a captive. Thank you very much.

**The Acting Chair** (Commissioner Namachanja): We are very sorry, *Mama Sawe*. What is your name?

**Ms. Patricia Sawe:** My name is Patricia Sawe.

**The Acting Chair** (Commissioner Namachanja): Do you know the head of the church you are talking about?

**Ms. Patricia Sawe:** Yes, he is called Stars Coach. He is in America. These people ran away last year to America when I complained. They came back just recently. I do not know which way they have used to come back and they are preaching in the streets of Eldoret, Nairobi and other towns, looking for other captives. I pray that you help the children of this country.

**The Acting Chair** (Commissioner Namachanja): Do you have any particular case about the children who were sodomised; who can come and say so?

**Ms. Patricia Sawe:** There are people who were former members of this church who also left the church because they had stayed in this country since 2002. When they came, they lied to people that they had come to start a college and schools with American standards. Little did we know that they had just come as missionaries, pretending and taking money from other people as the women sitting down and then taking photographs to America to ask for money pretending to have orphans and children who are mentally handicapped, yet those people who are brainwashing our children.

The name of my daughter who was married away was Lorna Chemel.

**The Acting Chair** (Commissioner Namachanja): She got married to whom?

**Ms. Patricia Sawe:** It is the European who did the mix and match. He is the one who said that you are going to be married to this person and that would be final. You would not question. If you did, they would say that you have questioned God.

**Commissioner Shava:** Thank you very much, *mama*. Would you like to submit the documents before us? Do you want us to photocopy them and leave you with the copies that you are having or you would want us to take what you have?

**Ms. Patricia Sawe:** I have other copies and others which I tried to present before Parliament. But I was asked a question by the Attorney-General and the Minister of State for Provincial Administration and Internal Security; why I was arrested yet I was trying to look for my rights as a woman. It is not only me. There are very many women. I even have the list of women who have suffered in the same way.

**Commissioner Shava:** Do you have the list there with you?

**Ms. Patricia Sawe:** Yes.

**Commissioner Shava:** Perhaps, you can just state the documents that you want to submit before the Commission.

**Ms. Patricia Sawe:** There is a letter that I wrote to the Office of the Prime Minister and I got a reply. I also tried to do a peaceful demonstration because I saw there was no action being taken and those people have come to the streets. Because I am affected, I would not like other parents to be affected as I am. There is also a printout from the internet. It has a website which shows that even in America, there is a cult and many people in America are also crying because of this church. I do not know why we have accepted this foreign cult here in Kenya to affect Kenyans and our children who would have become future leaders of this country.

There is also an admission paper at the University of Nairobi where my daughter was learning. She was doing Bachelor of Commerce Degree through parallel programme. I will ask for a refund of the fees I paid to the university and all the other costs.

I differed with my husband in 1992 and I have taken care of my children single-handedly up to now. The church went to look for the father of the children to give him Kshs100,000 so that my daughter can get married while my husband has a wife and other children.

There is a letter, I had addressed - There is also another person called Lois Yatich. Her husband was a District Commissioner. He has also been taken by the church and they have taken their marriage certificate and they want to nullify the marriage certificate in church so that he can be given another wife. He is being told that the person who is not in that church is a devil. He has taken all the title deeds and logbooks to the church. He has seven children and they do not even know where their father is living. His wife has



remained like a widow while the husband is still alive. He has been brainwashed and he is the one who is being used to give out the secrets of this country because he was a District Commissioner. He withdrew the children from Pangani Girls and Seko Girls schools so that they can join this church because they have been brainwashed by the Europeans.

There was also a letter - When I came back, I was intimidated by an advocate---

Thank you very much.

**Commissioner Shava:** Just tell us what you have and then we will read it on our own because of the time. We do not have much time.

**Ms. Patricia Sawe:** I will give you the papers and you will look at them. When I went to the media, we were intimidated and they asked me: "Why did you go to disgrace our issues?" Even the European told me: "You are a stupid woman. What are you saying? You think that you will not---" The European is also using the money he gets from his country to play golf when our children are just lying on the floor.

There is another letter I even wrote to the American Embassy for help but because I am a minor person and a woman who does not have any strength, there is nobody who has assisted me. I have used money and there is no place I have not gone to.

I know, you as the Presiding Chair, even the hon. Kilimo who is here with us, all of us are children of our parents. How can a European come and say that your child should be married out to a person you do not know?

Help us! Very many people are crying for help from you.

Thank you very much.

**Commissioner Shava:** As we wait for the next speaker, we would like to acknowledge the presence of hon. Chebii Kilimo who has been a friend of this Commission from the beginning. Also, her women friends from the UN have also been friends of this Commission right from the beginning. Margaret Kamau, you are welcome.

**Ms. Rebecca Mutuku:** Thank you very much, our Commissioners.

**Commissioner Shava:** I would also like to give you ground rules so that we can speak well. It is important when somebody is speaking that we respect her by listening to her. So, I would like to ask that we have one meeting. When somebody is speaking, please, listen to her. Do not have your own conversations, because some of the things that people are saying are very difficult to say. There are some things maybe they have never said before. This is a place where each one of us should feel safe and that the things we are saying are just for our ears. We are having a conversation amongst ourselves. So, please, let us listen to each other and give each other the courage to speak.

**Ms. Rebecca Mutuku:** Thank you, Commissioner Shava, for that good advice. I would like to give this chance to the lady who has a child.

**Ms. Florence Wanjiku:** Praise the Lord! Praise God, once again! My names are Florence Wanjiku. I am married to a Kalenjin man. I am very depressed because of the issues that happened. I remember when it was election time, people came to my home and threatened to kill me. He told them: “No, do not kill this woman because she is my wife and she has my children and because of that, she is part and parcel of the community.” My husband knelt down and surrendered and told them: “Please, do not touch her. Leave her to seek refuge elsewhere.” God helped them because they did not attack us and they told us: “Just stand there; we have heard your cries, but do not get concerned. I thank God because He spared me and my children.

I had a business. As a businesswoman, I used to sell clothes and shoes. People whom I knew very well came and took everything. My husband had taken a loan of Kshs400, 000 and had bought the stock. They also went to our house and took other items which they could carry. They burnt down all that they could not carry.

I had a young child of six months and another one of three years who asked me what was happening. That is when they started chasing us away with arrows. I asked God to help us to move to a safe place. When we were on the road, we went to Kapsowar. That is where we got people being slaughtered. I thank God because I was not injured, but it was very painful because since that day, my life had not been the same again.

My husband works with the prisons. He even goes to people to assist us. Since that time till today, our children started becoming unwell. In July this year, one of my children got unwell and I went to the referral hospital for medication. One of my children was mentally disturbed. I do not even know which disease attacked the other one. I do not know what I will do. We have sold everything including land and cattle. There is no single day that I have got somebody to help me. We went and wrote a statement at the District Commissioner’s office and also the police asking for assistance because we could not pay the hospital bills, but we did not find any solution. When we went to the DC’s Office, we were told to go there the following day. We went there from Monday to Wednesday, and it became a routine. I even told my husband: “No, I think now it has become extreme. Let God work on our side.”

I am appealing before this Commission and the Government to let us be human. When a person tells you that he was affected, it is painful and you should take a step to know how she or he was affected. When you come to my house, I have one stool. I do not even know where to put it. I have even forced my parents to take it. Even getting food is a problem. I sleep hungry the way you see me because we are servicing the loans. We have sold land and everything else because we have not got any assistance from anywhere. If you run to a person for help, he will tell you: “No, I also have my own problems.” It was my prayer that you help us because for sure, it is painful. I thank God because the children are now well. But I have a problem because these children are supposed to go to school and I do not have means to take them. When they go to school and when they

come back, I do not have food to give them. I had a job that used to assist me support my children but at the moment, I do not have anything or somebody to help me.

May God bless you and let us help each other and reduce each other's burden because as women, we are being tortured and our rights are violated. Thank you.

**Commissioner Shava:** Thank you very much, *Mama* Wanjiku. We are very sorry, but we are happy that you are here to tell us your story even as they are very difficult ones. As we go around listening to the stories of Kenyans, we hear so many bad and terrible things. Everywhere we go, we hear about people whose rights have been violated by the Government, by their neighbours and family members. But today, you have told us something which is very encouraging; that your husband, who is from a different community, did not abandon you and he pleaded for your lives and you are here today. So, we thank you for telling us that story.

**Ms. Rebecca Mutuku:** Thank you, Presiding Chair. When you get a chance, be very brief and take a maximum of five minutes.

**Ms. Linah Kiptum:** Thank you very much. My name is Linah Kiptum. I am going to speak on behalf of the families of Mulukutwa Location. Out of 44 members, twelve are women and 13 are children. Out of these twelve women, eleven are widows because their husbands were killed and about 13 women were injured. There are complications that resulted after the massacre. We have women who were paralyzed completely and some of them were stepped on like stones when they were running for their lives.

Of late, we have a female teacher called Dorcas Kilimo, who was mentally disturbed after witnessing her son and two of her brother-in-law's sons being killed. Last year, she disappeared from home and up to today, she has not been found. Children who were injured were six; some of them are alive and some are dead.

After that massacre, there were so many things which happened. Women were widowed and left to support their children alone. Some ran out of their families and remarried somewhere else. There were forced families planning for some time. I mean there was forced family planning after men went to keep peace at Marakwet. So, men were left to cater for the security while the women were left to take care of the children in the bush. So, they could not meet with their husbands. Therefore, there was a family gap of two years.

There were early marriages after some girls were left to take care of their families. Some of the women were left to take care of their extended families.

As I am talking to you now, we have two women who were left by their husbands who went to unknown destinations and up to date, the two women are still supporting their children in terms of education and family requirements. These women are poor because of the strains they are going through as they try to make ends meet without their husbands, and they do not have anywhere to run to.

After that incident, the livelihood of the community went down because the animals and the farms were not attended to. Up to date, most of the women and the children are psychologically traumatised; Children were forced to work for themselves and to take care of their siblings.

In the same vein, there was malnutrition and some children died because women feared being killed on the way as they were taking their children to hospital.

As of now, we have some children who went to the streets and they became destitute. There was an increase in the number of orphans and there is low population in the Kerio Valley. Some people migrated from other areas in order to save their lives.

When we look at it from the economic point of view, businesses declined because most of them were closed down completely and farms were left unattended, while animals were left wandering and some homes were left unattended and the general living standards went down. So, the expectations of the community are as follows: One---

**The Acting Chair** (Commissioner Namachanja): Just before you come to the expectations of the community, madam, when we use the words like massacre, some of the women here may not understand. I want you to share with your fellow women. On that day, what happened? What do you mean by massacre, when did that happen and it was done by whom? Then after that, you can give us your recommendations.

**Ms. Linah Kiptum:** When I talk about the massacre, I am talking about one day. It was on 12<sup>th</sup> March, 2001, when we were attacked by the Pokot. During that day, it was very early in the morning and the Pokot raided the whole village. As you understand, women are the weaker sex in the community and they were not able to run. Our area is hilly and most of them were caught before they escaped to safe places. Even for those who escaped to safe places, they were removed out of the caves and killed. That is why you find the number of women and children so big.

**Commissioner Shava:** Before you go to the recommendations – I am sorry if it was I who did not catch it – maybe you can tell us the name of the village and how many people you believe were killed.

**Ms. Linah Kiptum:** I have the names of the women and children. But for the men, it is in the other list. So, during that particular day, 44 people died.

**Commissioner Shava:** What is the name of the village again?

**Ms. Linah Kiptum:** Murkutwa Location, comprising of eight villages; that is Kamboi, Kasang, Kachesurgut, Rawi, Katomukwe, Kateserkei and Kaptun. So, this incident happened in one day.

**Commissioner Shava:** What are your recommendations?

**Ms. Linah Kiptum:** My recommendations are as follows:

1. The victims should be compensated.
2. Victims should be given counselling as individuals or in groups.
3. Victims should be given material support, especially in form of school fees for their children and even money to construct their houses.
4. The Government should guarantee us security, so that such incidents will never occur again.
5. Lastly, schools should be constructed in remembrance of those who lost their lives during that particular fraction of an hour.

As I am standing before you, I am also a victim of the same; my mother was shot one day and then she was brought to Memorial Hospital and her left leg was amputated. I have a photograph of her here; she is still alive and she is still asking herself why she is lame yet she was born upright. So, this is where I have seen that at least truth and justice will be found. So, if things work out well, we will want the Government to bring to book those who did the whole---

**Commissioner Shava:** I am sorry; by saying “bring to book,” do you mean “bring to justice?”

**Ms. Linah Kiptum:** Yes, and then they should be charged accordingly.

Thank you.

**Commissioner Shava:** Now, *Mama* Lina Kiptum, you said that the people who did this were Pokots. Do you know anything more about them? Are you able to identify them in any way? You said that people were shot, including your mother, sadly; so these people had guns? Do you know how they got those guns?

**Ms. Linah Kiptum:** Thank you very much. Those were our Pokot neighbours; we have lived together for many years and share many things. The problem is that these people have guns and we believe the guns were bought from the neighbouring countries of Somalia, Uganda and Sudan. Many of the guns were provided by the Government for security to people who were nicknamed “homeguards”, who, of course, did not do their work. Instead, they used the guns to raid others. We lived with the Pokots; we used to welcome them to our homes; my mother would even spare the food that we would take to the Pokots. She was almost killed after treating them well for so many years. Some of them are known.

My mother had gone for a case hearing; she went for the hearings severally, until it reached a time when I told her not to go any more because she used to get money from home and then attend the hearings. At last, there was nothing that was done. So, I had to stop the case because she would be asked “Do you know the person?” When she said “I know him”, they used to tell her: “Can you point him out from this?” In the end, the three

were not brought to book; they were released. We had to cancel the whole thing and then forget it forever.

My mother was the first one to preach peace; she went to a place called Bartelo in Pokot and other mothers asked her: “Why are you going, yet you are lame?” She said: “For the sake of the rest, I should preach peace so that others will not be like me.” She always tells me, “Preach peace in your house; preach peace to your people”, and I always attend these meetings; I always go to Pokot and I tell them to go to school. I tell them to be peaceful people. Most of them are my friends and I normally ask them: “Can you take your children to school?” They have been responding positively. I took my girl to Pokot and she did her Kenya Certificate of Primary Examinations (KCPE) there; she did well, and then she went to Londiani School. I am doing this because I see that it is something good. What I know is that if there is no peace, it is because we have forgotten that we belong to one another. If we learned that we belong to one another, then we will have peace forever.

**Commissioner Shava:** Thank you.

**Ms. Anne Cherotich:** We are very sorry and on behalf of the Commission, we say sorry to the families whose problems you have presented here before the Commission. There are documents here that I pray they be admitted as part of the record.

**The Acting Chair** (Commissioner Namachanja): They are admitted.

**Ms. Anne Cherotich:** Thank you very much.

**Ms. Peris Daisy Chepkosgei:** Thank you very much. My name is Peris Daisy Chepkosgei. I am a victim. I was shot by the General Service Unit (GSU) officers.

**Commissioner Shava:** Which year was that?

**Ms. Peris Daisy Chepkosgei:** In January, 2008. I was a resident of Baharini, in the outskirts of Eldoret Town. On that day, I did not know that I was going to lose my limb. I was inside my house; we had heard gun shots from a distance. After say 30 minutes, the guns died down. I live 500 meters away from the main road. That was when I told my sister: “Let me go and pick a lessa outside to carry my child so that we can go, because this place is not safe.” When I got out, I fell down. I did not know I had been shot. I felt something streaming down my leg; when I looked I found that it was blood. I heard my sister crying: “She has been shot!” She cried for help and some young men came. They were trying to take me to hospital but when we reached the main road where we were supposed to board a vehicle, we found the same GSU officers who forced them to put me down. I was bleeding so much and they told them to kneel down and raise their hands up. That was when they said: “We are trying to rescue somebody; she is suffering,” but they answered: “Go and take your bows and arrows so that we can see which one is powerful.” Fortunately, a car came; that was when they reported my problem but the people in the car told them: “There is no Kalenjin who should take her to the hospital.”

Fortunately, there were two Luhyas with them and I was taken by them to Moi Teaching and Referral Hospital. I was treated and after one week I was told that I could not live with my leg. So as to save my life, my right leg was amputated above the knee. From then on, my life has never been the same again.

*(Ms. Chepkosgei broke down in tears)*

I was married then and had two children. I was a business lady; I used to go to Uganda to bring goods and sell them. I decided that I should go to college, so that I could help with something in future; I consulted my husband and he accepted. I could not just sit. He accepted, but after one year, everything changed, although he was not paying my school fees. I went to our Minister, hon. Ruto, who assisted me to pay my school fees. But after one year, this is what I am telling you; currently I am not even with my husband because I became disabled. He ran away from me and told me: “Nobody wants you with your disability!”

*(Ms. Chepkosgei broke down in tears)*

That was when I went home for some time and he remarried. My mother-in-law came and took me to my house, where I was supposed to live and they left. When they left, I stayed there for some time. After that, he came back and he wanted me to leave. This just happened two weeks ago. He broke the door and now I live in a house that has no door. I have children and I have to support them, but I have no work. Like now, I have deferred going to school because I have to assist my children by cooking for them and doing everything else for them. My expectations are that I should be compensated or given employment, so that I can stay with my children peacefully.

*(Ms. Chepkosgei broke down in tears)*

**The Acting Chair** (Commissioner Namachanja): *Mama*, we are very sorry. God is always there for us and he will never abandon us. Your husband may have abandoned you, but God will never abandon you because you are very important and you are a child of God. You are very strong; take heart.

**Commissioner Shava:** Peris Daisy Chepkosgei, you are a very brave woman. You are here today, talking about a very painful time in your life which has just been continuing since the beginning of 2008. You have no fault, you did nothing wrong; you were in your own home and this misfortune came to visit you there. But we thank God that you are still alive; you are here talking to us, your children are alive; when we are alive, there is always hope. So, we have heard your story and we will be making the appropriate recommendations. There are people here from the Kenya National Humans Rights Commission (KNHRC), from our Parliament and from UN Women. We also work closely with the National Cohesion and Integration Commission (NCIC), and they are all going to know this story. Together, we are going to see how we can help you.

I want you to be encouraged; there was a woman in Kenya about two weeks ago, who was born without arms, and she is a pilot. She is actually a pilot; she can do anything and so can you. So, let nobody tell you that you are not beautiful, that you are not wanted and there is no use for you. This world has a lot of use for you; so carry on living for yourself and for your children.

Thank you.

**Ms. Anne Cheprotich:** We are very sorry, Ms. Chepkosgei, and all the women who are here today.

**Ms. Louise Chepril Legei:** I am very grateful to this Commission because I have the privilege to be here, Commissioners. I am also grateful to the MP for this opportunity. My name is Louise Chepril Legei.

After the elections in 2007--- I can start from 1992, when I was a victim. In 1992, I was also staying in that farm where we were also affected. I was working in a parastatal in Molo. When the 1992 Clashes started, I cannot remember where they started, but they reached us and we were told to close the door and wait for a few minutes to hear what we were to be told later. After 14 minutes, we were told to open the door and everybody would look for a place to rescue himself or herself. I was staying in a nearby farm and I tried to go to the stage. The children were crying all over and I could not make it there. Whistles were blowing all over the place and people were screaming everywhere, even the ones who were in *matatus*. I managed to board a *matatu* and when I reached somewhere, I saw some houses burning, whistles blowing and a lot of screams all over. When I stepped off the *matatu*, I ran, heading for my house. On reaching there, there was nobody. My children were in school and I started asking myself if my children were safe. I then ran to my neighbour and when I reached there, I found their father and very many people assembled. We stayed there until the following day. We were told by the neighbours that because we saw Kikuyus going upwards, we should go downwards. We went downwards until we boarded a vehicle; that was when we told the women and children to go back home. The Kikuyu were also boarding vehicles heading to Nakuru. We went home and stayed there.

We could not go to our father's or mother's place because they would not welcome us. We were a family with children. They would not agree that we go there because we would be like a burden. We were very many together with our neighbours. We stayed at Chepsion for two weeks until the 1992 situation cooled down. We stayed with neighbours until we came back home. We reconciled, voted and sorted out all the issues. We started living together with the Kikuyus in harmony and we did not know that the problems of 2007 would occur. The children went back to school there, but there was hatred in our hearts because most of us had been affected or injured. However, we did not consider it as anything. After that, we stayed until 2007 when a serious problem arose. This time round, it was so severe that everyone was affected at that time. I was affected; in 1992 we had cows, but they were not affected. But this time, they were all raided, including the sheep and everything else. The house was burned down; I cannot explain how it started at



that point when the house was burned, because after we finished voting, we waited for the results.

On a Sunday, we went to Church and when coming back, we said: "Let us now wait at the nearby houses and watch television." At around 6.00 p.m., we saw our President being sworn in and after some time, we heard screams near the shopping centre; we were near Eldoret Highway, the road leading to Molo and Nakuru; we were just at the junction. We heard screams from the side of Total. When people started screaming, shouting and blowing their whistles, we thought that it was out of happiness. They started singing, going round the tarmacked road and we were told that, that was the Kikuyu who had won the seat. They then went towards the shops and burned down one shop belonging to a Kalenjin man. They went to the other side and burned the house of another Kalenjin. We stayed but because the screams were now so extreme, we said that we should not go back home at that particular moment. I was staying amidst Kikuyus, Kisiis and Luhyas. I said I would not go to sleep at that particular place. Even my husband looked for a place to sleep. In the morning, I wanted to see if I could find a way back home. I saw my house burning down. I tried to scream but I was told "Keep quiet or they will come to this side." The house burned down to ashes, and we could not salvage anything. After the house was completely burned, they moved to the other side and the Kalenjins went to confront them; a fight started. I do not know how I arrived in Kericho; I cannot explain because I found myself in there. I was told afterwards that there was a vehicle that came and we were all put inside and taken to Kericho.

I tried to go to my parents but they told me that because I was not injured and my children were not injured, I should try my best to see what the Government could do; there was nowhere I could stay. My husband ran away and, afterwards, we heard that he had gone and landed at a certain woman's place. where he found shelter. To date, he has not come back. The children had been learning, but they are not going to school any more. I found my last born daughter after two months, and that was when I discovered that she had gone to seek refuge in Eldoret. She just boarded another vehicle heading towards Eldoret. I could not bring her back because I was just walking here and there, and my husband was not around; my father and mother-in-law would not allow me to go back to my matrimonial home. They said: "You have your land, just struggle with your problems. When you are through with it, you will go back to your land." After that, I stayed in Kericho. I tried to start up a business and I saw that my mind was not settled; I was given money and when I started a business, it crumbled. I could not even manage to maintain the capital because I did not have a good place to stay. The business was not prospering anymore.

In May, 2009 I heard of the "Operation Rudi Nyumbani" by the Government and I went back to Molo. We were told to register ourselves so that we could be given Kshs10, 000 to help ourselves. We were also asked to register for the Kshs25, 000. I did not go to the camp because in the camp, Kikuyus and Kisiis were saying that the Kalenjins were not affected. We could not be given food because the Red Cross had registered names. If they found that your name was missing, the Kikuyu Committee would ask you to register your name;; when they found our names, they would erase them off the register. So, I would

not get food even when food was being distributed amongst us. We stayed that way waiting for that cash until one day, very many people got the money, but many others did not receive it. I was one of the people who did not receive any. When they were giving the Kshs25, 000, we were called and again, I was unfortunate as I did not receive the money; they said that my name was not in the register.

We were told to wait and, perhaps, they would give out the money again. I asked the chief and he said: "For those who did not receive the money, we do not know where their names are." I went back to Kericho and stayed with the neighbours in the community, but I saw that there was no assistance. I went to my sister in Kapsabet, where I stayed for some time. My sister was chased away and was told: "You are accepting the IDPs; we do not have food here." I went back again to Kericho and stayed in the town. I tried to rent a house but it was difficult. I was assisted by the people who were preaching peace. They came to Total and took our names; we had a meeting and they called me. I was one of the people who were appointed as members of a committee; my heart settled.

When I was in Kericho, people used to come and visit me and we would speak in a good way; they would assist me and they would call me to their meetings. I was going round with them, but recently, in July, they had a meeting in Kuresoi, where they said that those people whose houses had been burned down should report, so that their houses could be rebuilt. As I was one of the people whose houses were burnt down, I went there and was fortunate to have my house constructed for me. I have a house but in that house, there is nothing. People are very frightened and even if you call them to come and stay with you, they do not want to come. I am appealing to the Government of Kenya to recognise the women of the Kalenjin; we are suffering. There are very many who lost their husbands and their children, but they are not recognised. They have nowhere to stay and there is nowhere they can get a forum to speak out; they are told that they were the people who triggered off the fights. There is one who lost her husband and we went for the burial. During the burial, her son was shot. A neighbour of mine also had her husband shot. They were together and they were going to save a house that was burning down. Going to that particular place, we could not understand who had burnt the house. The police were there; they were shot and died on the spot. The husband to my neighbour died afterwards in hospital. I am not the only one appealing to the Government to assist us and to listen to us. We are suffering from hunger; we do not have money even to educate our children. One of my children had completed college; that is the one we are depending on, but he has a family to take care of. One of my children who did not finish his education is "tarmacking" in Eldoret. Another one dropped out of school. I tried to take him to Kisii College, but I did not manage and he is also "tarmacking" in Kericho. He does not even have money to pay rent; he does not have anywhere to stay. I was rejected together with my family.

My father-in-law destroyed my house, saying that because my husband had gone away – he ran away from me and remarried – there was no need for us to go back and stay on that land. Now, in Molo, the children are filled with fear, and they cannot go back there; they fear that they can be killed. When you go back home, there is nobody who can accept you back. My mother is now in old age, my brothers look at me and think that I

want land; they chase me away. They tell me: “Go back to your home. You are coming here and people will want back their dowry. What will we do and we do not have anything to pay back the dowry?”

We are asking for justice, so that I and my children can resettle, and so that they can also marry. Where am I going to stay now and I am old? Will I just wander on the road until I die because there is nobody who accepts me? I have gone to human rights bodies; they gave me a letter, which I took to the chief and the DO. We tried to follow up on the issue but there was nothing that happened. I am still on the road and there is nowhere I can go. I went and talked to my brothers, and they told me to appeal in court so that I can be given back the land. I am asking the Government of Kenya, whom do I belong to? Whose visitor will I be?

Let me just end there.

**Ms. Anne Cheprotich:** Commissioners, for the sake of the record, we have been asked that she says her name once again.

**Ms. Louise Chepril Legei:** My name is Louise Chepril Legei. Legei is my father’s name.

Thank you very much.

**Commissioner Shava:** As we said earlier, we have with us a representative of the KNHRC, who is also taking notes as she listens to your story. I do not know whether you would like to make any sort of response at this moment.

**Ms. Loise Munala:** My name is also Loise. Which human rights body did you go to? Because if it is not ours, you will see me before you go so that I take your details and see how we can help you.

**Ms. Pauline Chebet:** My name is Pauline Cherubet from Kamagut. It was on 1<sup>st</sup> January, 2008. I was very sick during the election time. My husband, who was a mason, decided to go to his place of work to look for some money so that he could take me to hospital. That was at around 9.00 a.m. on 1<sup>st</sup> January, 2008. He was shot when he arrived at the tarmac road. I was told that he had been shot. I went to Armed Forces Hospital where I was referred to the Referral Hospital. I was scanned and it is at that time that he died. Since then, I have problems. I was left behind with two children. I am supposed to be operated on. Taking care of those children is difficult. I am really suffering. I appeal to the Government to help me and my children so that they can, at least, get some education. I do not have much to say.

**Ms. Anne Cheprotich:** We are very sorry. Let us also hear from the next person.

**Ms. Martha Ndogotho:** My names are Martha Ndogotho. I work for Coalition for Africa. We are here in Uasin Gishu to show solidarity with the people of this region for

what they have gone through. We have training for women leaders from Uasin Gishu County. They are 24 of them. We have come up with recommendations for onward forwarding to the relevant authorities. I will ask my colleague to read the recommendations on behalf of the group.

**Ms. Teresa Chepchirchir:** Good afternoon. I would like you to be patient. We women have been created to undergo painful circumstances. This should be a lesson so that we can change the way we live. Our lives have been full of ignorance. We do not emphasise on issues like education and others that could empower us. I would like to recommend the following to the Commission:

1. There should be counselling programmes for women projected towards trauma healing which is a result of the past experience.
2. Resettlement of IDPs so that they get their homes back. A home is the base of everything.
3. There should be women networks like the Coalition for Peace in Uasin Gishu. That should be a women's project. That way, we will be able to get information down from the grassroots of what is happening. Conflict gets out of hand only when it has been ignored. I want women to take an example of the women in Liberia. The women there struggled and brought liberation to the country. There is no much difference between what happened here and Liberia. Peace is not attained in a day. It is gradual. It is a process. So, we have to participate as women to achieve it. We are sorry for those women who encounter these problems.
4. Women should be given civic education, more so, voter education for them to exercise their rights. The new Constitution covers us on all these problems. So, I would request that this education be taken to the grassroots. The last time we had such a thing, it was not sufficient. From these talks, it has been proven that most women do not know much about this new Constitution.
5. The Government should support the implementation of this ongoing process through administration meetings and peace building should be on the agenda.
6. The Government should create a women's fund for women victims. When women cry, "*niliachwa bure*" there should be a system where this is evaluated and the women get helped. The Women Enterprise Development Fund (WEDF) should benefit these women.

**Ms. Rosemary Wanjiru Kuria:** My names are Rosemary Wanjiru Kuria and I am a resident of Uasin Gishu. I have been working here since 1998. I am one of the victims that you heard went up to the Show Ground in Eldoret. I am among the first people who were evicted. We had camps, that is, Zone A up to Zone D. I was in Zone A and my tent was No.212. I have three children. My first born is in first year at Kenyatta University. The second born is in Standard Four while the third born is in Baby Class.

Since 2007 my life has changed. I had a business, but I lost everything. I was living with my husband with whom we got two children. He is a Marakwet. Since 2007 we have not lived harmoniously. After the clashes, he saw that life had come to an end. I have taken care of my children with a lot of difficulties. Before the clashes, he would pay school fees

for my child. She went to school in Loreto. She passed well and was called to join Kenyatta University. He refused to pay school fees for my child. I looked for the school fees and ensured that my child joins university. I stay with my two children. He does not want to pay rent, neither does he pay school fees. We always have conflict. He would come to the showground and take me and the children to a lodging. It is all because he wants to see the children. I do not understand whether I am married or not. I do not know where my children's rights are. Even feeding is a problem.

He promised to pay this term's school fees. When I met him last month I asked him for school fees and he beat me up in town in front of people. He is able. He is employed. Even Kilimo knows him. He has a good job, but he is making us suffer. My child who is in the university has gone to Lodwar to look for employment so that she can pay school fees for herself. My husband is just in town moving in vehicles. He does not want to assist us. I do not have a job. I had a job, but when I came from the showground with Kshs35,000 I established a poultry farm from which I raised school fees. My husband has refused even to feed the children. He walks about proudly. When he beat me I went to the police, but I could not get a P3 Form. My children have a right. My children's certificates show that they are Marakwets and I am Kikuyu. Why can he not then remove those names from the certificates? I have not paid rent and water. I am going to be chased away. The Government should give us land so that we can stay on our own without those husbands.

**Ms. Ann Cheprotich:** We are very sorry. We have heard about the difficult issues that women undergo. Please, take heart. I believe that this is not the end because God is there. Through such a process by the Commission, we will get a solution.

**Ms. Margaret Odongo:** My names are Margaret Odongo. I have had a problem since 2002. I have worked in a company called KenKnit. When I was working in there, the workers appointed me to represent them. There was a case in court in which I gave evidence. That is when my problems started. I was defending the rights of my fellow workers. When I was dismissed, they did not pay me my money.

Rev. Joel Chebii Kandie, is the leader of the Baptist Church and chairman of the branch tailors and textile union. He is also the National Chairman of Textile Workers Union. He is the Second Vice-Chairman of COTU. So, they have been staying there disturbing us. I have appealed in court, but the files are put aside. I am always told to pay.

My fellow workers contributed Kshs80, 000 which I used to register as an official. I paid the money, but my name was not in the register. We tried to pursue the matter even in court but we did not get justice. They said that I should be refunded the money and I should not go there for the elections. Since it was a judgment from the court I decided to leave it at that. Up to date they do not want to refund me the money. They tell me that there is no where I can go.

In another election my bid to vie for elections was rejected. I filed a case in the High Court, Nairobi and it was decided that I should pay Kshs1.2 million because I sued him in

court and yet he is a leader everywhere. This is an issue that is still there. The workers are pained. I have been affected. We women are not allowed to vie for any leadership position at that place.

Rev. Joel Chebii, paid thugs to come to my home. It was during the day. They had planned this matter. I thought I could get assistance from this Commission. I am a representative of the workers. I am appealing to the Commission that I be given my chance to lead the workers and get my rights. I should be compensated. I have not received any money today. They wanted to give me Kshs4, 000 for the 15 years I worked for them. I did not take the money. The case is still pending in court. We have struggled. I went to the human rights office near the Catholic Church and also the judiciary but there is no assistance.

I will not fear to speak out. What is happening now is that if you take a report to the police you are the one who will be arrested. This is a problem in KenKnit. This has been brought about by Rev. Joel Chebii Kandie, Mr. Ruto, and the Registrar of the Trade Unions, Mr. William Lang'at.

They took my child recently. I was told to go and pray in that church. I was given the name and phone number of the leader of that church. They hid my child. There is a woman who called me aside and told me the person who had the child. At the moment I have the child. We went to the police station, but I was told to go back home.

**Ms. Martha Rop:** Our leaders present, Commissioners, hon. Kilimo and all my fellow women, good afternoon. I am one of the leaders in this area. I am a resident of Uasin Gishu, Eldoret North. We have a matrimonial home in Eldoret South, Wareng District.

I do not understand why we are being given only one minute. You have come to hear our problems and if you do not allow us to speak--- We could have told you all our problems here in Uasin Gishu so that you know them. If you limit us, you will not know them. When we come to Nairobi through various forums, we do speak.

I thank hon. Kilimo because she listens to the problems of women. She has done work with human rights groups. I have been in one of your organisations.

We want reforms amongst women because we have been discriminated against for so long especially culturally. Here in Wareng, that problem is too much. I am happy because I am one of those who fought for the new Constitution. I was Delegate No.509 at the Bomas Conference. Ours is a cosmopolitan community, but the Kalenjin are the majority. I am talking with bitterness about the Kalenjin men. It is because they have really tortured their wives yet the women do not want to speak out. I have decided to come out and speak the truth. I was born 50 years ago. I wedded in church. My husband decided to chase me away after staying with him for around 30 years. I was beaten and I lost a tooth. I was admitted at the Moi Teaching and Referral Hospital in January, 2011. That was the second serious beating. Men will tell you to persevere, but it has become too much. If you go the Moi Teaching and Referral Hospital you will find women whose

limbs have been broken by men. The reasons for them being beaten range from them blocking their men from selling cattle or land.

I have daughters and granddaughters. People are talking about refugees. That, to me, is better than what we are going through because it is a national issue. I have blood pressure. I walk with medicine. I am asthmatic and nobody is taking care of me. I have daughters and it is God who gave me. I cannot get somebody's child and plant him in my womb so that I give birth to a son. I was a civil servant for 15 years. Although I was a subordinate staff, I worked. Despite all the property that I bought, my husband decided to bring another woman to the home. Surprisingly, the police here in Uasin Gishu do not help. I was beaten and the case is pending in court.

My father-in-law told me to rent a house. I am wondering where justice is. I have attended conference cases at KICC. Hon. Kilimo, you were present. Where is justice? I have been a civil servant and yet somebody has decided to take my property and chase me away with my children.

**Ms. Martha Rop:** My last born is in Kapsabet Girls. Another one has gone to Kiambu Institute. As I speak, I have been called and told that they are going to be sent away tomorrow due to fees' balance. Where is justice? Another one who is supposed to join an aviation college--- My husband has land and plots at the airport. There is even a house that I built when I was doing contracts. I was beaten and lost my tooth. Before we went to the police, he just beat me and told me that I had--- I was bleeding through the ears and nose. I went to the OCPD to report. The councillor of that area came and said: "Mr. Rop, we know that you are our family friend. So, I think that this issue should be discussed by the council of elders." I have been chased away and there is another wife in my house which I constructed using my money that I got when I was doing civic education. They said that the case should go to the council of elders, but I said no. My father-in-law tried to call us so that we could have a discussion but they refused. I am talking as a refugee. I know that there are women who are suffering but will never speak out. When I moved from that place, I tried even to call the assistant chief, but he said: "You know, issues of your husband should not be disclosed. Just keep quiet." How can I keep quiet when I am missing my tooth and the children have been sent away because of school fees? They are taking rent from the plots in Eldoret and Burnt Forest. He has even taken the land that I bought before I got married. Where is justice? Where are those people who are called professors? Where is the Kenya Human Rights Commission? You are just up there looking for the senior people who have houses. I made a statement but nothing has happened. It was on 15<sup>th</sup> January and the OB number is 15, in Kiambaa. There is no step that has been taken. I went to the state counsel and tried to follow up. I was told that the DCIO was investigating the matter. After one week, I asked: "How is this investigation going on?" Somebody told me to go and find out from the DCIO. When I went there, I saw my husband coming in from the other side. When I went to the senior state counsel, Mr. Oluoch, he told me to write a letter. There are two letters at the state counsel's office, but there is nothing that has happened. After that, I was told that my husband and I were supposed to be charged for fighting. I do not know which statement they used because mine got lost in the hands of the OCPD. I went to the PPO and reported to somebody

called Ngara. The PPO called the OCPD and said that they were going to arrest the person, but up to date, he has not been arrested. I went to KICC, Nairobi. Mr. Mutula Kilonzo, the Minister for Justice, National Cohesion and Constitutional Affairs heard me speaking. Mrs. Linah Kilimo is here; I am not cheating. He asked me whether I recorded any statement. He told me: "I want all those complaints." I went back to the OCPD and said: "My children are suffering, what do I do?" He said: "You have delayed and your statement has gotten lost. You have never come to record another statement." Even if he is charging both of us, let us go and defend ourselves in court. My husband retired from Telkom Kenya and got Kshs2 million. In December, he married another wife. As I speak, the title deed has been transferred to another name. I went to the Lands Registrar and he told me that he would investigate the matter. The one who got Kshs2 million is the one who is being listened to in court, police station and before the council of elders. Where is justice? I could have committed suicide but because of my children and grandchildren, I decided otherwise. There is no justice in this country. If it was my wish, I could even go to The Hague so that they can listen to me. That is because the Government is not taking action on violence against women. The women are really suffering.

As I finish, up to date, there is nothing that I have been told regarding that case. When I wanted to record another statement, they told me that the file had gotten lost. Now I have given up. Let me remain a beggar. I was a very neat person before. For the last 20 years, I have been fighting for the rights of my fellow women. How am I going to fight for the rights of those people and yet, I am a victim of circumstance? What about that person who is not informed in the village? Mrs. Linah Kilimo, you trained me in ECWD. Where is justice? Is it right for a man to bring a woman to your own bedroom in front of your children? The Eldoret Police Station is corrupt. The courts are also corrupt. Let them kill me today and it is on record that, that woman was killed because she was speaking the truth. How am I going to get assistance with my children? Where will I get money to go to courts every now and then? God will help the women. Do not fear to speak because God is alive. Those who think that you are not fighting for your rights will be cursed.

**Commissioner Shava:** Thank you very much. You are a very brave woman. For anybody in a position of leadership to admit in front of people that the same thing that happens to a woman with no education happens to her is a very brave thing. *Haya mambo ya tutulie yamezidi*. That is how we are killed in our own homes and then people come and pray for us. So, you have done the right thing. You said that you are going to give up. Please, do not give up. I think you are such an amazing example and I thank you so much for sharing your story. I will say something now because this was public testimony. When we were in Kisumu, we heard in the public hearing from somebody for whom I have so much respect as a woman leader of this country, *Mama Phoebe Asiyo*. She cried telling us how, just like the trade union lady who spoke, she was vying for a seat and the Provincial Administration removed her from her house when her husband was not there at 3.00 a.m. The long and short of it is that she ended up walking without any clothes in public. It was humiliation designed to just degrade and stop her from fighting for something which is her right. So, you are not alone. *Mama Phoebe* is still going and I can see *Mama Martha Rop* is still going. Do not let anything stop you. We have heard you and are going to do something which is appropriate to your situation.



**Ms. Martha Rop:** Excuse me, Madam Commissioner, just one thing that I had forgotten. I am a trained paralegal and district convener in Women Focus Organisation. I even fear to call women for peace rallies because in the Kalenjin community, if you are a leader and have separated with your husband, you should not speak in front of people. I was vying for a councillor seat in 2002 and out of nine men, I was number two. One of the senior leaders just corrupted people and told them not to elect a woman. When I was doing the peace building initiative--- I am not tribal because my daughters are married to people from different tribes. As I speak, my husband has been used by other politicians because they know that if I stand as a leader, I will speak the truth. They say that I should go back to my husband first and then vie for a seat. I did not want politics but I will try as long as I am alive to fight for the rights of women. The gender biased courts do not do anything. Women, have you gotten assistance? There is nothing. When you go there you are asked: "Where were you beaten?"

**Commissioner Shava:** Thank you very much. There are people who have been waiting for us for more than an hour. I will allow two more people to speak, but only briefly. Take one minute each, please.

**Ms. Ruth Rotich:** My name is Ruth Rotich. I am very grateful, hon. Linah Kilimo and Commissioner Shava. I will be very brief. We do not want the issue that happened to recur. I am 66 years old and have experienced fights since 1956. As I speak today, I did not see my grandfather because he was killed by the Europeans during the Nandi Rebellion. Please, Commissioners, I am really blaming the three regimes; Jomo Kenyatta, Moi and Kibaki. We have the first victims who were the first people to be IDPs in Kenya in Kibiyet and Surunoi. We want sustainable peace so that we can really assist these first victims. Let us first of all help the first people who were chased away by the Europeans. During the Kenyatta regime, there was nobody who could come out and say that there were people who lost their houses and were labourers in the white settlers' farms. Will they really have peace if they are not considered?

Secondly, I got education through the aid of a European man. That is because when my parents died, I was taken by a European. Around 1961 and 1965 chaos arose again between the Nandis and the Luhyas. They were displaced because they were in camps. We went to see an old man who was an elder. He was the father of PC, Boit. We said: "Why are we suffering here in our own country? People are coming from outside to evict us and yet, we have not done any wrong." That elder fought for the rights of the people and told the Luhyas who had come from Kapsun to respect the hosts.

The Kenya National Human Rights Commission and the media, please, do not exaggerate; just say the truth. Do not be biased. I think that will bring about peace. If you say that the Kalenjins are the people who started it, there is nobody who planned for it. All our people were affected, especially the Kalenjin women. The Nandis have really suffered since 1896. What are we going to do to those people who have been affected and are suffering, if Commissioners like these ones cannot consider them? The

Commissioners are here to find out reasons why people fight every now and then. We should look for the source of this problem.

Again, I witnessed a certain case and blame the Government. There was a person who was called Matengwei and another one called Chemungwer. I visited their families. Chemungwer was shot in front of the District Commissioner (DC), District Criminal Intelligence Officer (DCIO), National Security Intelligence Service (NSIS) and OCPD. That person was harmless and was not armed. If you cannot intervene on such issues, there will be no peace. The Government should arrest people and not kill them. What are their families going to do? Let us look for the root cause of this problem, so that we can get peace, justice, national unity, healing and reconciliation.

Thank you.

**Ms. Teresia Wambui:** Madam Commissioners, hon. Kilimo, my name is Teresia Wambui. I have lived here for around three years. Before I came to this area I was living in Central Province. I would like to go back to the past because of the violence that we have undergone as women. In 1990, my dad passed away. I had just sat for my Form Four exams. Before he died, he had paid school fees for one year. I went to college and paid school fees. In 1996, I got employment with the *Bata* Shoe Company. I worked up to 1998 and wrote an article that was published in the international *Bata* Magazine. I was dismissed from work and did not know what to do. I went back home and delivered my first born in 1999. There was nobody who would receive me at home and they chased me away. I went to live with one of my sisters. I would sleep hungry even for one week. Through those problems, God has helped me to date. I do not like exposing my problems and so, the one I was staying with did not even know that I was sleeping hungry. God helped me and nowadays I am a hawker. Since *Bata* Shoe Company destroyed my image, I could not go anywhere and say that I am trained. I hid all those details and said that I have never gone to school and started to hawk. As I was hawking, I went to the Bible School in Machakos in 2007 and when I came back home, they chased me away. I went to Nairobi and we would sleep in an Eldoret Express bus. In the morning, we would bathe in the city council toilets after paying Kshs20. We would go home after one week to wash our clothes. We decided to come to Eldoret. I had some little money and my friends in Nairobi also boosted me with some money. We came and started a business here with certain *Akorino*. In two and a half months, they again chased me away and stole everything. We had stock of around Kshs40, 000. The *Akorino* came with a taxi and took the stock. Up to date, I am paying back the money. They told me to be paying back Kshs1, 000 per month. There was no contract and I decided to leave the issue and God assisted us. There was a cheque that they had stayed with for around one year. They called me and I started hawking again. I paid all the debts and where I am right now, God is great. As I speak, my daughter is in a very good private school. She is in Bresco House in Nakuru. It is a private school in Bahati, even though I am threatened every now and then where I stay. As I speak, the lights are off and I do not understand how it happened. They say that I am a *Mungiki*. The youths have been told to investigate me. I love farming and there is a small section that I cultivate very well and it can pay my rent of Kshs4, 000. I take spinach to children's homes. The people of that particular area

mobilised youths to uproot the spinach. At times, my house is even locked and the fence destroyed. Sometimes, I even fear that they are planning to rape my daughter and I, and they are just my neighbours. It is the work of women. They say that they do not understand my issues. I am just depending on God. It is very difficult for the Government to help you when you are hurt emotionally. It can only help you financially. So, it is good to depend on God. In hawking, there are boys that I give work. I also visit hospitals and talk to women. I even go to provincial hospitals using the money that I get from the hawking business. I also preach in vehicles but do not ask for any offering. I really do not like fights.

I was in Trans Mara from 2004 up to 2006. I was speaking to the women because there had been bloodshed for very many years. I told them: "There is nothing that can quell bloodshed other than the blood of Jesus Christ. If you want peace in future, pray as the women of Trans Mara." Today, there is peace in Trans Mara. The women cried to God and He said that he would uplift the Maasai. In future, you will see how God will uplift them. Bishop Muge was killed on the soil and it has taken the blood of very many people. I said that in Naivasha. I told people: "The Government has cried about accidents on this highway. Blood has been shed in Naivasha for a very long time. Father Kaizer was killed here. It is the blood of Jesus that can fight with the demonic forces on this highway."

I heard a lady talk about a cult. Pray to God so that He will heal everyone. Do not get healed financially but also physically, spiritually and emotionally.

God bless you and thank you very much for giving me this opportunity.

**Ms. Anne Cheprotich:** Thank you very much, for encouraging us. From those words of wisdom that you have spoken, you have really encouraged us. I can see that there are several women who want to speak, but because of time and the work that is in ahead of you, perhaps, at the end of this hearing, if there will be an opportunity even after the work of the Commission, we can look for a forum for women to express their views. Many of them want to be listened to but there is no opportunity because of time.

**Commissioner Shava:** Thank you very much, our Rift Valley Coordinator. We can talk until next week. We have to cover the whole country and Parliament was kind enough to extend our term, but only until May. So, in order to listen to everybody, we have listened to people in North Eastern Kenya, Upper Eastern Kenya, Western and Nyanza. In Mt. Elgon we heard stories of Matakwei, land, migration and people's attachment to land. We still have to go to Lower Eastern, Nairobi, Coast and Central so that we can give everybody a fair hearing. We will also have thematic hearings. We will be listening to a lot of the things you have said here today with regard to the administration of justice, conduct of our security forces and administration of justice in Nairobi. Your contributions are very much valued and will help to enrich the discussions that we will have there.

Today, we have spoken about ourselves as women. We have spoken about opportunities for leadership for women. We have also talked about how the issues of livelihood affect women. Often this goes hand in hand with education and also issues to do with inheritance. In terms of livelihood, we depend a lot on land and we have heard a lot in

other parts of Kenya. There are issues to do with grazing rights and water and farmlands. These are the things we seem to fight over as Kenyans. We have listened to issues around the rights of women. Women come in very many different forms. We may be single mothers, widowed, married or a combination of those things. We have listened to issues affecting children and their rights to education as they are guaranteed in the Constitution; to have a safe and healthy childhood, and the way in which these rights have been violated. We have also listened to issues around security, of how we have been attacked by our neighbours, disruption of our lives, injuries and deaths. We have also listened to issues of extra-judicial killings and shootings.

And in all this, the issues really resound with the things that we have heard in other parts of Kenya. So, for me, the question for us is that as women, how is it that we are influencing the growth of our nation? When we talk about political leadership, in what direction are our political leaders taking us? In what direction are we as leaders in our own homes taking our families? What do we discuss around the table? How do we refer to other Kenyans? How do we resolve conflicts because conflicts will always be there? As you are resolving conflicts, do we think that the solution is violence? Do we think that the solution is undermining the rights of other Kenyans? Because, then, how will we all live in this Kenya?

When we look at the issue of counties which we will see becoming a reality after the next elections, how do we conceptualize them in our own minds? Is this the time when we will say to each other as Kenyans that we will balkanize our nation and divide it into little sections, where we say these ones belong and those ones do not? Or will we look at the United States of America or Germany as examples where anybody lives anywhere, the standards of development and security are quite high and where a person who traces his roots to Nyanza is the President? That could not have happened if they had said to Barrack Obama: "You are not an American for this or that reason." I would like us to think in our own minds about how we conceptualize and visualize Kenya 20 years from now when our counties are a reality.

So, I do not want to say much because today is your day, but we, as women, we recognise the fact that we are brave. We are survivors. We speak out. We refuse to be intimidated. We fight for ourselves; we do not wait for somebody to come and fight for us. We fight for our children. We support each other and listen to each other. We work hard. We are leaders. Above all, as women we are human beings.

Human rights are God given to every human being. There are no human rights for men which are separate from human rights for women. We have the right to live, bodily integrity, own property, seek positions of leadership, get married if we want, not to get married if that is what we want, control our own bodies and have our children or not have children. These are not rights which are a gift. They are rights. So, when we find that our rights are violated, even if we feel broken and we feel like not carrying on, we must fight for our rights because the face of women is the face of the nation.

Where a woman is living badly, where you have a country where it is normal or acceptable for the rights of women to be violated, things will not go well with that country. Because we love our country, we want to build it. So, we cannot give up. Thank you for sharing your stories. I assure you that we value your time and the fact that you have come to share with us your experiences of living in Kenya. Some of the things are positive, many things are painful. We will do what we can in our role together with our partners and the Kenya National Human Rights Commission, the National Cohesion and Integration Commission and other partners such as UN Women who are represented here today. I would really like to especially thank hon. Chebii Kilimo, because one woman said to us a few weeks ago in a meeting such as this: “Our politicians cause our problems and you see that they are not here today. Therefore, we are the ones who are going to solve our own problems.”

Hon. Chebii is a good example. She is in touch with the problems of the people of this area. She has taken her time to come and listen. For that, I would especially like to thank her. We will now have to go. So, I will hand over the programme back to our coordinator. But before I do so, I would like to ask if there is any one of our guests from this table who would like to say anything.

**Hon. Lina Chebii Kilimo:** My fellow women, I am very grateful for the time that I have spent with you because I can see we are running short of time. I am very grateful because our Commissioners have given us a chance to speak. We should not move out before we air what is in our hearts. I have said earlier on, I just came to listen to the problems that the women are undergoing so that when God will give me an opportunity to speak, I shall also express all your issues. I will be talking from an informed point of view as I understand how the women’s problems are in this particular area. I am very grateful for those people who have told us their problems. I am going to leave this place having understood better issues pertaining to women.

You have heard you are being told to persevere. You will persevere until you die because the community is the one that decides your way forward or how you stay. But even if it is like that, I would just like to encourage you because women are the people who create life. God has given us a lot of intelligence. This is because the moment you give a woman, even one who does not know how to read and write, a chance to take care of a child for one hour, and you also give a man who has a PhD a child to take care for one hour, you will realise the difference. Maybe that one who will have been taken care of by a man, may not survive for a single minute. So, all these problems that we have undergone, let us just hold them in our hands and say that God believes that we can carry the burden. Currently, we are 52 per cent and you know this is why we were fighting for the implementation of the Constitution, so that we can get 117 women to go to Parliament. That is why we are amending the Constitution, so that we get that section.

We are asking ourselves why it cannot be possible for the one-third that we are looking for. We can have one-third of women and one-third of men, then we struggle for the other one-third. We know the people who are most affected when there is no peace in the country are women. I come from the area this woman has talked about. When there are

conflicts and you are with your husband, you are told: "Tell your child to keep quiet." Now you just wonder. The child is crying, but you are ordered to tell her to keep quiet. You are running with the child because you cannot leave him behind. What will you carry when you have one child in the hands, another one in the womb, and *sufurias* that you will use to cook for them? Most of the problems that have been addressed here today, apart from the one about Martha, especially the conflict between her and her husband, are brought about by bad politics. We, the women of Kenya, can change the politics of Kenya. We can change Kenya to be a Kenya that will accommodate all of us. We do not have any boundary. We do not have cultural boundaries. A Kalenjin marries a Kikuyu. A Kikuyu marries a Pokomo and so on. We do not have any boundary. Kenyans can marry in any part of the country. So, Kenya is our country. I am praying that we get devoted to make the Kenya that we want. We will start from this new Constitution that has given us a chance. We, as women of this country, should be the peace ambassadors because we are the first teachers of our children.

We are the ones who tell the children their tribes. We are the ones who tell them: "You know, you are a Marakwet. Sing like a Marakwet." Even these men that become aggressive towards us, we are the people who started telling them: "Be like a man. Do not be like a woman." Let us start to change our families and our sentiments so that tomorrow our grandchildren will live in a peaceful country. It is the role of women to change our society.

Mary, the Mother of Jesus, cried for her son when he was being crucified. He died, was buried and resurrected. Everything in Heaven was stopped and an angel was sent to go and see why the woman was crying. Our cry cannot just be for the sake of it. God is alive and he is listening to us as long as we have positive expectations. Even if it is dark today, tomorrow there will be light. I think it will come to pass and we will have victory.

I am very privileged to be in this particular forum. If I get another opportunity, I will join the TJRC, so that I can really understand some of issues that we assume cannot be ironed out. Martha is my friend. I could not just believe you are going through all this. We have been paralegals together, being trained with this child. She was young at that time we were trained. We were chased from Marakwet because it was claimed that we had brought women voters from America. We were asked: "What are you doing here with Europeans talking about human rights? Go away!" At that time, I was fighting for the rights of the Marakwet and the girl child against circumcision. So, I will look for an opportunity and come because I want to understand. You may think everything is okay because it is okay where you are staying, but there are others that you cannot understand. That is why I fought against FGM and now it is entrenched in the law. I did not want girls to run away from their homes like I did. Today, I have learnt a lot and I want to take that path as I empathise with the women of Kenya who are suffering, so that we can make Kenya a better place and not go through what you have gone through. Thank you.

**Ms. Anne Cheprotich:** Thank you, hon. Kilimo, for those words of encouragement. We have seen your brevity to come and cry with the women and see what they are undergoing. Welcome Pamela.

**Ms. Pamela:** Good afternoon my fellow women. First of all, I would like to extend my gratitude to the TJRC for giving women this opportunity by coming here so that you can listen to the cry of the women. What are these problems that the women have? They should take these issues to the Commission. We hope that the issues of women will be articulated in the final report of the Commission. That report will explain the reforms that are going on in this country. So, this is a very good time. They have stayed here with us. They have heard all those issues and I know it will go into the final report.

As women from UN, we work hand-in-hand with this Commission to ensure that the issues that have been discussed here today are addressed. We listen to the cry of a woman that you have heard here today, the impunity, the problems of IDPs, family conflicts, people being killed for no apparent reason, people who have been maimed and those who lose all their property and they have no food. These are very heavy issues. We have heard all those and we will sit together with them as they unite. We will ensure that, that report has all those issues.

As I sit here, I am really being affected as a person because for a very long time we have worked on issues pertaining to women rights' violations. We continue to assist on that side of the Government and also the non-governmental organisations that we are partnered with.

I would like to thank the women for coming here. You have left your work. You know this is a very important forum. I am telling you not to give up. You must fight for all these reforms, even this leadership that is just by the door; take that opportunity to vie for leadership positions. Hon. Kilimo is a politician and a mother. The others are there doing their own work, but she has seen that this is an important issue and that is why she cares. We must also vote for ourselves and have more women leaders so that they can address our issues in the higher offices. I just want to encourage you, let us join hands. We are also committed as the UN women and we will continue working together with you.

**Ms. Anne Cheprotich:** Thank you very much, Pamela for your contribution. I can see the women are very happy. We are very grateful. The Commissioner mentioned that the UN has been very good friends of ours. We are very grateful for the unity that you have together as a Commission.

**Ms. Loise Munala:** As I have told you, my name is Loise Munala. I work with the Kenya National Commission on Human Rights. I am a gender specialist. I have heard you talk and cry and I would like to tell you that in Kenya and in many African countries, women go through the same issues. Even us, we also go through those issues. The only difference is that if you are empowered, you have a job or a source of income, you will find that a man cannot mistreat you. If you want to leave, you will leave because you are able to take care of yourself and your children. I always tell people, if there was a woman president, things would be very different because as a president before you go to war, you will think of your children.

I am very happy that hon. Lina Chebii is here. She was one of the first crusaders against FGM in this region. It has now been turned into law. I was seated there and I was talking to her about the Marriage Bill. We were saying that we will advocate for it to be passed quickly, so that women are not mistreated in marriage.

Are you aware that if a man lives with a woman for six months they will be considered married? I was also listening to women saying they do not have this education. We, as the Kenya National Commission on Human Rights, conduct education on human rights. You can come together and invite us, so that we can empower you.

Another thing we do is that we take complaints. We also go to court and seek redress for those who cannot afford court fees and lawyers. We also advise the Government on various laws and Bills and we advocate for reforms. We have been instrumental in the police, judicial and the prison reforms. As I stand here, I have been in Meru for a week educating prison officers. We also do the same with the police, so that when you want to go and complain there, they listen to you. Somebody talked of the gender desks. We are trying to empower the gender officers, so that when a woman goes to complain they know what she is talking about.

In the near future, we will have education at the county levels to educate people about devolution, leadership and integrity. One thing I want to tell you, to be able to get that gender parity we must bring men on board. This is because if we just talk to you, you are already converted. For example, people used to say that FGM is a women's issue, but it is not a women's issue because the men say they will not marry women who are not circumcised.

So, I will not talk too much because I know you are tired and Madam Commissioner has to go away, but I would like to ask the TJRC to find more days to listen to women's stories because women's stories are unique. Thank you very much.

**Ms. Anne Cheprotich:** Thank you, Loise, for such wise words. We have come to the end of today's meeting. I would like to say thank you very much for coming. You left your other issues and household chores because you have confidence in this process. You have volunteered that our positions of the home and the community have changed. This is to ensure that in the coming generation, our children and great grandchildren can stay in a peaceful environment.

I am very grateful. Thank you very much. I would like to ask one of you to guide us in a word of prayer, so that we can release Madam Commissioner and our visitors. We will remain here for a few minutes. There are some materials that we would like to get and also have a drink. Thank you very much.

*(Closing prayer)*

*(The Commission adjourned at 3.20 p.m.)*