

KITUO's M-Haki Project at the World Justice Forum, 2019



Kituo's Advocacy Governance and Community Partnership (AGCP) programme Co-ordinator Valarie Ang'awa (holding mic) speaking during a panel discussion at the World Justice Forum

KITUO's M-Haki- Haki Mkononi SMS service was selected by the World Justice Project (WJP) among top 30 projects that strive to accelerate access to justice in the world. M-Haki- Haki Mkononi entered into the WJP's World Justice Challenge 2019, as one of the best solutions competing with more than 250 other access to justice initiatives from all over the world. KITUO and other 29 finalists joined the World Justice Forum at the Novotel-World Forum Hotel in The Hague, Netherlands to showcase the innovative SMS service in the event that took place from April 29 to May 2, 2019.

M-Haki- 'Haki Mkononi' is the use of SMS technology to disseminate legal information to clients. The innovative and reliable technology was developed by KITUO intended to lessen the costs of accessing justice. The platform was officially launched in December 2016. To make use of this technology, Kituo has a dedicated mobile number-0700777333 where the public can text legal questions at a small fee to be answered by Kituo lawyers and volunteer advocates. The service saves persons the trouble of using bus fare to come to Kituo- and legal advice is just a click away... HakiMkononi.

KITUO strives to facilitate access to justice through the provision of free legal aid services to the underprivileged population; including but not limited to court representation, legal empowerment, strategic litigation and advocacy for reforms of laws and policies as well as the change of practices.

Statistically, M-Haki- 'Haki Mkononi' has reached over 6,000 Kenyans since its launch to directly access legal aid and legal information. M-Haki- 'Haki Mkononi' will over time develop a database of frequently asked questions on land, labour, housing and refugee rights while also acting as an advocacy tool. As an advocacy tool, the platform will be used by Kituo paralegals from community justice centres to build their personal capacity

on legal issues and create awareness among the general public on how to access the service directly. Community justice centres will also serve as help centres where paralegals will use M-Haki- 'Haki Mkononi' as a reference tool to dispense legal advice to clients.

The project is made possible with support from the Royal Netherlands Embassy in Kenya.

The World Justice Challenge 2019: Access to Justice Solutions is a competition to identify, recognize, and promote good practices and successful solutions to improve access to justice.

According to the World Justice Project, more than 5 billion people have unmet justice needs globally. This justice gap includes people who cannot obtain justice for everyday problems and people who face systematic exclusion from the law. According to research conducted by the World Justice Project, more than 50% of people around the world have experienced a legal problem in the past two years alone, and justice systems are failing them.

Identifying and promoting good practices and successful solutions is essential to narrowing the justice gap. Effective interventions have been developed and tested around the world. Compiling an accessible evidence base of high-quality, high-impact interventions will help accelerate the dissemination of good ideas and the uptake of promising approaches.



The M-Haki team of Valarie Ang'awa and BoD Member Dr. Linda Musumba with a visitor at the World Justice Challenge Exhibition Expo

Kituo Conducts Border Monitoring at Namanga Border, Kajiado County



The border monitoring mission team of Kituo's FMP Coordinator Yunia Atieno (Left) and a UNHCR-Kenya officer in Oloitokitok

Kituo Cha Sheria through the Forced Migration Program (FMP) conducted a successful 5-day border monitoring mission of Kenya's Southern border with Tanzania. The border monitoring mission was conducted in conjunction with UNHCR-Kenya. The border monitoring exercises seek out persons of concern who require legal assistance and protection by visiting police stations and Courts of Law. The team of Kituo officers Yunia Atieno, Ojuni Ochalla and Jared Nyakundi undertook the monitoring starting off at the Mlolongo Police Station, Athi River Prison, Mavoko Law Courts and Athi River, Kitengela, Isinya and Kajiado Police Stations. The monitoring mission also took the team to the Kajiado Probation office, Kajiado Prison and Kajiado Law Courts; Namanga police station and the Emali, Oloitokitok and Namanga immigration offices.

Kituo releases Film on the Rights of Internally Displaced Persons (IDPs)



On 25th March 2019 Kituo Cha Sheria released to the public an animation film on IDP Rights. The Short film on IDPs is based on the 'Real Talk-This can happen to anyone of us' comic book. The film was made possible with support from the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the Civil Peace Service-ZFD Ziviler Friedensdienst. 'Just How Long' is a short film about Internally Displaced Persons (IDPs) produced in both English and Swahili.

KITUO Holds a CUC Training and Sensitization Workshop in Nakuru



The Nakuru Court Users Committee (CUC) members pose for a group photo after the workshop at Merica Hotel, Nakuru

Kituo Cha Sheria through the Forced Migration Program (FMP) and supported by UNHCR-Kenya held a Training and Sensitization Workshop for Nakuru Court Users Committee (CUC) members. The intensive 2-day workshop was held on 25th and 26th April 2019 at the Merica Hotel, Nakuru. In an effort to implement one of FMP's mandates in sensitizing and conducting training for stakeholders on refugee law and refugee protection in the urban area, FMP together with UNHCR-Kenya conducted the training and sensitization workshop for the Nakuru Law Courts CUC, constituted of officers who interact with refugees and asylum seekers in the courts on a day to day basis.

The training was informed by the fact that Nakuru County has been a safe haven for South Sudanese refugees and other foreign nationals. As Kituo we have also intervened for several PoCs in the County who had been arrested and charged with unlawful presence and residing outside designated areas. The training drew 20 officials these included Magistrates from Nakuru Law Courts, Prosecutors, Probation officers, Children officers, the Executive Officer and Head of Criminal Registry Nakuru Law Courts, a representative from LSK South Rift Branch, a representative from the Attorney General's Chambers and Immigration Officials. The sensitization/training workshop was an attempt to address this problem by equipping court officers with the requisite knowledge on handling refugee matters. The influx of urban based refugees

has led to interaction by refugees with officers in the legal system and court structures. A majority of these officers have a limited knowledge of refugee matters e.g. legal framework & registration processes, documentation, rights and duties of refugees, etc. The knowledge gap affects their ability to adequately deal with refugees' needs and constrains them in terms of legal protection.

The training was spearheaded by Kituo officers Yunia Atieno, Ms. Carol Kamau and UNHCR-Kenya's Mark Nzano. The participants were educated about the different types of forced migrants including asylum seekers, refugees, IDPs, returnees, stateless persons and economic migrants. They were also enlightened on the distinction between camp-based refugees and urban-based refugees and reasons for their existence/classification. The CUC members expressed their gratitude to Kituo for organising the workshop and requested that this be carried out with increased frequency.



Participants keenly follow discussion during the Nakuru CUC Training

Key Upcoming Activities May - June 2019

1. Labour Day FREE legal aid clinic in Nairobi-May
2. Legal Aid clinics with community justice centers in informal settlements – May-June
3. Kitui paralegal refresher training, radio talk show, legal aid clinic and documentation of successes-May
4. Turkana paralegal refresher training, radio talk show, legal aid clinics and documentation of successes - May.
5. Imarisha Haki project implementation in Naivasha, Siaya and Machakos- May- June
6. Conducting of mobile legal aid clinics in 10 counties - Nyahururu, Kitale, Makueni, Kerugoya, Kitui, Isiolo, Narok, Kajiado, Nyeri, Busia - May-June
7. Phase 2 implementation of Alternative Justice Systems Project in Trans Nzoia, Kisumu and Eldoret – May-June
8. 4 day dialogue forums with the communities in Endebess and Cherangany together with the commissioners - AJS project-May-June
9. Implementation of the Citizen Justice Network (CJN) project in Nairobi and Mombasa- May-June
10. Prison sector working group meetings in Nairobi- May-June
11. Client legal advice and representation and Legal advice to clients through the M-Haki platform- May-June
12. Legal Aid clinics with the Refugee Community in urban settlements in Nairobi and Mombasa- May-June

Kituo Conducts Free Legal Aid Clinic in Donholm, Nairobi County



Kituo's Forced Migration Program (FMP) officer JohnPaul Kasika (in black shirt) speaks to refugees at the legal aid clinic in Donholm, Nairobi

Kituo Cha Sheria through the Forced Migration Program (FMP) conducted a successful 1-day legal aid clinic in Donholm, Embakasi East - Nairobi County on 11th April 2019.

The legal aid activity took place in partnership with the International Rescue Committee (IRC) at the Worshipers Sanctuary -Guards of Hope Church in Donholm. Urban refugees all of South Sudanese descent attended the forum which saw 84 persons of concern receive legal advice from the officers present- 34 Male and 50 Female. The legal aid clinics are aimed at reaching a larger number

of refugee populations who due to one reason or the other such as financial constraints cannot access the Forced Migration Programme (FMP) offices or due to lack of awareness of the activities or existence of the office (mainly for new arrivals). The clinic aimed at providing services to those with security issues, police arrests, those facing harassment or even unlawful arrests and detention from the law enforcement agencies. Kituo officers Caroline Kamau, JeanPaul Kasika and Shem Alubala were joined by Jamin Kusuania from the International Rescue Committee (IRC) in implementing the activity.

Kituo Hosts Housing Forum in Mombasa



Kituo's Zedekiah Adika (in white shirt) with other participants during the Housing Forum at Hotel Sapphire, Mombasa

Kituo Cha Sheria's Coast region office- Mombasa hosted a one-day Housing Forum in the Coastal city. The Mombasa County Land and Housing Forum took place at Hotel Sapphire, Mombasa on 11th April 2019.

The Forum was organized by Kituo Cha Sheria and the Coast Land Non-State Actors (CLNSA). Coast Land Non State Actors (CLNSA) is a network of over 20 CSOs in the Coast and Kituo is an instrumental player in ensuring land justice and reforms are achieved and work for the poor and lowly. Discussions during this day-long forum included the Mombasa

Mass Housing Plan & Mombasa Urban Renewal Project; review of grants & disposition of public land; overview on mining and natural resources compensation and Alternative Dispute Resolution. The forum had representation from community members, the County Government, local political leadership led by Kisauni Member of National Assembly Hon. Ali Mbogoh. Civil society groups and the National Land Commission also had representatives who deliberated on resettlement and resettlement programs and historical land injustices focusing on the Coast Region.

KITUO meets Mombasa County Senator



Kituo's Zedekiah Adika with representatives of the Jomvu community during the meeting with Senator Mohamed Faki at his Mombasa office

Kituo Cha Sheria, Mombasa office on 3rd April 2019 held a meeting with the Senator of Mombasa County- Hon. Mohamed Faki at his Mombasa office. The meeting was held together with representatives of Jomvu Community. The community risks being evicted by Kenya Urban Roads Authority (KURA) in the construction/improvement of Jomvu, Jitoni Rabai Road. The project is likely to affect over 1000 people in Jomvu Sub County, Mombasa County. Previously some residents had marched to the streets in a peaceful demonstration seeking compensation; they argued that this ought to have been done before commencement of the project. As a key stakeholder and a representative of Mombasa, the Senator affirmed his support for due process, respect for human rights and pledged to follow up on compensation to persons affected by the project.

KITUO Celebrates the International Women's Day 2019



Participants following proceedings at the Undugu Society Hall in Mathare, Nairobi

Kituo Cha Sheria on 8th March 2019 joined the World to celebrate the International Women's Day 2019. The organization led by the Executive Director, Ms. Gertrude Angote joined women, partner organisations, the local administration and the community in Mathare, Nairobi to celebrate the day under this year's campaign theme- 'Balance for Better'.

The celebrations started with a procession march from the office of the Deputy County Commissioner, Mathare Sub-county to the event venue at the Undugu Society of Kenya in Mathare.

The Day's speakers led by Ms. Angote made calls for more empowerment of the womenfolk and tighter measures against domestic violence. Speaking during the celebrations, Ms. Angote reiterated the point that a balanced world is a better world and urged Kenyans to engage and do all they can to help forge a more gender-balanced world. The day, which is marked across the World on March 8, celebrates the social, economic, cultural and political achievements of women and also mark a call to action for accelerating gender parity. Hon. Patricia Mutheu Musyimi, Member of County Assembly, Mlango Kubwa ward also graced the event and in her speech noted that violence against women has been normalised and is escalating due to the systemic

power structures favouring men. Rahab Ndambuki, a Nairobi women leader and a leader of the Maendeleo Ya Wanawake Organisation, Nairobi chapter was also in attendance and congratulated the grassroots woman for her resilience and hard work in bringing up the community. Kituo held the event with the community in Mathare to celebrate women's achievement and raise awareness against bias while taking action for equality. Kituo and partners marked the Annual Women's Day to celebrate the resilience of Kenyan women and promote access to justice for all. Kituo advocates Valarie Ang'awa and Samantha Oswago together with volunteer advocates and community paralegals provided free legal aid to members of the public on the sidelines of the event. Partners organizations who joined Kituo on the day included the Mathare Peace Initiative (MPI), Saferworld, Pamoja for Transformation, Life Peace Institute, Médecins Sans Frontières (MSF) among others.



Women leading the 'Balance for Better' march from the County Commissioner's office in Mathare, Nairobi

Success Story of Moses Ndegwa Ngugi



A jubilant Moses Ndegwa Ngugi (in white t-shirt) with Kituo officers at the Kituo Head Office in Nairobi

Republic vs. Moses Ndegwa Ngugi – Crim. Case No.602/17

Moses Ndegwa Ngugi heaved a sigh of relief and shed tears of joy after receiving a positive judgment from the Chief Magistrates' Court at Gatundu, Kiambu; the Chief Magistrate L. M. Wachira found that Moses had no case to answer and acquitted him under Section 210 of the Criminal Procedure Code. Moses Ndegwa Ngugi was charged with the offence of robbery with violence contrary to Section 296 (2) of the Penal Code.

The facts of the case being that the prosecution alleged that on 1st June 2017, at around 1.15am, the accused person with others not before the court armed with crude weapons namely axes, pangas and crow bars invaded the house of one Lucy Wanja Waiganjo and gained entry into her sitting room after cutting the window grills with an axe and robbed her of her wedding ring, mobile phone make infinix and Kshs.3, 000/- all valued at Kshs.22,700.

The accused was identified in a police parade allegedly based on his voice. Kituo Cha Sheria advocate, Rhoda Maina was on record on behalf of the accused person and during the hearing, the prosecution

called 5 witnesses and after closing its case, Ndegwa's advocate filed her submissions. The Court strongly considered the circumstances of identification as narrated by the witness and in their considered view; circumstances on the night were stressful and not suitable for positive identification of any assailant. The Court further found serious doubts on the evidence on the question of identification of the suspect who had been arrested in a police swoop. The Court concluded that the evidence on record did not put forward a proper case of robbery with violence and if the accused was to be placed on defence and chose to remain silent; the evidence would not sustain a conviction. Accordingly, the accused was set at liberty and accordingly acquitted under section 210 of the Criminal Procedure Code in a ruling delivered on 12th April 2019.

Mr. Ndegwa, a young man who was staring at a future despair, was ultimately very grateful for the assistance offered to him by Kituo Cha Sheria throughout his journey in the justice system.

This is yet another small victory for a Kenyan who had nowhere to turn to but Kituo Cha Sheria, the people who care for justice for the poor and marginalized people in society.

KITUO Hosts Coast Land Non State Actors (CLNSA) Forum



Members of the Coast Land Non State Actors (CLNSA) follow proceedings at the Royal Court Hotel, Mombasa

Kituo Cha Sheria hosted members of the Coast Land Non State Actors (CLNSA) at the Royal Court Hotel, Mombasa on 6th and 7th March 2019. The meeting supported by Misereor brought together over 20 organizations for two days for planning, reflection of achievements and challenges. The intention of the meeting was to build synergy and create a work plan that will ease coordination of work for

the sector. Coast Land Non State Actors (CLNSA) is a network of CSOs in the Coast and Kituo is an instrumental player in ensuring land justice and reforms are achieved and work for the poor and lowly. Some of the members who took part in this first annual meeting included Haki Yetu, TI, Ujamaa Centre, Action Aid Kenya, Pamoja Trust, COEC and Muungano wa Wanavijiji.

KITUO Conducts a Radio Talkshow in Malindi



Kituo Cha Sheria's Coast Region office-Mombasa conducted a human rights informative radio talkshow on Saturday, 30th March 2019. The radio publicity talkshow at Lulu FM in Malindi was an event held in collaboration with the Malindi Rights Forum. The talkshow was conducted towards the advocacy of the rights of the Salt Belt Community in Magarini Sub-County, Kilifi County. The people living on the salt belt in Magarini have suffered numerous injustices; historical, land-related and environmental- meted largely by the state and salt mining

companies. Kituo Cha Sheria and community based human rights organizations in Kilifi County in collaboration with the local leadership and community members intend to file a class suit to remedy the numerous injustices. The program is supported by the American Jewish World Service (AJWS). In Kenya, AJWS defends communities' access to land, water and other natural resources that are being exploited by development projects. Kituo Cha Sheria and AJWS are committed to helping marginalized communities in the Kenyan coast to advocate for their human rights. We are seeking to stop or delay the construction of development projects that threaten local people's means of survival and advocating for communities to be consulted on the use of their land and other natural resources while attracting media attention to local land rights struggles and pressuring investors to consider the human cost of their projects.

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