

## MWAKIRUNGE DUMPSITE IN MOMBASA - A MAJOR HAZARD

Perhaps you have noted a cloud of smoke or numerous birds as you land in Mombasa airport. Yes, many will say this is not a good sight at all. Surprisingly, this fog does not occur naturally but is as a result of an enormous illegal Mwakirunge dumpsite. For years, this dumpsite had been a nightmare not only for Mombasa residents but also for the Airports authority.

This dumpsite exists there illegally because it is not licensed by NEMA. Secondly, it has an open access to the public making it more dangerous. It in this regard that Kituo cha Sharia Mombasa office through the support of Ford Foundation in partnership with Action Aid, KHCR and Clarion have taken the initiative to ensure that the dumpsite is closed.

The partners have been holding meetings together with Fatma Awale, the water and resources Minister Mombasa County to come with a lasting solution to this menace. As earlier stated, the dumpsite has created myriad problems; it is located on the flight path and



*Mwakirunge Dumpsite in Kisauni, Mombasa*

thus smoke that emanates from burning of the wastes creates fog posing a great danger to the flights. In addition, vultures that fly over the site can get stuck in the plane engine and cause accidents. More worse, the site has already caused enough problems to the residents such

as loss of life as street urchins roam there, growth of stray dogs, toxic substances both air and water among others.

According to Waithaka Thuku and Allan Nyange of Kituo Cha Sheria who are leading the advocacy team, they have resolved to form working groups to see that serenity of the Mwakirunge is restored. The partners in this initiative have agreed to involve Bamburi Cement Company to be collecting the wastes and dump it in their quarries. They will engage the youths who will be involved in collecting garbage from residential areas and ensure that Bamburi

collects them as an alternative when the dump is closed. As a short term solution, the county government has agreed to build a perimeter fence to limit public accessibility.

## KENYA TUNA UWEZO TAKES DEVOLUTION ON SOCIAL MEDIA PLATFORM



*Kevin Ogema Awarding Lydah Chepkemio*

Kenya Tuna Uwezo, a project funded by USAID has taken education on devolution to the social media. This has been achieved by hosting shows on various radio stations where presenters talk about devolution. Maurice

Ogosso and Jodom Mwebi, Kituo staff, were hosted at Ghetto radio to inform the public on various matters on devolution.

Social media has offered a platform through which individuals and organizations can reach a wide pool of audience. A question that has been on Ghetto Facebook page receives tens of comments and likes within a short time. Lydah Chepkemio, one of the winners, stated that she saw the question on the ghetto facebook page shared on Kituo's facebook and immediately went on to answer it. Although she had some knowledge about devolution, she believes that social

media can be used to educate the public contrary to the majority opinion that Facebook is just for gossips.

Ghetto Facebook page has been offering good platform through which the questions are posted and accessed by hundreds of clients.

Moreover, through their radio frequencies, many people have been educated on what devolution entails and the emerging issues.

Kenya Tuna Uwezo, a project started which started few years ago under the partnership of Kituo Cha Sheria, Peace Net and CHF through the support of USAID has seen it important to encourage digitization of its programs as social media has taken toll in the world of social media. In addition to training that have done on devolution in various informal settlements and educating the public on devolution through theater, KTU partners have seen it important to establish a wider base through which audience can be reached countrywide. The use of Ghetto FM and their Facebook page has been one social media platform which has been used for this purpose. Other shows have been conducted on Musyi FM which was tailored for certain audience while other stations are also on the pipeline aimed at taking devolution to a higher level.



## TJR - AMENDMENT ACT IS A VIOLATION OF THE RIGHT TO TRUTH

Kenya must never forget the 28th of February, 2008. This day marked the signing of the National Peace Accord to end the 2007/2008 post-election violence. It was noted that this was a new chapter for the country, to begin the peace process. The establishment of the Truth, Justice and Reconciliation Commission was part of this package deal.

The Truth Justice and Reconciliation Act of 2008 (TJR Act) was enacted by parliament to address human rights violations that had occurred from independence to the 2007/2008 electoral violence. This was envisaged as a way of promoting peace, justice, national unity, healing and reconciliation.

TJRC report must be upheld and protected; implementation of the Commission's recommendations should commence without further delay. However, it is worrying to note that The Truth, Justice and Reconciliation Amendment Act of 2013 (TJR Amendment Act) seeks to undermine the work of the TJRC.

Prior to the amendment, it was envisaged that the implementation process of the TJRC report would be done in accordance with the



*TJRC handing their report to the president, Uhuru Kenyatta*

*Photo courtesy of NationMedia*

recommendations of the Commission. In the TJR Amendment Act, the implementation of the TJRC report will be done in accordance with recommendation of the National Assembly, upon 'consideration' of the report by the National Assembly. The TJR Amendment Act affects the very provisions on the implementation of the recommendations. In consequence, the TJR-Amendment Act amounts to an amendment of the report itself. As a result, the National Assembly will

alter the TJRC report under its consideration seems very likely. The MPs' ignored the provision by the Justice and Legal Affairs Committee prohibiting any amendments to the TJRC report. It goes without saying that the country will witness the expunging of names recommended for prosecution to protect those in power or their allies. of those in power, the editing of certain sections to suit the interests of those incriminated, a distortion of the narratives of victims and finally

a watered down, politically correct document. The public should detest such attempts.

### KEY UPCOMING ACTIVITIES

#### HEAD OFFICE

1. PIL Caucus for Lawyers & Volunteer Advocates
2. Tukana Paralegal Training-3rd & 4th April 2014
3. Turkana Paralegal Training-24th-28th March, 2014

#### MOMBASA OFFICE

1. Capacity building and Legal aid clinic for LAPSSSET -17th – 21st March, 2014
2. Fact finding meeting in Taita-Taveta County- 24th-28th March, 2014
3. PIL Caucus for Volunteer Advocates-15th March 2014

#### JOGOOROAD OFFICE (FMP)

1. Police consultative forum on 20th March, 2014
2. Legal Aid Clinics in various centres

**N/B-**Client Screening and Court Attendances-Continuous in ALL offices

•Client Screening:  
Every Monday, Tuesday & Wednesday  
Time:-7.30 am to 9.30 am

•Twitter: @ KituoSheria

•Facebook: Kituochasheria

•Website: www.kituochasheria.or.ke

•Youtube: Kituo Cha Sheria

## INCLUDE JUSTICE AS A TOOL IN ACHIEVING MDGs



*Executive Director, Gertrude Angote addressing participants during the event.*

Kituo celebrated its Access to Justice Day on 30th January 2014. The theme of the event was that justice should be included in the post-2015 Millennium Development Goals (MDGs). The event was graced by the Executive Director, Gertrude Angote. She explained that the addition will ensure the poor and marginalised globally can access legal services. She said that the debate to have legal empowerment and access for justice for all is not a Kenyan debate, it should be a global

debate.

Former Kituo Director and Vice Chairperson of the Justice and Legal Affairs committee in the National Assembly, Priscilla Nyokabi advised the organization to petition Parliament for support. She encouraged Kituo to do a petition, get as many people to sign it and lobby the National Assembly members to support the inclusion of the additional goal. She added that as the vice chairperson of the committee that is charged to handle Bills pertaining to justice and she will push the bill forward when tabled.

Chief Registrar of the Judiciary Anne Amadi was also present. She vowed to hasten the judicial reforms processes. Amadi said that the Judiciary is in the process of establishing more courts to deal with the stockpile of cases. The Registrar also revealed that they would entrench a sentencing policy that would guide judges in their sentencing so that criminals get justified sentences.