

## Walking the talk on Access to Justice in Kericho County



*Kituo lawyers Brenda and Paul screening a client together with Kericho County Governor Paul Chekwony during a Legal Aid Clinic in the county*

Kituo Cha Sheria - Legal Advice Centre extended its mission of empowering the poor and the marginalized people to effectively access justice and realize their human and people's rights through Legal Aid, Legal Education and Legal Representation within Kericho County.

The Legal Aid and Education Program is responsible for handling Kituo's vast network of Volunteer Advocates (VAs) spanning to various parts of the country. On March, 30, 2015 Kituo lawyers Brenda Dora and Paul Elkington carried out a Volunteer Advocates Recruitment Drive and a free Legal Aid Clinic in Kericho town. The recruitment was successful as it hit the envisioned target. Eighteen (18) new volunteer advocates practicing within the county were recruited.

Kituo also held a free Legal Aid Clinic on the 1st of April 2015 where fifty clients were screened and offered free Legal Advice. The legal matters the clients had touched majorly on land, labour, succession and family matters, children rights violations as well as sexual and gender based violence; and criminal cases.

According to Brenda Dora, a legal officer in Kituo; drugs and substance abuse emerged as a new area of interest whereby she stated that Kituo would potentially partner with NACADA in trying to create awareness against Drug and Substance Abuse which has since become rampant within Kericho County thereby giving rise to numerous vices.

The Legal Team thereafter paid a courtesy call to the Governor of Kericho County, Prof. Paul Chekwony who promised to avail office space within his county offices whereby free legal aid services would be offered to the poor and marginalized residing within the county and its environs. The Governor commended Kituo Cha Sheria for the good work they have been doing since 1973 in ensuring that the poor and marginalized are able to access justice as per Article 48 of the Constitution of Kenya. He further proposed that Kituo Cha Sheria in conjunction with his office and the Law Society of Kenya- Kericho Branch; do organize for another Legal Aid Clinic targeting the entire Kericho County and even extend to Bomet County as well so that we reach more people in dire need of justice in various legal issues in this region.

## KITUO hosts Ms Anja Weithe from Misereor



*Ms. Anja Weithe, the ED Ms. Angote with Kituo members of Staff pose for a group photo*

KITUO was privileged to host Ms Anja Weithe of Misereor on 20th of April 2015. We had fruitful discussions on the implementation of the ongoing project. The KITUO team provided an update on its programmatic work ranging from; legal aid & education, public interest litigation, alternative dispute resolution, advocacy and community activities. Other areas discussed included, the upcoming project evaluation exercise, possibilities of renewed funding and KITUO's progress on strategic planning. We take this opportunity to thank Misereor for its continued support to KITUO towards ensuring a society of justice and equity for all.

## Kituo restores the dwindling hopes of desperate Mercy Njeri

Mercy Njeri was married to Peter Mwangi Muchoki in December 1986 and they were blessed with three children. At the existence of their marriage, through their great exertion, they jointly bought a plot from the City Council of Nairobi whereof they constructed 12 houses, lived on some and rented out the others for their income.



*Mary Njeri when she visited Kituo*

Sometimes in 2008, their marriage began experiencing turbulence and thus they separated. It is during this time that the then husband started mistreating the family and even assaulting her. In the year 2010, Mary complained at the Chief's office that Mwangi was collecting the rent from all rooms and spending all of it without giving the family anything for their basic needs. The Chief and the area leaders arbitrated on the matter whereby the parties agreed to divide equally the plot and each to have 6 rooms to be collecting rent from. Mary was therefore able to get an income of Kshs 8,300/= per month from the houses she was collecting rent and which went a great mile in assisting her and the children meet their basic needs.

In 2011, Mary got an accident and was admitted at Kenyatta National Hospital. During her hospitalization, Mwangi took advantage of the situation and sold the entire plot including Mary's 6 rooms to Edward Mwangi Macharia who was their neighbor. Mary tried to stop the deal from her hospital bed but she could not. Macharia assumed ownership of the plot and started collecting rent from all the 12 houses from November 2011 and even changed the ownership documents at the Nairobi City County to reflect him as the owner.

Her encounter with Kituo Cha Sheria... Embittered and all hopes vanishing, Mary did not know what to do; she decided to seek legal assistance on the matter of the accident. A police officer had earlier proposed to try and get assistance from Kituo Cha Sheria. She came to Kituo as was directed, very optimistic to get help. She was received and directed to Kituo Gardens waiting to be attended to. This is where she overheard a conversation by other clients at the waiting shed; the client whom she did not know was telling his fellow how Kituo rescued his property from a grabber who used his wealth and money to bribe every avenue just to own his small piece of land. Mary felt this is an opportunity to grab, "I must tell whoever will attend to me my predicament," she said to herself.

She met Nathan Kivungi and Simon Kimondolo who derived two matters from her situation; that which concerns the accident and another on the selling of the plot. Mary did not have money at all so Kituo assisted her apply to be allowed to sue as a pauper (an impoverished person) on the matter that involves her houses and the order to that effect was issued in 2013. Later Kituo assisted her in filing the ELC case on January, 23, 2014 and Kituo lawyers represented her in Court following up the matter to the latter in ensuring justice is granted.

The Judgement.  
The matter was fully heard and the judgment delivered on 10th April 2015. The judge gave the following orders:  
i. That the plaintiff is entitled to half share of the suit property being the plot.  
ii. General damages for trespass in the sum of Ksh. 100,000/=   
iii. Lost income of Ksh. 8,300/= per month from November 2011 until payment in full.  
iv. Edward Mwangi Macharia is given 30 days from the date of the judgment to vacate the Mary's half share, 6 rooms of the Plot  
v. Interests at court rates.

Mary was so happy to get back her lawful property and in addition a total sum of Ksh. 448,600 thus Ksh. 348,600 as compensation for lost income since November 2011 to April 2015 and additional Ksh. 100,000 for general damages.





## Kituo Empowers prison Warders



*Madam Wanini Kireri, Senior Deputy Commissioner of Prisons and the Regional Prisons Commander-Nairobi presents a Certificate to one of the participants*

**K**ITUO enhanced her long standing partnership with the Kenya Prisons department by facilitating a paralegal training for prison warders in conjunction with Faraja Foundation from 23rd to 27th March 2015. This training workshop was held at Our Lady Queen of Peace Catholic Church, South B. 40 prison warders drawn from the following remand facilities underwent paralegal training; Athi River, Kangeta(Meru), Kiambu, Kitui, Langata, Makueni Remand, Nairobi Medium, Nairobi Remand, Narok, and Thompson Falls Prison. Also in attendance were two staff from Faraja Foundation and 2 legal officers from Prisons' Human Rights Department Headquarters.

The training was spearheaded by Kituo officers led by Glenn Ong'uti Mangare, Ashioya Biko, Marcelino Waithaka and Jodom Mwebi. The participants were taken through the following topics: TOT skills and Adult learning methodologies, Concept of empowerment in HR/Paralegal matters, Understanding basic human rights, Sources of Law in Kenya, Constitutional provisions touching on persons detained, held in custody or imprisoned, U.N Standard Minimum Rules for the treatment of offenders, Rights of arrested persons, The process of Criminal Trial and Ethical issues in paralegal work

The workshop was officially closed on Friday 27th by Madam Wanini Kireri, Senior Deputy Commissioner of Prisons and the Regional Prisons Commander-Nairobi. In her closing remarks, Madam Wanini disclosed that a research conducted late last year indicated that prisons are overpopulated(exceeded their holding capacity) by 80%. "The knowledge and skills in human rights training and paralegal skills imparted is critical in aiding the department in decongesting" added Madam Wanini. In addition, a significant number of remand inmates are not aware of their legal rights and obligations and the knowledge gained would aid in filling this gap. Finally, she presented certificates to participants together with Fr. Peter Meienberg, the Founder of Faraja foundation.

## Caucus on Legal Aid Bill



2015.

The analysed research paper envisaged the fact that Kenya would reduce the level of insecurity through strong justice system, that is, if all persons were legally empowered to know all the safeguards of the law then they would NOT live in fear and will raise the level of awareness.

The comprehensive discussions focussed on the legal aid bill and the post 2015 strategic development goals (SDGs)

The discussions delved on Kenya's current and future commitments to justice, which commenced with a presentation from NAMATI on Sustainable Development Goals for access to justice post 2015 with the goal 16 which seeks to promote the rule of law, equality and protection of all fundamental freedoms of all persons being the focal point.

## Key Upcoming Activities MAY -JUNE 2015

1. Neighborhood conversations on devolution in Kwale and Lamu Counties (CCIA) project by USAID.
2. Peace and Devolution Matatus in Kilifi, Mombasa and Kwale Counties (CCIA) from 4th- 30th June.
3. Market Pep talks and Merry go rounds in Taita-Taveta and Lamu Counties (CCIA).
4. Capacity building and Legal Aid Clinic in Lamu County -AJWS.
5. Legal Aid clinic in Changamwe and Kibokoni in Mombasa County - UNCHR.
6. Land right training for Northern by-pass affected persons, Kisumu.
7. SGBV training for women and girls in Kisumu
8. Budget process sensitization in Dandora, Kibera and Korogocho
9. Free Legal Aid Clinic in Nairobi
10. Paralegal Training in turkana Legal Aid Clinic in Kayole and Kitengela May and June - UNHCR
11. Community outreach in Umoja June - UNHCR
12. Police sensitization Forum in June- UNHCR
13. World Refugee Day on 20th June 2015- UNHCR
14. Kituo Cha Sheria CSR activity on 29th May 2015.
15. Free Legal Aid Clinic at the Head Office

## Kituo Empowers Paralegals in Turkana County



*Ashioya Biko of Kituo with Turkana paralegals during the training in Lokichar*

**K**ituo Cha Sheria(KITUO) with support from MacArthur Foundation has been implementing a project on environmental and human rights protection as a result of oil production in Turkana County.

A baseline survey and MTE carried out on this project revealed a number of critical environmental and human rights issues in the extractive industry that require much attention. In order to address some of the human rights issues identified above, it was proposed that awareness on issues such as land, labour and environmental rights be created so as to empower local communities to demand for transparency and accountability with regards to oil exploration.

In furthering the objectives above, KITUO facilitated paralegal training for Turkana paralegals in Lokichar, Turkana County from 10th to 14th March 2015. 30 participants, 20 male and 10 female were trained. The training was spearheaded by Kituo staffs Ashioya Biko and Marcelino Waithaka.

The participants were taken through the following topics: Brief introduction on Human rights, Sources of the law in Kenya, Roles of Community Paralegals, History and background of the extractive industry in Kenya with emphasis in Oil exploration, National Energy Policy and analysis of the Petroleum (Exploration and Production) Act and Drafting of Demand Letters; The paralegals were trained on how to draft a demand letter generally and the importance of drafting it, Overview of the Current legal regime governing land in Kenya with specific emphasis on Land adjudication and Compulsory acquisition and An in-depth look at the draft Community Land Bill.

Finally there were discussions on the possibility of establishment of a Kituo Community Justice Centre in Turkana County.

## Kituo's Monitoring and Evaluation Quarterly Meeting



*Kituo staff share a light moment after the M&E meeting*

**W**e believe and commit that one day everyone in every part of this country- Kenya, regardless of who they are, rich or poor, regardless of any ethnic group, in government or out of government, young or old and regardless of gender shall drink from the same cup of Justice and we shall have A Society of JUSTICE and EQUITY for All!

Kituo Cha Sheria staff held what can be referred to as first evaluation meeting to stoke learn from previous lessons and rejuvenate. The meeting that took place on Thursday, April, 23, 2015 at the Boardroom of the Forced Migration Programmes (FMP) in Jogoo Road office was geared towards monitoring and evaluation of the annual work plans from all programs with a view to identifying and addressing any challenges and building on the successes made between the months of January to March of 2015. Spearheaded by the Executive Director(ED), Ms Gertrude Angote all the members had a 3 minute moment of tranquility to reflect upon themselves. "There is need for self reflection, the power to breathe and to rejuvenate in a quiet moment," Revealed the ED in her preliminary remarks.

The Forced Migration Programme (FMP), Legal Aid and Education programme, Advocacy, Governance and Community Partnership, the Finance and Administration Department and Research, Communication and Documentation Coordinators presented their reports on the achievements against set targets, challenges, recommendations and the upcoming activities. Staff scrutinized each report presented raising issues with a view to improve on delivery for greater impact.

So far we have managed to screen/ provide a free legal advice to approximately 700 clients most of whom were first visit clients. Various success stories have been reported from clients and a win on public interest litigations such as the thwarted Security bill Case where we conjoined to challenge the section limiting the number of refugees, the Kitui County high tax rate case where temporary orders were granted to stop the implementation of the Kitui County finance Act 5 of 2014, the case is scheduled for mention in May, 23, 2015 and we are committed to ensure justice prevails and the launch of the Coast Conflict Intervention project geared towards promoting peace along the Coastal region just to mention a few.

The ED urged every staff to internalize the Kituo's core values which includes Respect for human rights; Commitment to justice and equity for all; Solidarity with pro-poor individuals and agencies; Courage in promoting social transformation and empowerment of the poor and marginalized; Service through volunteerism; Transparency, reliability and accountability in its relations with its stakeholders; Obligation to upholding the rule of law; and Professionalism.

"As an individual, everyone must strive to create a positive impact and this is only possible if you project a positive attitude in everything that you do," uttered the Executive Director.

The meeting ended by cutting of the cake and a solidarity toss to congratulate every staff, symbolize unity and commitment to pursuing the planned activities in ensuring justice is attained and prevails.

## Kituo Assists Peter Ndung'u Ngaruiya Access Justice

**P**eter Ndung'u Ngaruiya was facing a malicious case of preparation to commit a felony:- stealing under Section 308 (1) of the Penal Code and which if found guilty carries a minimum sentence of 7 years and a maximum of 14 years imprisonment. The genesis of the matter is his family land located at Naivasha bordering a land owned by a wealthy proprietor with the shared border being a river on which the neighbour decided to construct a water dam. The water dam infrastructure together with the dam itself occupied Peter's family land but no consent or authority was sought by the neighbour. The wealthy neighbour went ahead to cut down trees from a man-made forest on Peter's family land and fenced off the said land including a chunk of Peter's family land. Consequently a dispute arose but efforts to resolve the matter through mechanisms available to the local administration through the Chief's office who involved the Police failed as the neighbour made use of his resources to influence the outcome.

All along, the neighbour was intimidating the family through arbitrary arrests and detention of Peter on fictitious complaints. At one time, Peter was arrested and charged at a Naivasha Court for allegedly destroying the neighbour's fence. Although he put up a defence to the fact that the land belonged to his family, the presiding magistrate heard nothing of that and since he had no legal representation; his defence was overruled and he was convicted and jailed for six months. Later on in 2014 this case came up as Engineer Criminal Case No. 171 of 2014 Republic v. Peter Ndung'u Ngaruiya and which according to Peter was just a set up whereof his close cousin was given Kshs 20,000/= to visit his home with a hammer and lure him into a trap and have him arrested and the hammer was to be used as an exhibit to show he was preparing to destroy and steal the neighbour's chain link fence.

When Peter visited Kituo Cha Sheria offices, Simon Kimondolo took up the matter and instituted a land case at Nakuru-ELC Case No. 199 of 2014 still pending hearing. Counsel also had to intervene in the criminal case having seen the injustice being perpetrated by the wealthy neighbour against Peter and his family who would be considered poor with the sole intention of intimidating them to give up the land case.

After a long process with the case from July 2014, the judgment was delivered on 31st March 2015 whereof Peter Ndung'u Ngaruiya, our client, was acquitted of the offense under Section 215 of the Criminal Procedure Code.

Kituo will pursue the land case with the hope that justice will be done and seen to be done and help resolve the long running dispute as well as restore this family's dignity.

## Reprieve for Kitui Business Community as high Court suspends implementation of Finance Act



**T**he High Court in Machakos on Friday 27th March, 2015 granted prayers sought by Kituo lawyers and issued interim orders against the Kitui County government. Traders in Kitui had sued the county government over a law seeking to increase taxes. The dispute over taxes landed in court after dialogue between the traders and county authorities failed. They cited 63 grounds why the County Finance Act should be quashed.

The petition that was filed by Kituo Cha Sheria led by Dr. John Khaminwa on 25th March, 2015 on behalf of the Kitui County business community in the High Court of Kenya Machakos- Constitutional and Human Rights Division was heard on Friday, 27th March, 2015 before Lady Justice Beatrice Thuranira Jaden and temporary orders issued.

The court ordered that the Kitui Business Community continue paying taxes as per the old rates regime they were using before the exorbitant ones stipulated in the Kitui Finance Act No. 5 of 2014 assented into law on December, 5, 2014 became a threat to their business.

Kituo cha Sheria lawyer, Mr. Simon Nzioka Kimondolo refuted allegations made by the Kitui County Government's counsel Mr. Japheth Mwalimu that most of the Kitui County traders have paid the taxes as stipulated and it happened without any harassment.

"My honorable lady, it is unfortunate that my learned friend is misleading this Court, what he is talking about is the old rates that members were more than willing to pay" said Mr. Kimondolo. This was also backed up by the crowd of Kitui traders who made a strident NO to the allegations.

Dr. John Khaminwa pleaded with the court to grant prayer number five which stated that pending the hearing and determination of the Application; the Honorable Court grant a temporary injunction against the Kitui County Government, its servants, agents, and or such persons barring them from harassing, oppressing, mistreating, punishing, assaulting, subjecting petitioners (the Kitui County traders) to violence or in any other way interfering with the normal business operations of the traders within Kitui County. The Honorable Judge, Lady Justice Beatrice Thuranira Jaden granted a temporary order that the residents continue paying the rates they were paying before. This is a clear indication of temporary suspension of the Kitui Finance Act No. 5 of 2014, which was an imminent threat to the immediate welfare of Kitui County traders.

The Judge directed that the mention of the case be slated for 21st May, 2015 at 11.30am, after the Kitui County Government has filed all the relevant documents and evidence as requested. All the evidence shall have been perused by Kituo Cha Sheria lawyers who represent the Kitui County business community.

Speaking to the traders outside the Machakos Court after the court's directive, Dr. Khaminwa urged the traders to remain in solidarity and go on with normal operations of their businesses.



## Kituo cha Sheria conduct mediation over disputed land in Taveta, Taita-Taveta County



*Kituo Volunteer Advocate Mwinzi during the mediation exercise in Taveta*

In Taita Taveta county, Taveta Sub county to be specific the government bought land formerly belonging to Basil Criticos from National Bank of Kenya, after Mr. Criticos failed to service a loan facility he had taken from the Bank. The over 12,000 acres (Taveta Settlement Scheme) of land was to be distributed to squatters and other landless people in the area to mitigate the squatter problem. However, soon after in 2008 accusations and counter accusations of selective resettlement by the local administration. The community accused politicians and the administration of leaving out genuine squatters while giving land to the rich and powerful.

The squatters went to court while the administration maintained that the process was above board; and that all genuine squatters were settled. Tension slowly built in the area with clashes reported in areas like riatta among others. As the case is proceeding in the high court in Nairobi, the administration has been arresting and charging the squatters on an array of accusations, from criminal trespass to unlawful assembly. Demonstrations by the community have been held; the height was which the squatters camped outside the deputy county commissioner's office for two days. It has reached a point where the community and the government officials in the area don't see eye to eye.

Kituo Cha Sheria (KITUO), therefore conducted a mediation session between the squatters and the government; Deputy County Commissioner, ministry of lands, religious leaders, and chiefs from the area. Both parties maintained their hard line stance to their position and agreed that the court cases will proceed to their logical conclusion. However, worth noting is that previous attempts to



bring the two parties on a round table to discuss this had failed and this was the first time EVER that the parties sat down to discuss the Taveta settlement scheme issue which in itself is a first step towards any future ADR interventions on the matters at hand.

## Kituo cha Sheria conducts 2 Urban Refugee Legal Aid Clinics in Nairobi



*Gloria Dzuya of Kituo Cha Sheria registers a client during one of the clinics*

Kituo Cha Sheria's Forced Migration Programme (FMP) staff carried out two legal aid clinics and public awareness initiatives beginning with the 17th April, 2015 in Githurai and the 22nd of April, 2015 at the Bethel Church Hall in Kasarani, Nairobi. The two-day activities were spearheaded by Kituo officers Joan Nyongesa, Julie Kemunto and Gloria Dzuya.

The legal aid clinics were targeted at the larger urban refugee community and the host communities for refugees living in Nairobi to address any issues raised as well as offer free legal advice.

Kituo staff took time to enlighten the people present on the work done by Kituo Cha Sheria through FMP in regard to refugee rights protection and overall human rights awareness.

Emerging issues ranging from the terror threat posed by the Al-Shabaab terror group and discussions around closure of refugee camps were deliberated upon with our legal officers taking time to explain the implications of these issues on urban refugees.

It was made clear that terror attacks were not targeted on any person and everybody should be vigilant; on the closure of refugee camps, negotiations are still ongoing but it was emphasised that members carry identification documents at all time. Refugee Status Determination was also expounded on in an open session where host community representatives also aired their views.

Urban Refugees present were informed of the need for Nairobi Alien Cards issued even as some raised the issue of officers soliciting for bribes to issue documents which was noted and shall be taken up with the Department of Refugee Affairs (DRA). Matters of arbitrary arrests and harassment by law enforcement officers were also discussed and Kituo staff took time to explain how Kituo can assist in regard to legal representation and the measures refugees can take in case of arrest.

In conclusion of the open session the issue of resettlement was discussed and the legal staff made it clear that resettlement is done on a case by case basis and patience is important for anybody seeking resettlement.

At the close of the open discussions session, Kituo staff turned to individual screening of clients in order to offer sound legal advice on personal issues; an exercise which saw over 150 clients receive advice.



## Success Story of Lesayon Saigor



R-L Mr. Alex Karanja from Autodrome Services Limited, Mr Stanslaus Alusiola - Kibera Community Justice Centre Coordinator, Lesayon Saigor, and Jairo Sila - Kituo Cha Sheria

“No work is insignificant. All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence” by Dr. Martin Luther King, Jr.

It is imperative to understand and know your labour rights; this can be found from the Kituo Cha Sheria’s (Kituo) Publication titled the Kenyan Worker and the Law, an information booklet on labour law. The Employment Act, 2007 clearly stipulates the terms and condition of engagement between the Employer and employee sections 8,9 and 10 of the Act talks about the contract of service whether written or oral.

The encounter by Kituo’s paralegal officer, Mr Stanslaus Alusiola clearly shows how employers exploit their employees especially the poor and marginalized who may be ignorant of their rights. If it were not for Kituo’s Kibera Community Justice Centre the ignorant Lesayon Saigor who did not even know the name of his employer could have had nothing to smile about, his story should act as a bridge to fight against impunity and injustices encountered in the employment sector.

Lesayon Saigor was employed as a guard in Autodrome Services Limited in Westlands since October 2013. He remained diligent to his work oblivious of what awaits him. He encountered his mayhem on 5th of March, 2015 at around 11.00pm in the night when he was dismissed without any notice. The company had not paid him some of his dues for the service and sacrifice he had made to them. He was not very familiar with the steps to undertake to mitigate this situation. He pleaded with the company to pay him his dues but the company could hear none of his pleas. He sought to seek legal assistance from Kituo’s Kibera Community Justice Centre where he met the Coordinator, Mr. Stanslaus Alusiola on March 11, 2015. With the vast experience in Paralegalism, the Coordinator deemed the matter a gross violation of the employee’s right by the employer. He immediately resorted to taking action in ensuring justice is done. He decided to write to Saigor’s boss to seek clarification on the matter and assist his new client, Saigor. They never responded to the letter. Mr Alusiola therefore decided to visit the company with a demand letter citing legal aspects on the labour law to prove violation of Mr. Saigor’s labour rights. Kituo through its able advocates were ready to move to Court to file suit if the Demand did not bear fruit. However, the company manager accepted to settle the matter out of Court and agreed to pay Saigor all his dues with immediate effect.

Later on, the Community Justice Coordinator received a phone call from the Autodrome Services Limited Company claiming that they have to do some deductions of which the management did not explain. A matter that the Coordinator strongly refuted due to the fact that the guard was arrogantly dismissed at night endangering his life, was not given any notice and received not his final dues. He opted to pursue the matter and ensure justice is done. Accepting defeat, the company through the manager, Mr. Alex Karanja pleaded to settle the matter without involving Court and accepted to pay all the dues without any deductions to the employee by 9th of April 2015.

Lesayon Saigor was all the smiles and thanked Kituo Cha Sheria and more so Kibera Community Justice Center Coordinator, Mr Stanslaus Alusiola for the relentless effort in ensuring he is accorded his dues.

“I am happy today, I can use this money to stabilize myself as I seek for a job elsewhere, thank you Kituo Cha Sheria,” he acclaimed!

Kituo Cha Sheria, We Care for Justice,

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## Kituo enlightens Coastal women on Devolution



Ms Anastasia Nabukenya of Kituo addresses a section of the women in Tiwi ward Kwale County

Devolution seeks to address the endemic problem of marginalization and regional imbalances in perennially neglected areas through a commitment of a significant percentage of resources and granting of decision making powers to citizens.

Kituo Cha Sheria (Kituo) Mombasa branch through a project dubbed Coast Conflict Intervention and Action supported by USAID conducted 4 days women enlightenment on devolution that targeted women from various regions of Mombasa and Kwale Counties. Over 120 women were enlightened on the key aspects of devolved government through their friendly gatherings during the merry go rounds (microfinance women groups) with each group encompassing 20 women. The women at their group levels were able to freely participate and share their experiences on devolution.

From the informal discussions, it emerged that their understanding of devolved governance was a challenge with about 40% of the women able to define devolution correctly; outline the functions of the devolved governance and roles of the leaders. It was noted with concern that there was low women’s participation in the County governments’ development agendas, plans, budgets and governance a matter that elicited a state of gross marginalization. The community beliefs system also entrenches gender biasness in the control of resources, right to information and freedom to air views. Women often hold general positions, rather than the influential ones that are decision making and that ones who take part in participatory engagements by the County governments such as development of plans and budgeting have no or inadequate information on the discussions. This leads to the rubberstamping of the deliberations and being used as “flower girls” to give pomp to the events.

The objectives of the merry go rounds meeting were to empower the women with knowledge on devolution through civic education, to demystify conflicting ideologies and myths on devolution and to enhance the capacity of women to actively participate and influence community development projects at the county level.

Through interactive and open discussions, the facilitation emphasized on the understanding the definition of devolution, the structure of the county government, functions of the County and National government, and participation avenues for women.

The names of the women groups yielded great messages. From Kwale County the women groups were “Lengo” meaning – Aim, Busarika -To gain wisdom, Mama Bora – the Better Woman where as Mombasa County had Mapambano meaning – The struggle, Mashauri – consultations, Mwanzo Mgumu –tough beginning, MV-Mabadiliko a ship with changes.

The move towards women enlightenment started at Kinondo and Tiwi Ward in Kwale County on March, 25, Junda and Mjambere Wards in Mombasa County on March, 26, Ramisi Ward of Kwale County on March, 27 and Kongowea Ward Mombasa County.