



NEWSletter



Contents

- The 1st Annual Alternative Justice System AJS Summit.....4
- The Embassy of the Netherlands in Kenya pays courtesy visit to Kituo.....8
- Civil Society Forum for the Africities 9 Summit10
- KITUO attends the World Justice Forum 2022 at the Hague Netherlands..... 11
- Kituo inks MOU with Sports Disputes Tribunal.....12
- Kituo inks MOU with Commission on Administrative Justice (CAJ) ..17
- The strategy meeting with Land Non-State Actors on the Yala Swamp Case21

BUILDING THE LEGAL EMPOWERMENT MOVEMENT IN AFRICA SHARED LEARNING, COMMUNITY POWER AND ADVOCACY FOR JUSTICE

From 19th to 21st July 2022, Kituo cha Sheria in partnership with the Legal Empowerment Network, International Development Research Centre and the African Centre of Excellence for Access to Justice, convened a meeting of legal empowerment practitioners from across Africa.

The convening, held in Nairobi, Kenya brought together 15 grassroots and national legal empowerment organisations from West, East, Southern and the Horn of Africa.

The objective of the meeting was to begin to build friendships, solidarity, partnerships and a community of practice around legal empowerment in Africa. We aimed to develop a clear roadmap detailing collective priorities, activities,

responsibilities and timelines towards enhancing legal empowerment in the continent.

State-of-play of the legal empowerment movement in Africa

The convening began with participants reflecting candidly on the state of affairs of the legal empowerment movement in Africa. The similarities across the continent were striking.

First, practitioners expressed frustration that State actors still do not fully appreciate the immense value-added of community-based justice initiatives. This is in part because while substantial and impactful work is happening across the field, we are not doing enough to learn systematically and document and share our achievements, best practices and strategies.

Many practitioners were overwhelmed by the demand for justice within their communities. Given the scale of the challenge, setting time aside to reflect on impact and lessons learnt from the ground is challenging.



Tshenolo Tshoaedi, Executive Director, Community Advisory Offices of South Africa (CAOSA) making a presentation during the workshop



The Legal Empowerment Network members convening for their meeting at fourpoints Hotel in Nairobi Kenya

Second, the question of recognition of community-based paralegals in the respective countries continues to be a priority. Practitioners shared experiences with legal frameworks enacted in various countries to define and recognize community-based paralegals as critical players in the access to justice chain. We found that countries that have passed such laws have often ended up shrinking the space and curtailing the role of community-based paralegals (for example, Kenya, Sierra Leone and Tanzania). On the other hand, African countries without such laws appeared to have a more liberal approach, emphasising for example, community recognition of paralegals (for example, South Africa). The lack of protection to ensure their security in the line of duty continues to be an urgent challenge.

Third, practitioners continue to face challenges related to the lack of financing for legal empowerment in the continent. While new initiatives towards enhancing funding for access to justice, like the Legal Empowerment Fund, were welcomed, we noted that these funding streams were neither sufficient to meet the needs, nor were they flowing down to communities, due to stringent donor pre-requisites for accessing resources. The high level of external donor dependence across the continent was likened to neo-colonialism. There is a need to decolonize the sector, and to rethink fundraising and resource mobilisation from a point of agency.

Finally, participants agreed that there was a need to strengthen coordination of legal empowerment organisations at regional and sub-regional levels.

Learning from each other to gro our movement



Group discussion around common regional priorities

Having highlighted the challenges in the African continent within the movement, we discussed ways to address them.

The Learning Agenda for Legal Empowerment—which puts forth a set of questions for collective learning across our field-- clearly mirrors the pressing issues within the movement

in Africa for example, how can we demonstrate our impact? What forms of financing and recognition can help us grow the movement? How can legal empowerment build collective power? Several organisations among us are undertaking action research and learning efforts to deepen their impact, build community power and address root causes of injustices.

These organisations shared their learning with the wider group:

- Kituo cha Sheria, Legal Aid Forum Rwanda, African Centre of Excellence and Paralegal Alliance Network shared how they are critically evaluating the impact of legal aid and empowerment programs in improving access to justice for marginalised and vulnerable communities.
- Akiba Mashinani Trust (AMT) shared how they are using legal empowerment to improve access to basic services in informal settlements in Kenya .
- Southern Africa Litigation Centre and Centre for Human Rights, Education, Advice and Assistance shared how they are translating grassroots efforts to address police abuse into broader changes to laws and institutions.
- Namati’s Citizenship Program shared how by combining law and organizing, they are equipping excluded communities to overcome a discriminatory system and secure national identity documents.



Participants at the Chief's Office in Kibra, Nairobi

The case studies demonstrated the importance of using participatory action research as an approach to build power among communities, and how learning can generate evidence that improves the effectiveness of legal empowerment programs. In all the case studies, communities are deeply involved in the data collection and analysis, and the learning is being used to drive advocacy efforts. In fact, the essence of learning is to build community power, formulate an evidence-based agenda, build people-driven collective action and thereby bring about long-lasting, transformative systems change.

Continuing the practical, action-oriented learning efforts, we also undertook a study visit to the Kibra Justice Centre, which is run in partnership with Kituo cha Sheria. Participants saw first-hand how community paralegals address justice needs, how they engage with the state (police, local officials) and reflected on the comparative experiences in their respective countries.

The road ahead

On the last day, a clear roadmap was crafted for how we can continue the sharing of experiences, learning, collaboration and advocacy efforts. Practitioners strongly emphasised the need to continue building a community of practice and embracing learning.

We agreed that there is a need to unpack and build consensus around the contested concepts of recognition of paralegals and financing. When we seek recognition of community-based paralegals, what exactly do we mean? Is this formal public recognition alone, or also recognition by communities? We would like to understand how community paralegals work in countries without legal frameworks for recognition.



The Legal Empowerment Network members a networking dinner with Kituo Board Members including Board Chairperson Mr. Justus Muniyithya and Joy Asiema with special attendance by Ms. Mercy Wambua, the CEO Commission on Administrative Justice (CAJ), and Commissioner Jedidah Wakonyo Waruhiu who was the chief guest.

And in countries with restrictive laws, the movement ought to push governments to amend legislation. Learning is crucial so that such advocacy strategies can be founded on empirical studies that document the value and impact of work of community-based paralegals. Tied to this is the need



Paralegals at the Kibra Justice Centre (L-R : Mary Airo and Jamia Abdulrahim) with a client.

to document the micro successes of state - paralegal collaboration that have had impact on the justice journeys of ordinary citizens at grassroots level. Are these initiatives scalable and can learnings from these interventions lead to the development of a model "legal empowerment" law that looks at nuanced approaches to recognition and innovative ways of financing?

There is a need to go back to the drawing board and interrogate the best models for financing (public funding, donor funding versus more local and self-sustaining models of funding). The model can then be adapted to specific contexts. It was resolved that practitioners engage with the Legal Empowerment Fund and other development partners so that they can

improve the accessibility of financing to local organisations and communities.

Recognizing the centrality of the community paralegal in our movement, participants floated the idea of a reward for impactful paralegal work—the "African Paralegal of the Year" Award.

We also committed to evidence-based advocacy at regional and sub-regional levels. This includes deliberate engagement with the African Union to shape its 2063 Agenda on access to justice to reflect a more people centred approach, and with sub-regional bodies such as the East African Community, Southern Africa Development Cooperation, and ECOWAS. It was recommended that continental collective action should be coordinated by the African Centre of Excellence, a pan-African organisation

which is expanding its membership.

Finally, participants expressed keen interest in continuing to share experiences with each other, deepen our collective efforts towards learning, and do more to document and showcase the impact and value of our work, including through creative ways like storytelling, using digital media etc. We noted that practitioners may need technical support on intentional and systematic learning, including collecting, interpreting, documenting and showcasing data, and committed to peer-exchange and peer-support within our community of practice to build the necessary skills and knowledge. In continuing with the energy and solidarity built in this regional meeting, the West Africa Legal Empowerment Network have invited both AMT and the Citizenship Justice Programme to share in detail how they are using legal empowerment to build community power to the wider West Africa audience. This virtual exchange is due to take place at the end of Oct, 2022.

Participating organisations:

- Paralegal Advisory Services Institute (Malawi)
- African Centre of Excellence for Access to Justice
- Federation of Women Lawyers (FIDA)-(Uganda)
- Timap for Justice (Sierra Leone)
- Legal Aid Forum (Rwanda)
- Southern Africa Litigation Centre (SALC) (South Africa)
- Public Interest Law Clinic-Makerere University (Uganda)
- Paralegal Society of Kenya,
- Community Advisory Offices of South Africa (CAOSA)
- South Sudan Law Society (South Sudan)
- Samburu Women's Trust (Kenya)
- Lady Ellen Women's Aid Foundation (Sierra Leone and Core Member, West Africa Legal Empowerment Network)
- Children's Legal Defence Centre (Somaliland)
- Legal Aid Clinic, University of Hargeisa (Somaliland)
- Paralegal Alliance Network (Zambia)
- Centre for Human Rights Education, Advice and Assistance (CHREAA) (Malawi)
- Kibra Community Justice Centre (Kenya)
- Akiba Mashinani Trust (Kenya)
- International Commission of Jurists-Kenya
- Legal Empowerment Network
- Namati Citizenship Program (Kenya)
- Kituo cha Sheria (Kenya)

THE 1ST ANNUAL ALTERNATIVE JUSTICE SYSTEM (AJS) SUMMIT



From right, Hon. Justice (Prof) Joel Ngugi, Deputy Chief Justice Hon. Philomena Mwilu (middle) and Hagemann Katrin Deputy EU Ambassador following proceedings at the summit

The summit was convened by the National Steering Committee on Implementation of Alternative Justice System (AJS) at Tangaza University in Nairobi. The purpose of bring together all AJS champions in the Country.

Despite being the inaugural summit the three (3) day event was focused on the Judiciary's vision of Accelerating Social Transformation through Access to Justice.

The other agenda was to provide an experience sharing and knowledge exchange session for the participants from all counties with AJS models and actors.

The summit was opened by the Deputy Chief Justice Hon. Philomena Mwilu who gave the keynote speech on behalf of the Chief Justice Hon. Martha Koome. The key message was the need to actualize the AJS policy.

While address the congregation, the DCJ stated that the idea behind AJS is nothing new but reflection of the reality in our communities, right from pre-colonial times to contemporary that has had indigenous systems of justice that operate outside the structures of state institutions. She added that most of our communities emphasized social harmony as the overriding ideology of social organization.



Deputy Chief Justice Hon. Philomena Mwilu giving her keynote speech

Hon. Justice (Prof) Joel Ngugi, the Chair, National Steering Committee for the Implementation of the Alternative Justice Systems Policy (NaSCI-AJS) while highlighting the successes of AJS, stated that the use of AJS in Othaya Sub-County has shaped the law's, security apparatus, administration's and society's response to the Mungiki menace in that locality.

Similarly, in Nakuru County, the boda boda sector has used AJS to internally resolve more than 300 cases this year before they end up in Court. Additionally, Isiolo Law Courts report that after about six years of experimentation, about half of its cases are referred to and resolved through a robust Court-Annexed AJS system.



Attendees following proceedings at the summit

Hon. Justice (Prof) Joel Ngugi encouraged AJS practioners to go upstream and ensure only the right cases come to Court. He added that the County-backed AJS Model launched last October in Kajiado County has already resolved 33 land cases between January and now. The AJS conference continues for its second day on 22 June 2022. Register to follow the conversation on Social Transformative Justice through AJS.

Dr. Annette Mbogoh who gave a presentation on the role of CSOs in cascading AJS emphasized on the need for Civil Society Organizations to strongly collaborate with Judiciary through the National Steering Committee for the Implementation of the Alternative Justice Systems Policy (NaSCI-AJS) in setting up structures and plans, public sensitization, training of Alternative Justice Systems (AJS) practitioners and setting co-referencing mechanisms between AJS structures and courts.

She further stated that there is need for sustained advocacy aimed at increasing financing for implementation of the AJS policy. This will go a long way in facilitating AJS practitioners to effectively do their work.



Dr. Annette Mbogoh making presentation on the role of CSOs in cascading AJS

She urged the partners to consider using existing grassroots networks established by CSO to cascade AJS and Integrate mental health and psychosocial support in AJS mechanism due to the emotive nature of the disputes that are resolved.

While sharing a case study of kituo cha sheria's model on AJS, Dr. Mbogoh stated that KITUO has been implementing AJS as an integral part of its access to justice and legal empowerment work.

KITUO has worked specifically in Trans Nzoia, Kisumu and Uasin Gishu Counties since 2017 with support from Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)-Civil Peace Service.



Hon. Justice (Prof) Joel Ngugi following proceedings at the summit



Hon. Justice (Prof) Joel Ngugi, the Chair, NaSCI-AJS [Front row - 4R] together with Kituo's AJS practitioners from Trans Nzoia, Kisumu, Uasin Gishu, Mombasa, and Nairobi. Also in the photo are our development partners from GIZ-CPS, Matthias Neef and Jolly Kathambi [Front row - 2L], Kituos BoD Chair Justus Munyithia [Front row - 3R], and Dr. Annette Mbogoh, Kituo's Executive Director [yellow blazer]

The project aims to foster forgiveness, reconciliation and co-existence in those regions through AJS hearings to resolve disputes.

The participants included members of NaSCI-AJS, members from NCAJ, members of Judiciary, Social justice Centers, Members of ODPP, National Government, NGO's such as FIDA-Kenya, Pamoja Trust & HURIA and Development partners such as UNDP, UNODC and FAO.

Objectives of the summit sought to ensure the following:

- Locate and promote uptake of AJS in the view of the Judiciary's vision.
- Address the AJS malcontents through theorization of the human rights framework in AJS.
- To consolidate innovative strategies adopted by the NaSCI-AJS and other Justice actors in implementing the AJS policy.

The Kituo AJS project arose from the need for systems that foster forgiveness, justice and reconciliation following the lack of accountability at community level following the 2007/2008 Post-Election Violence (PEV).

The project was borne out of KITUO's efforts to promote and protect the rights of victims of the Post Election Violence (PEV) through the peace justice and reconciliation project that was initiated in 2009.



A participant making his contribution



Participants following the proceedings at the Summit



From left, Br. Dr. jonas Yawovi Director Institute of Social Transformation Tangaza University, Dr. Annette Mbogoh, Executive Director Kituo Cha Sheria and Dr. Steve Ouma, Vice Chairpern National Steering Committee on Implementation of AJS policy leading a panel discussion on AJS as a tool for social transformation justice and societal discourse

KITUO HOSTS COLLEAGUES AND PARTNERS FROM NAMATI AND THE GLOBAL LEGAL EMPOWERMENT NETWORK



From left, Mr Jairo Sila, Kituo staff, Vivek Maru, Chief Executive Officer Namati, Indira Sarma, Chief Operations Officer, Dr. Annette Mbogoh Kituo Executive Director, Erin Kitchell, Director of Global Programs and Aimee Ongeso, Senior Global Officer.

Kituo Cha Sheria's Executive Director, Dr Annette Mbogoh, was pleased to host colleagues and partners from Namati and the Global Legal Empowerment Network. Namati was represented by Vivek Maru, Chief Executive Officer, Indira Sarma, Chief Operations Officer, Erin Kitchell, Director of Global Programs and Aimee Ongeso, Senior Global Officer.

Since Kituo cha Sheria was appointed the Global Legal Empowerment Network's Regional Anchor in East Africa, a core group had been established and convenings were purely online due to the Covid-19 pandemic.

The conversation centered around membership of the Network, emerging concerns on legal empowerment in the East Africa region, advocacy and learning. It was noted that there was a need to directly and deliberately engage grassroots organizations in the Network activities in the East Africa region.

The achievements made by the East Africa network members and the proposed plans for the year 2022 were highlighted. Some of these included learning and advocacy around the questions of transformative impact and community-based paralegals' recognition, regulation and financing at Africa level. Plans were underway to convene an in-person strategy and learning meeting involving member organizations in East and Southern Africa.

Some of the themes around learning would include land and environmental justice and the paralegal approach to legal empowerment. It was generally agreed that these issues would be considered for advocacy at the African Commission for Human Rights so as to hold governments accountable to the rule of law, human rights and access to justice.

PARALEGALS' REFRESHER TRAININGS IN TURKANA AND KITUI JUSTICE CENTRES



Paralegals from Turkana Justice Centre and Kituo staff pose for a photo after colourful graduation.

Kituo Cha Sheria conducted one-week refresher training for 50 Community paralegals from Turkana and Kitui Community Justice Centres. The training that took place from 25th to 30th April 2022 and 27th June to 3rd July 2022 for Kitui and Turkana respectively aimed to re-instill self-confidence and brush up on the legal skills necessary for the paralegals to carry out their daily activities of enhancing access to justice through public education and free legal services within the communities.

The training was organized by our Advocacy Governance and Community Partnerships program supported by the Ministry of Foreign Affairs of the Kingdom of the Netherlands under the objective to promote access to justice for the poor and marginalized.

The training saw participants introduced to Paralegalism. This included Kituo and paralegal work, roles and qualities of a paralegal. Human Rights and general provisions in relation to the Bill of Rights under Chapter Four of the Constitution were covered with emphasis on the Rights of arrested persons and Right to fair hearing as provided for under the Constitution.

Participants were also trained on the difference between Civil, Socio-economic and Political Rights as well as the application of Human Rights using examples of cases they handle at the Community Justice Centre. The participants were also taken through Criminal Law and Procedure; Who has the power to arrest, How do you arrest, How do you confirm if a warrant is valid, Arresting using reasonable force.

Other issues such as Bail & Bond were discussed as well as The role of the legal place of paralegalism with regards to legislations such as the 2014 Legal Aid Act, 2014 Small Claims Court Act, 2014

Victims Protection Act, 2016 Witness Protection Act and the 2001 Children's Act. Group discussions were held and presentations made on provision on hearing and determination of cases and Hierarchy of Courts in Kenya. Other topics discussed during the course of the training include Land Law and Conveyance; Labour Law including rights and duties of both employees and employers; Types of Alternative Dispute Resolutions as well as its advantages; Mental Health and; Environmental Law and Environmental Management.



Paralegals from Turkana Justice Centre undergoing training.



Jacquelyn Jepchirchir (Right) handing over administrative support material including computer; Printer, tonners, printing papers, and other stationeries to paralegals to facilitate the processing of legal documents at Turkana Community Justice Centre.

COUNTRY DIRECTOR HIAS KENYA PAYS A COURTESY VISIT TO KITUO



Kituo Cha Sheria staff together with the deligation from HIAS KENYA pose for a group photo shortly after their meeting.

Kituo Cha Sheria was delighted to receive Lucy Kiama, the Country Director HIAS KENYA together with her team who paid a courtesy visit to Kituo Head office in Nairobi.

The team had a brief discussion with officers from Kituo's Forced Migration programme led by our Executive Director Dr Annette Mbogoh on refugee protection work with focus on Legal and Mental Health and Psychosocial Support

interventions in Nairobi and Mombasa. The discussion centred on different approaches, synergies and strengthening collaborations. Kituo and HIAS KENYA agreed to formalize an existing MOU and strengthen it to reflect more strategic partnership especially on community work and establishment and support to refugee justice centers in Nairobi, and support to the torture survivors' work in Mombasa.

LEGAL AID CLINIC IN VIHIGA



Esther Nekesa, Kituo Lawyer (left) attending to a client during the legal aid activity

Kituo Cha Sheria in partnership with the Vihiga Community Justice Centre on 23 April 2022 held a legal aid clinic at the St. Bakhita's Secondary School in Vihiga County. The clinic saw our officers and the community paralegals offer support to community members on a myriad of issues ranging from land to SGBV.

Through the support of the Embassy of the Netherlands in Kenya, Kituo greatly employs provision of legal aid clinics as a drive towards achieving SDG 16 on promotion of peaceful and inclusive societies for sustainable development, provision access to justice for all and building effective, accountable and inclusive institutions at all levels.

COASTAL CIVIL SOCIETY NETWORK MEETING



Coast Civil Society Network for human rights members conducting their meeting.

Kituo Cha Sheria joined Coast Civil Society Network for Human Rights for an inception meeting with County planning and finance department, Youth department and Health department at Royal Court in Mombasa.

The meeting aimed on deliberating on how we can strengthen Citizen engagement to enhance service delivery in Mombasa County.

The project is supported by Act Change Transform (ACT) through the Kenya Devolution Program.



Zedikiah Adika, program officer, kituo cha sheria making his contributions.



Esther Nekesa, Kituo Lawyer (left) and Kituo Volunteer advocate participating at a radio talk show

In addition, our team held a radio talk show at the Tandaza FM to sensitize the community on Kituo's work, our M-Haki platform, their civic duties, peace and cohesion during the election-eering period and the need for youth, women, PLWDs and the minority group to participate in the process.



Clients being attended to by paralegals, Kituo staff and volunteer advocates during the legal aid clinic in Vihiga

KITUO PRESENTS A MEMORANDUM TO NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY ON DURABLE SOLUTIONS FOR REFUGEES IN KENYA.



Kituo Cha Sheria staff together with members of the National Assembly Departmental Committee on Administration and National Security

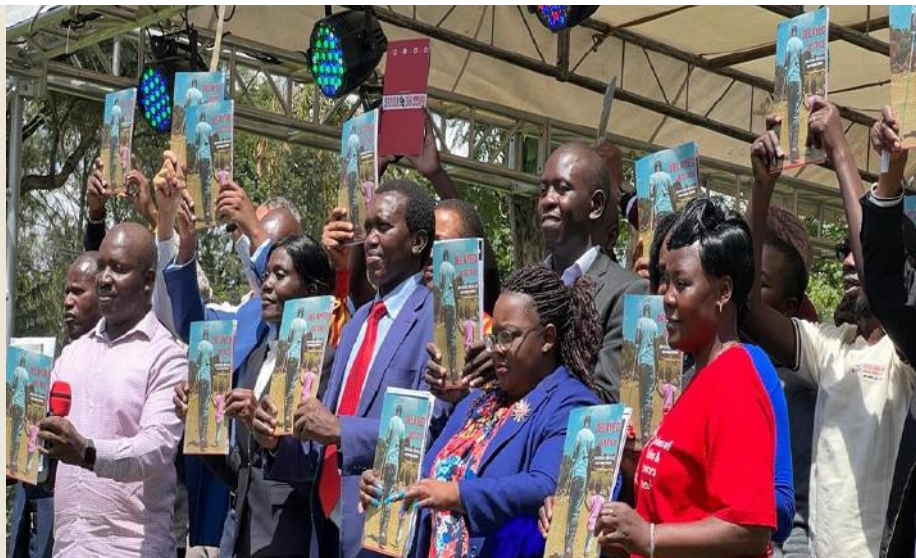
On 27th April 2022 Kituo Cha Sheria's Forced Migration Programme led by Dr. Annette Mbogoh Kituo's Executive Director, presented a Memorandum to the National Assembly Departmental Committee on Administration and National Security on durable solutions for refugees in Kenya.

Some of the immediate recommendations meant to enhance the welfare of refugees in Kenya include speedy development of guidelines and regulations for full implementation of the Refugee Act 2021 and to ensure that refugees and the Refugee Identity Card are afforded the broader rights guaranteed to them in the Refugees Act, 2021.

The memorandum also sought to engage the Department of Refugee Services to devolve registration services of refugees through mobile registration centres especially in Nairobi that will ease the backlog of undocumented persons, and improve national security as well as engage with the Department of Refugee Services to actively work with civil society organizations working with refugees for realization of national and international law relating to refugee protection.

The Memorandum further call upon the Ministry of ICT to duly recognize the Refugee Identification document for easy access to online government and private services, and the Director of Immigration and the Commissioner-General to provide a report on the process of application of Class M work permits and PIN certificates especially those involving refugee applicants. The Departmental Committee was very receptive of the conversation and pledged to organize follow up meetings with relevant departments in Nairobi.

THE LAUNCH OF MISSING VOICES REPORT



Members of the missing voices network showcase the copies of the report at the launch

Kituo on 27th April 2022 attended the official launch of the 2021 Missing Voices Report launch title: Delayed Justice at the Nyayo Gardens, Nakuru City. In 2021, Missing Voices documented 219 cases of police killings and enforced disappearances.

Kituo is a member of the network that advocates for an end to torture, enforced disappearances and extrajudicial killings in the country through various strategies including PIL, awareness creation and other advocacy platforms

LEGAL AID CLINIC IN KWALE COUNTY



Zedikiah Adika, program officer, engaging the clients during the legal aid clinic

On 29 May 2022 Kituo held a legal aid at Tsunza in Kwale County. This is after receiving complaints of irregular land allocation process through the area Settlement scheme and land Adjudication.

The team visited the National Land Commission in Kwale and Kinango Land Adjudication officer to inquire about the complaints. The two state offices invited all those community members with complaints to visit their offices for redress of the same. Kituo will be following up with communities to ensure they access justice. This was done with the support of MISEREOR.



Reuben Kuto, program officer at kituo cha sheria attending to a client with legal issue during the legal aid clinic

THE EMBASSY OF THE NETHERLANDS IN KENYA PAYS COURTESY VISIT TO KITUO



Kituo Cha Sheria staff, Community and prison paralegals together with the delegation from the Embassy of the Netherlands in Kenya

On 12th May 2022 Kituo Cha Sheria was pleased to host development partners from the Embassy of the Netherlands in Kenya led by Ms. Carolyn Abong, Senior Policy Advisor, Political Affairs, Human Rights, Rule of Law at Netherlands Embassy, Nairobi and Ceciel Groot, Policy Officer responsible for Kenya.

The two delegates who were welcomed by Dr. Annette Mbogoh, Kituo's Executive Director and Ms Valerie Ang'awa, the Coordinator Advocacy, Governance and Community Partnerships (AGCP) programme had a meeting with KITUO'S programme officers, Community and Prison Paralegals mainly drawn from Nairobi to discuss the access to justice program and how Kituo can factor in People Centered Justice in their programmatic work and the tools and strategies to use.

The meeting provided an opportunity for Kituo to present a status update on programmatic work.

The paralegal used the opportunity to share their experiences and discuss strategies for addressing some of the challenges they face in executing their programs. The meeting also forged future partnership.

We would like to thank our development partner, the Embassy of the Netherlands in Kenya for their continued support in the journey of enhancing access to justice for the poor and marginalized in Kenya. Kituo Cha Sheria will always strive to enhance People Driven Justice. Together we will re-engineer and shape Legal Empowerment approaches targeting marginalized communities.



Dr. Annette Mbogoh, Kituo's Executive Director giving her remarks at the meeting



Kituo staff, a section of community and prison paralegals together with the delegation from the Embassy of Netherlands in Kenya convening for a meeting at Kituo grounds in Nairobi.

KITUO TRAINS OFFICERS FROM THE MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT



Officers from the Ministry of Interior and Coordination of National Government undergoing training

Kituo cha Sheria, in partnership with Ma-laika Foundation and Siaya Law Courts, trained officers from the Ministry of Interior and Coordination of National Government, including 50 Chiefs and Assistant Chiefs in Siaya County, on Alternative Justice and Succession Law.

The training was conducted in response to a resolution passed by the Court Users Committee on November 19, 2021, to improve access to justice by building the capacity of chiefs in land matters.

The training aimed to improve knowledge, specifically among national government officers who are also members of the CUC on the Law of Succession in Kenya and the Alternative Justice System



Dr. Steve Ouma, Vice Chairperson National Steering Committee on Implementation of AJS policy giving his remarks during the training



Lady Justice Roselyne Aburili, Judge Environment and Land Court, Siaya Law Court addressing the participants at the training



Dr. Annette Mbogoh, Kituo executive director conducting a meeting with paralegals from Nyando Community Justice Centee

The Nyando Justice Centre was established in 2006 as the flagship Kituo cha Sheria community justice centre covering the Nyanza region. Since its inception, the Nyando Justice Centre has been greatly involved in promoting legal empowerment in the region most of the times in collaboration with local administration and even the police service.

During a visit by the Executive Director, Dr. Annette Mbogoh, the community paralegals noted that gender-based violence, land and labour injustices were on the rise. For instance, the response to gender-based violence was weak due to limited medical and psychosocial services, absence of safe houses and lack of cooperation from the police. The community paralegals noted that they faced challenges around intimidation by state officers, resources mobilization and sustainability. Limited financing for community paralegals was a real problem as it impacted on the extent of interventions and commitment to the cause. It was noted that there was a need to strengthen advocacy campaigns on financing and build the capacity of the justice centres on resource mobilization.

Moving forward, it was recommended, among other issues, that the paralegals are trained on elections monitoring, sign language and resource mobilization. Further, Kituo cha Sheria committed to linking more volunteer advocates from the region to the Nyando Justice Centre for more effective referrals. We at Kituo cha Sheria sincerely appreciate the passion and commitment to justice exuded by our Nyando community justice centre's paralegals.



Kituo's Exexutive Director, Dr. Annette Mbogoh (middle) together with the Nyando Community paralegals



Participants following the proceedings at the Civil Society Forum for the Africities 9 Summit that was held in Kisumu County.

Kituo Cha Sheria led by the Executive Director Dr. Annette Mbogoh, Advocate Tracy Wachira and Ramadhan Odero attended the Civil Society Forum for the Africities 9 Summit in Kisumu.

The two-day forum aims to discuss on key issues pertaining to the theme of the Africities 9 Summit, "The role of intermediary cities in the implementation of the United Nations Agenda 2030 and the African Union Agenda 2063."

The Forum will address diverse issues on social justice, women's political leadership, forced evictions, stakeholder engagement, adequate housing, Kenya's position paper for Africities 9 and climate change.

While giving her remarks, Dr. Annette Mbogoh, emphasized on the need to monitor social justice plans to ensure that we do not end up with plans on paper that are not implemented. She sighted the AU Aspiration 3, which is yet to be implemented 10 years down the line and the SDG 16 as examples.



Dr. Annette Mbogoh, Exexutive Director Kituo Cha Sheria addressing the participants at the Africities 9 Summit that was held in Kisumu County.

KITUO CHA SHERIA ATTENDS THE WORLD JUSTICE FORUM 2022 AT THE HAGUE NETHERLANDS



Dr. Annette Mbogoh, Kituo's Executive Director (Second from right) together with other panelist at a panel discussion convened by the American Bar Foundation on establishing a shared research agenda for access to justice

The World Justice Forum 2022 was opened on 30th May 2022 and stretch through to 3rd June 2022 in The Hague, Netherlands. The Forum brought together over 1000 participants from over 100 countries working in justice and drawn from governments, practitioners, development partners and academics. The theme for this year's forum is, 'Building just communities.'

Kituo cha Sheria was represented by Dr Annette Mbogoh, Executive Director who participated in a panel discussion convened by the American Bar Foundation on establishing a shared research agenda for access to justice. The panel also consisted of Dr. Alejandro Ponce (World Justice Forum), Dr. Adrian di Giovanni (International Development

Research Centre) and Prof. Rebecca Sandfeur (Arizona State University).

The panel was moderated by Dr. Matthew Burnett (American Bar Foundation). The discussion centered around what constitutes a shared research agenda, how it can be developed and supported.

Dr. Mbogoh shared the research work done by Kituo Cha Sheria in collaboration with the IDRC, Legal Empowerment Network and the African Centre of Excellence for Access to Justice. It was agreed that there was an urgent need for a research agenda, learning within regional and global spaces and more investment by development partners in research.

GIZ - CPS OFFICERS PAY COURTESY VISIT TO KITUO HEAD OFFICE



Kituo's Executive Director, Dr. Annette Mbogoh (middle) together with the Nyando Community paralegals

Kituo Cha Sheria Alternative Justice Systems (AJS) Local Experts, Martha Ogotu and Janet Kavuravu on 31st May 2022 hosted a planning meeting at the Kituo Cha Sheria Offices with GIZ-CPS

Manager, Millicent Oloo and AJS Advisor, Jolly Kathambi.

The AJS local experts presented a status update on the AJS project that KITUO has been implementing in a Uasin Gishu and Trans Nzoia Counties as well as sharing the opportunities to expand the reach of the interventions within the project.

They also informed the partners of the exciting activities that KITUO will feature in this year's phase of the project and the sustainability plans that are being put into force for the beneficiaries in the two counties.

The project is centred on providing alternative means of solving disputes aside from the formal court processes with a vision of access to justice, cohesion and integration within communities.

WORLD ELDER ABUSE AWARENESS DAY



Participants, comprising of elderly persons following the proceedings

On 15th June 2022, Kitui joined senior members of our society from Kibera and its environs to commemorate the World Elder Abuse Awareness Day at Canan Hall Soweto Highrise in Kibera Nairobi.

Kituo was honored to highlight the work that it is doing to prevent and address the abuse, neglect, and exploitation of older Kenyans including building strong support and promoting access to justice for elders as constitutionally enshrined under article 57 of the 2010 Constitution.

Major (Rtd) John Seii the Myot Council of Elders' Chairman, pointed our elder abuse as one of the least investigated types of violence that does not get addressed in national action plans as frequently as other key social issues.

World Elder Abuse Awareness Day is celebrated every year on 15th June and it aims at providing an opportunity for communities around the world to promote a better understanding of abuse and neglect of older persons by raising awareness of the cultural, social, economic and demographic processes affecting the elderly. The activity was spearheaded by Kibera Day Care Centre for the elderly. Kituo was represented by Ms. Jacquelyn Jepchirchir Programme Officer, Jamia Abdulrahim and John Paul Makere both from Kibera Community Justice Centre.



Participants, comprising of elderly persons following the proceedings

KITUO INKS MOU WITH SPORTS DISPUTES TRIBUNAL



From left, Mr. Justus Muniyithya, KITUO BoD Chairperson, John Ohanga SC, Ms Joy Asiema and Ms Leah Kaburu exchange the signed MOU.

Kituo Cha Sheria and the Sports Disputes Tribunal entered into a partnership on the 6th June 2022 through signing a Memorandum of Understanding (MOU) aimed at enabling access to justice in the sports sector through initiating public interest litigation cases and self-representation for indigent clients in the Tribunal.

The MOU will see the Sports Disputes Tribunal refer all relevant litigants with sports rights matters to Kituo Cha Sheria and its volunteer advocates for court representation, drafting of pleadings and coaching for self-representation of indigent litigants in the tribunal.

Through this strategic collaboration, the Tribunal and KITUO shall build the capacity of paralegals and the public on the area



Ceremonial cake cutting session after the signing of the MOU.



Delegation from the sports tribunal together with kituo staff, BoD members and paralegals

of sports law and carry out community outreach to enhance a sports culture especially within vulnerable communities. Speaking at the signing of the MOU at Kituo Head office in Nairobi, Mr. John Ohanga SC, Chairperson Sports Tribunal said the actualization of the MOU will help address cases of infringement of human rights that the Sports Disputes Tribunal often receives from some of the aggrieved parties who in most cases end up lacking legal support in terms of knowledge and representation on their cases at the tribunal.

Mr. Justus Muniyithya Chairperson to the Board of Directors, Kituo Cha Sheria assured the tribunal that KITUO shall use its expertise to enhance access to justice among the sports men and women on probono basis and to effectively handle and litigate their cases from an informed position, when a dispute occurs.

In Completing the MOU Signing formalities, Mr. Justus Muniyithya, represented Kituo cha Sheria while John Ohaga SC, represented the Sports Dispute Tribunal, witnessed by Ms. Joy Asiema who is a member of the Board of Kituo cha Sheria and Ms. Leah Kaburu, who joined in carrying out the MOU signing procedures



Justus Muniyithya, KITUO BoD Chairperson signing the MOU on behalf of Kituo Cha Sheria

KITUO MARKS WORLD REFUGEE DAYS 2022



"Anyone is a potential candidate of being a refugee and we should never take the peace we enjoy in this country for granted. Let us embrace our brothers and sisters who have sought refuge here", remarked Dr. Ezekiel Mutua- CEO the Music Copyright Society of

Kenya during this year's World Refugee Day Commemoration at the Kenyatta University School of Law.

This year's commemoration was themed: Integration of refugees in Kenya. The event was held in the form of panel discussions and an exhibition by the various CSOs and refugee-led organisations.

Speaking during one of the sessions, Kituo Executive Director Dr. Annette Mbogoh highlighted the role of the civil society in the promotion and protection of Refugees and the existing career opportunities.

Other keynote speakers included Jean Paul Kasika- Refugee Led Organizations Network Kenya, Ms Nadine Murekatete, Said Abubakar- KADANA, Dr. Mercy Kalekye- Anika Initiative, Dr. Faith Kabata-

Dean, Kenyatta University School of Law, and Mary Airo- Legal Resources Foundation among others.

The commemoration that we supported in partnership with other organizations including UNHCR , CPDI, IRC, RCK, JRS and HIAS was a culmination of various activities by participating universities and that included a football match, debates and dance competitions.



Dr. Annette Mbogoh, giving her remarks

LEGAL AID FORUM, RWANDA BAR ASSOCIATION VISIT KENYA TO CONDUCT A BENCH-MARKING STUDY ON THE LEGAL AID SYSTEM IN KENYA



Andrews Kananga from Rwanda Legal Aid Forum addressing members at the Kenya Judiciary building.

Kituo Cha Sheria hosted a delegation of representatives from Rwanda namely; Legal Aid Forum Rwanda, Ministry of Justice - Rwanda, Rwanda Bar Association, Haguruka, and Rwanda Judiciary who visited Kenya on a mission to conduct a bench marking study on the legal aid system in Kenya.

On the 27th of June 2022 the delegation conducted a benchmark visit at the Kenya Judiciary and National Legal Aid Services to discuss best practices and challenges of implementing court annexed mediation and matters legal aid. During the sessions, the delegation was able to compare judicial practices in Kenya and Rwanda as well as discuss the framework for the implementation of the national legal aid Act and related policies.



The deligation from Rwanda, having their meeting with the team from Judiciary.

The delegation later that week visited Kamiti prisons justice center. Paralegals trained by Kituo reported to have assisted in helping most inmates in drafting court applications with the support of the commander in charge of the prison. The prison official also commended the plea bargaining system introduced in Kenya that has helped in reducing congestions in prisons.

Upon completion of the study, Legal Aid Forum Rwanda presented Kituo cha sharia with a Certificate of Appreciation for having facilitated the bench-marking study.



Jean-Paul Ibambe from Legal Aid Forum Rwanda (Right) presenting Kituo cha sharia staff with a Certificate of Appreciation. Kituo was recognized for having facilitated the bench-marking study.



The deligation from Rwanda, the team from Judiciary and Kituo staff led by executive Director Dr. Annette Mbogo pose for a photo shortly after their meeting.

KITUO INKS MOU WITH FREE THE SLAVES



Mr. Bukeni Waruzi, Executive Directors of Free the Slaves (left) and Dr Annette Mbogoh Executive Director, Kituo cha Sheria (Left) exchange the signed MOU.

Kituo cha Sheria 2nd July 2022 signed a memorandum of understanding with Free the Slaves.

Free the Slaves is a global organization with regional offices that seeks to end modern day slavery. In the memorandum of understanding, Kituo cha Sheria and Free the Slaves will strengthen community structures to counter-trafficking in persons through its nationwide paralegal network.

In addition, the partnership will entail joint efforts towards fundraising to end trafficking and modern day slavery, providing survivor legal and psychosocial support services and enhancing advocacy initiatives against forced migration.

Kituo cha Sheria will also temporarily host Free the Slaves' East Africa Regional Office. The Memorandum of Understanding was signed by the Executive Directors of Free the Slaves and Kituo cha Sheria Bukeni Waruzi and Dr Annette Mbogoh respectively.

The ceremony was witnessed by members of the Advisory Council and Jackline Mwendu, the Manager of Free the Slaves East Africa regional office.



Mr. Bukeni Waruzi, Executive Directors of Free the Slaves (left) and Dr Annette Mbogoh Executive Director, Kituo cha Sheria (Left) signing the MOU.

PARALEGALS REFRESHER TRAINING IN MERU AND KAKAMEGA PRISONS



Ms. Diana Righa, Programme officer, Kituo Cha Sheria facilitating prison paralegals' training at Meru prison.

Many inmates at Meru Prison have benefited from paralegal training thanks to Kituo Cha Sheria. The empowerment efforts have paid off, with the number of convicts successfully arguing their cases and getting acquitted by the Courts. These are remarks by Mr. Joseph Saitoti Kirui, the Officer in Charge GK Meru Main Prison during the official opening ceremony of the Paralegal Refresher Training.

Kituo conducted one-week refresher training for 60 inmates and 10 officers from Meru and Kakamega prisons. The that was conducted from 27th June to 2nd July 2022 and 18th to 23rd July 2022 for Meru and Kakamega respectively aimed at ensuring that the prison paralegals have been adequately empowered and equipped with the necessary legal knowledge to confidently represent themselves in court, offer legal advice and educate other inmates, and also guide the other inmates on how to confidently represent themselves in court and empower the entire prison community.



Prison paralegals and Kituo staff pose for a photo at Meru prison justice centre office.

Among the topics that were covered during the prison paralegals training included; introduction to criminal law, introduction to

criminal law, to criminal Procedure; arrests, right to bail and bond, recording statements and confessions, the trial process, rules of evidence, pre & post, sentencing proceedings, appellate jurisdiction, retrial, judicial review, constitutional petitions and, interlocutory criminal applications, drafting of appeals, applications and submissions.



Ms. Diana Righa, Programme officer, Kituo Cha Sheria leading a group discussion during prison paralegals training in Meru prison.

Meru Prison Justice Centre has recorded major milestones since it was launched with many petitions of appeal lodged at the Meru High Court and Nyeri Court of Appeal some of which are pending hearing and determination.

The training was part of a series of activities conducted in different prisons under the project access to justice supported by the Ministry of Foreign Affairs of the Kingdom of the Netherlands under the objective to promote access to justice for the poor and marginalized.

We're hopeful that the prison paralegals will continue to use the knowledge acquired to provide legal services to the other inmates and for self-representation

LEGAL AID CLINIC IN TURKANA COUNTY



Paralegals from Turkana, Kituo's Volunteer advocates and Kituo Staff attending to a client during the legal aid clinic

The Turkana Community Justice Centre paralegals together with the team from kituo on 5th July 2022 held a legal aid clinic in Lokichar, Turkana County.

The clinic was attended by tens of community members and saw them get legal advice on various issues including land, succession and GBV. Cases arising from the screened clients and that are deserving will be assigned to our network of volunteer advocates for further action.



Jacquelyn Jepchirchir, Programme officer, Kituo cha Sheria attending to a client during the legal aid clinic

Validation workshop on a report on government officials' training needs on MHPSS



Kituo Cha Sheria's MHPSS team, the Mombasa regional office staff, the GIZ - CPS staff, government officials from the National Police Service and Department of Refugees' Secretariat on 30th June 2022 held a validation workshop on a report on government officials' training needs on mental health and psychosocial support (MHPSS) and refugee protection in Mombasa.

KITUO ENGAGES COMMUNITY REPRESENTATIVES IN NAIROBI, NAROK AND MOMBASA ON THE COUNTY BUDGET PROCESSES



Zedekiah Adika, programme Officer, Kituo Cha Sheria, facilitating the session during the community engagement meeting in Narok.

When communities are engaged in the budgeting process, they have a better understanding of the process and how budget allocations are made. This increases the transparency of the county's finances, promotes greater trust and confidence in the county's decisions and builds a stronger comprehension of budgeting choices, taxes and public benefits.

Kituo Cha Sheria engaged community representatives in Nairobi, Narok and Mombasa on the County Budget processes and how best they can participate during the formulation, Approval, implementation and audit stage.

The community representatives were drawn from different community-based organizations namely; Narok

Advocacy Network, Ajenda Kenya, Kicodi, Stretchers, Wema Justice Centre, the Community policing Group in Mombasa, Change Mtaani, Kibra Elderly Daycare Centre, and representatives from the CDF office in Kibera.

Being an election season, the participants were also encouraged to sensitize voters to vote along policy lines. This will ensure their local leaders are people who will involve the community in all public participation fora where the community registers all its needs during the formulation and approval stages and also participates in the social audits of the implemented projects.

TRAINING FOR THE BARAZA LA UWIANO, AJS ELDORET CHAPTER



Ms. Martha Ogutu Kituo legal officer, facilitating the AJS training in eldoret

Kituo Cha Sheria conducted a training for the Baraza La Uwiano, Alternative Justice Systems Eldoret Chapter, from 18th to 22nd July 2022.

Kituo Legal Officer, Martha Ogutu trained the participants on basic laws to update the adjudicators and commissioners' skills on the law and its application in community dispute resolution.

New laws, practices and policies have emerged since 2017. It is therefore crucial to sensitize adjudicators and commissioners on the developments.

This will enable them to provide accurate guidance and advice during AJS hearings and at the justice centres. This training was made possible through the support of our development partners, GIZ Civil Peace Service.

GIZ Civil Peace Service Coordinator, Dr. Tim Bunke and AJS Advisor, Matthias Neef joined the training and learnt from the participants from Uasin Gishu County.



Members of the Baraza La Uwiano, Alternative Justice Systems Eldoret Chapter, together with Kituo development partners from GIZ and Kituo staff



Ms. Martha Ogutu Kituo legal officer (middle), AJS Advisor, Matthias Neef (right) and Joseph Mwaura, AJS adjudicator and commissioner, Eldoret chapter.

ELDORET COURT USERS COMMITTEE ALTERNATIVE JUSTICE SYSTEM WORKING GROUP MEMBERS MEETING



Eldoret Court Users Committee Alternative Justice System Working Group members

Eldoret Court Users Committee (CUC) Alternative Justice System (AJS) Working Group members met in Nakuru from 26th July to 30th July 2022 for a 5 day workshop in Nakuru County in order to develop a county action plan (CAP) on AJS. The CAP that will advance the use of AJS to solve disputes within the county and enhance access to justice. The 5day workshop was attended by representatives from The Judiciary, Kenya Police, County Commissioners Office, religious leaders, Civil Society, Council of Elders, County Government, National Land Commission, ODPP and Baraza La Uwiano who are part of the CUC. The Uasin Gishu County Action Plan and AJS Model is developed through the facilitation of the National Steering Committee on the Implementation of the

AJS Policy. The workshop is supported by three key partners: UNODC, Kituo Cha Sheria through the Charles Stewart MOTT Foundation and Center for Human Rights and Mediation through UNDP. Kituo was represented by the AJS Local Expert Martha Ogutu.



Eldoret CUC AJS Working Group members during the workshop held in Nakuru.

RADIO TALK SHOW ON THE PLACE OF ACCESS TO JUSTICE



Zedekiah Adika, programme Officer, Kituo Cha Sheria, during the radio talk show at Baraka FM, Mombasa

Radio Talkshows are a powerful tool for enhancing access to justice for all in our society. Kituo Cha Sheria in collaboration with Ujamaa Centre facilitated a talk show at Baraka FM, Mombasa.

They enlightened the communities on the place of access to justice in enhancing their voices within the current status of Governance.

The facilitators were Grace Oloo (Ujamaa), Zedekiah Adika (Kituo Cha Sheria). The activity was courtesy of support of EU and UNDP through Amkeni Wakenya facility.

KITUO TRAINS AND DEPLOYS ELECTION OBSERVERS ACROSS THE COUNTRY



Paralegals from Nakuru community justice centre pose for a photo with their identification badges and reflectors ready to undertake the election observation process.

Kituo Cha Sheria on 4th August 2022 conducted a training of election observers across the country. 165 election observers drawn from Mombasa, Kisumu, Nakuru, Kwale, Kilifi, Nairobi, Nyeri, Meru, Kakamega, Trans Nzoia, Turkana, Uasin Gishu, Kitui, Taita Taveta and Kisii counties underwent a two-day training workshop.

The training is aimed at enhancing their capacity to observe elections for transparency and credibility as well as monitoring and documenting human rights violations.

The election observers who mainly comprises of KITUO staff, community and prison paralegals assessed the electoral process in the counties to aid Kenyans realize a free, fair & credible election.



Kituo Staff and paralegals undergoing election observers training



KITUO INKS MOU WITH COMMISSION ON ADMINISTRATIVE JUSTICE (CAJ)



The commission CEO/Cs Mercy Wambua OGW (Center) and Dr. Annette Mbogoh, the Executive Director; Kituo (left) and Vice Chairperson, Commissioners Washington Sati MBS (right) undertaking the MOU signing process.

Kituo Cha Sheria signed memorandum of understanding with the Commission on Administrative Justice (Ombudsman Kenya). The signing ceremony, that took place on 30th August 2022 at Four Points Hotel formalizes KITUOS's intention to collaborate with Commission on Administrative Justice on promoting #acesstojustice to particularly poor and indigent Kenyans through legal aid, legal representation and advocacy outreach programmes. Speaking during the MOU signing ceremony, the commission CEO/Cs Mercy Wambua OGW stated that CAJ and KITUO have previously cross-referred cases and that has promoted #acesstojustice. She added that the MOU now formalises the partnership that will see the Commission, where possible, refer public interest cases it receives on threats or violations of human rights to KITUO. The collaboration will also see KITUO seek the

support of CAJ in pursuing cases of access to information and maladministration as well as work closely in the research, validation and publishing of IEC material on access to justice issues. Through this partnership, CAJ shall receive and attend to Clients referred by KITUO with issues within its mandate and refer to KITUO indigent litigants with legal issues touching on the mandate of KITUO for legal advice and representation. The partnership will also involve joint fundraising initiatives and participating in joint public education forums to sensitise members of the public. The MOU was formally signed by the commission CEO/Cs Mercy Wambua OGW and Dr. Annette Mbogoh, the Executive Director, Kituo Cha Sheria and Witnessed by KITUO Board of Directors Chair Mr. Justus Munyiithya and Vice Chairperson, Commissioners Washington Sati MBS.

LEGAL AID CLINIC AND AWARENESS SESSION AT KALOLENI GK PRISON, KALOLENI



Kituo staff together officers from Kaloleni GK Prison and other partners pose for a photo after the legal aid awareness.

The legal aid was convened by the Kenya National Commission on Human Rights (KNCHR) as part of it's mandate to supervise human rights standards and adherence in prison facilities within Kenya. The invited organizations included NLAS, CLEAR-Kenya, Commission on Administrative Justice (CAJ) and Kituo cha Sheria. Part of the session included a legal awareness forum whereby the inmates were taken through the Criminal Procedure to help them towards self-representation. The other session included individual legal aid for the inmates in need of advice, the takeaway from the exercise was the need to establish a prison justice center in Kaloleni GK Prison. A general complaint was directed towards how the court processes were being conducted in Mariakani Law courts. Most inmates were discontented on how the magistrates were treating them during court sessions



Deligation from Commission on Administrative Justice (Ombudsman Kenya), together with Kituo staff and Kituo BoD members



The commission CEO/Cs Mercy Wambua OGW (Right) and Dr. Annette Mbogoh, the Executive Director, Kituo (left) KITUO BoD and Chair Mr. Justus Munyiithya (left) and Vice Chairperson, Commissioners Washington Sati MBS (right) exchange the signed MOU document at Four Points Hotel in Nairobi.





Dr. Annette Mbogoh, Executive Director Kituo Cha Sheria moderating a session on the lessons learned from strategic litigation on the rights to health and housing

Kituo cha Sheria represented by Dr. Annette Mbogoh and Tracy Wachira on 9th September 2022, attended a Civil Society Organizations' engagement on strategic litigation around education in Kenya. The meeting that took place at double Tree by Hilton in Nairobi brought together a number of CSOs including representatives from ICJ Kenya and ICJ global (South Africa and Colombia), EACH Rights, Katiba Institute, Riara University, KELIN and GI-ESCR. The discussions revolved around the context of education in Kenya, the justiciable right and the expected paradigm-shifting litigation on the right to education in Kenya. It was noted that there are still many barriers to access to education, ranging from a lack of schools to a lack of adequate provisions for schooling.

The Committee on Economic, Social and Cultural Rights, for example, has expressed its concern that the Republic of Kenya "has not dedicated sufficient resources to financing school facilities and qualified teachers, and to ensuring effective enjoyment of the right to free primary education for all" and recommended that it take the necessary measures to strengthen the public education sector. Similarly, the Committee on the Rights of the Child has noted with concern disparities between access to education for children in urban areas versus arid and semi-arid areas and the enrolment rates of girl children versus boy children. The protection and justifiability of socio-economic rights in international law and the applicability of International law in

Kenyan courts was also discussed at length. The presentations were followed by a panel discussion moderated by Dr. Annette Mbogoh on the lessons learned from strategic litigation on the rights to health and housing. Through these discussions, it was clear that strategic litigation around health and housing had expanded from the provision of a service/right to more issues such as cultural rights, human rights and change in law and policy. Some of the challenges noted were the issues in slow implementation of judgments and the different interpretation on land evictions when it comes to compensation for unlawful evictions.

FACT FINDING MISSION AT MUTOMO, KITUI COUNTIES



Boniface Muinde, legal officer at Kituo Cha Sheria addressing the community members from Mutomo in Kitui County

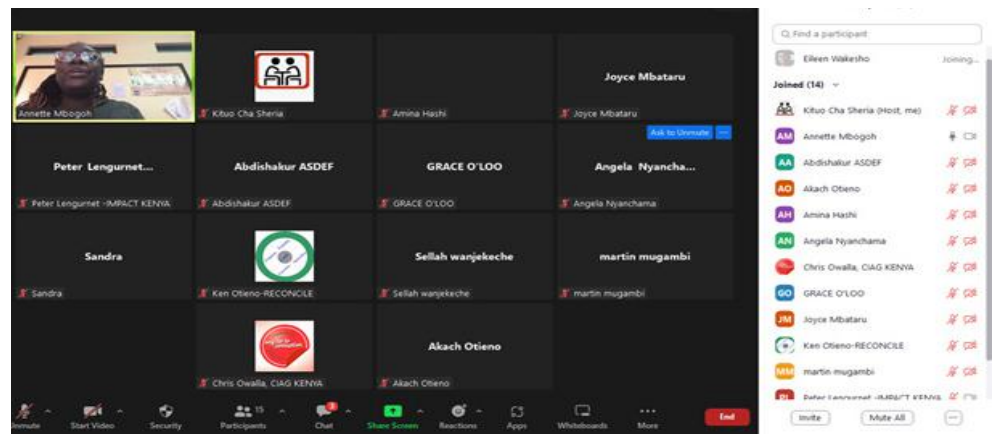
Kituo Cha Sheria through its officers Miss Wahira and Mr. Muinde together with Kituo Volunteer advocates Mr. Mulei and

Mr. Mulekyo carried out a fact finding visit on 24th and 25th August 2022 to assess the situation on the ground including on the status of the unlawful mining that had taken place in the suit land causing great distress and loss of livelihood by the over 3,500 residents of the Kanziko and Mathima areas within Kitui County.

Figure 4 KITUO community paralegal addressing the community and the KITUO team on the status of the land. KITUO was successful in meeting 120 of its clients who comprised of 50 women and 70 men both young and old representing Kanziko and Mathima areas in Mutomo. Some of the issues raised by the community were that one of the petitioners was since deceased. The community members also briefed us that they had lost one of them who fell into a hole that had been drilled by the mining companies and had for a while

been covered by water. The officers were able to brief the clients on the human rights and land violations that had been meted upon the community members and visit the Kanziko parcel on 25th August 2022. KITUO lawyers also briefed the community that we had since withdrawn the suit against the 2nd and 3rd Respondents that were Devik Cement and Steel Company Limited and East African Portland and Cement Company. Upon conclusion of our fact finding activities, the lawyers came up with a strategy that would be enhanced by way of a virtual meeting on 9th September 2022. The community reiterated their need for support in the litigation of the case and thanked KITUO for their continued support throughout the court process.

STRATEGY MEETING WITH LAND NON-STATE ACTORS



Dr. Annette Mbogoh, Executive Director Kituo Cha Sheria addressing the participants virtually

On 31st August 2022, KITUO Cha Sheria in conjunction with RECONCILE as the conveners of the Land Non-State Actors Network held a hybrid meeting with the Civil Society Organizations in the network including representatives from all the regions to discuss the status of the coordination framework, the financing bit of the network and its undertakings and how the civil societies in the network would ensure that the new administration would further the goals of the network both regionally and Nationally.

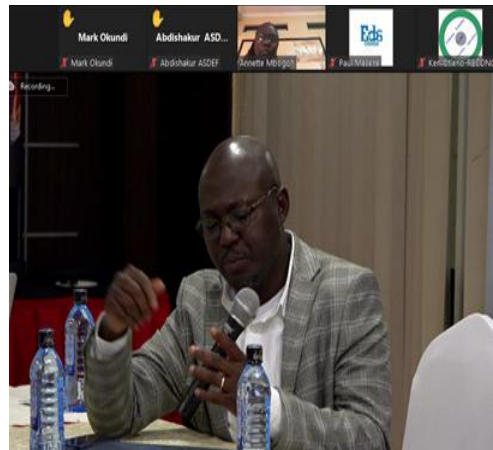
KITUO through Miss Wachira shared on the public interest cases on land that KITUO is handling including the Kibos land eviction case, Kanyakwar land evictions case, Mutomo mining case, Kaswitu settlement scheme case, Kilimambogo squatters case and the Lake Victoria flooding case currently before the East African Court of Justice in Arusha.

The coastal region shared updates on the issues that they have been facing including an issue with public toilets and that both the National and County Government had been informed. There was also the issue of public land initially set aside as burial ground being used as a dumpsite. Lastly, the coast region had been faced with an environmental challenge that is currently being pursued on a gas plant being situated near residential homes causing great grief among the community affected.

In Wajir, the representatives shared that the wet land meant to benefit communities had been allocated to private entities. They also expressed that with the growth of the town, the dumpsite formerly outside of the town has now ended up being in the town creating an unhealthy environment for the residents. The civil societies in the area have been seeking relocation of the dumpsite. The representatives also shared that removal of stones and rocks continues to cause degradation of the land and affect the road infrastructure. The Northern

network also noted that there had been an increase in the cutting of trees in the region especially by those residing in the refugee camps. To this end, the network of civil society organizations in the Northern network had engaged the National Forestry Department to ensure that this degradation is stopped.

The network members in the western region shared that the Yala Swamp case was one that has kept the residents in a state of fear of loss of not only their source of livelihood through agriculture but also their cultural heritage. There was also the challenge of the commercial land buying of community land which dispossesses generations of people who will be left without any land. Lastly, the members in the Western region shared that there were mining explorations in the region that in their opinion were not at par with the legal provisions.



Dr. Steve urging participants to explore CuCs as a way to address their challenges in the various regions they represent

Dr. Steve shared that there is need to have an in-house network supported by the AJS Committee. He shared that the AJS Committee would be doing AJS models with CuCs in the next two years and called upon members in the network to be actively involved.

CAUCUS TO DISCUSS THE FORCED LABOUR / HUMAN TRAFFICKING PETITION ON MIGRANT WORKERS IN THE GULF COUNTRIES



Participants including Kituo staff, Volunteer advocates during the caucus held at waridi hotel Nairobi Kenya.

Kituo cha Sheria - Legal Aid and Education Programme (LAEP) on 30th August 2022 held a caucus to discuss the certificate of good conduct petition at Waridi Paradise Hotel from 2.00 p.m – 6.00 p.m.

The caucus began with Miss Tracy Wachira programme officer, Kituo cha Sheria giving a brief background on the case and how the petitioners approached KITUO and accorded an opportunity for the Petitioners who were both direct victims and families of victims of the forced labour to address the participants who included the Petitioners and volunteer advocates on their experiences.

Thereafter, our volunteer advocate in charge of the Petition Counsel Caroline Karwitha took the members through the draft petition and welcomed remarks from both the legal team and the petitioners.

Some of the input shared was that there was need to increase the Petitioners, to include Haki Africa, KUDHEIHA, Federation of Kenya Employers and Trace Kenya as interested parties to the Petition as well as including prayer to make inter agency contracts and attested contracts accessible, include structural interdicts for the implementation of the orders sought, the Data Protection Act provisions in the legal background.

MEDIA SUMMIT ON ELECTIONS



Panelists discussing the various issues affecting the media industry in context of the global theme

On 22nd July 2022, KITUO was represented by Miss Tracy Wachira in the follow up Media Summit on Elections themed Media and Information Integrity organized by Katiba Institute and the Media Council of Kenya. The summit touched on the promoting electoral justice through freedom of information and examining media preparedness on election coverage.

The summit was officially opened by the Director, Media Training and Development at Media Council of Kenya Mr. Victor Bwire. At the onset of the meeting the delegates were briefed that elections are a process and not an event and that if any of the stakeholders involved in the process fail to properly carry out their mandate, it would greatly impact the outcome of the August 9th 2022 elections.

There were keynote addresses from the Principal Secretary, Ministry of ICT, Innovation and Youth Affairs Hon. Esther Koimett, representatives from the Office of the Director of Public Prosecutions, Ms. Anne Nderitu of the Office of the Registrar of Political Parties,

Dr. Skitter Ocharo, the CEO National Cohesion and Integration Commission, Dr. Benard Mogesa, CEO of Kenya National Commission on Human Rights and representatives from the Commission on Administrative Justice.

The keynote speakers acknowledged the milestones that Kenya has made in advancing media freedom and the passage and implementation of the Access to Information Act 2016 and encouraged the stakeholders in the State, media and civil society to ensure that Kenya experiences free, fair and open elections.

The media was encouraged to go through the new laws around Elections, the Amended Political Parties Act, the Access to Information Act 2016 and revised Election guidelines that cover the conduct of journalists, the security of journalists, conflict sensitivity, broadcasts, impartiality and gender inclusivity, prohibition on fake news, misinformation and disinformation.

In the panel discussions, journalists were urged to be patriotic and to fact check to ensure they are in compliance with the law.

The panelist acknowledged that access to information was a challenge especially when it comes to getting access to the voter registers.

The panelists that discussed the role of the media in agenda setting stressed that in as much as politicians have their own individual or party agenda, journalists as a voice of the voiceless ought to be clear and inquisitive on what the public needs to know in terms of policy. This would ensure that the journalists are able to push for the agenda of the Kenyan citizens and empower them in making the right choice of leaders. The participants noted that vernacular stations ought to be involved in training and capacity building to avoid them from contravening the law.

The panel discussions stressed on the safety and security of journalists as they cover elections highlighted some of the threats such as bans on covering certain issues, media blackout, surveillance of journalists, withdrawal of licenses, denial of information and denial of contractual opportunities. It was stressed that in most instances, upon covering of a story, a journalist may not be able to control how the story unfolds or how the media house they work for may take it as head of media stations may make commitments or public declarations that may threaten the security (physical and economic) of journalists. To this end, journalists were encouraged to take up personal insurance policies and insurance companies were urged to set up media packages that have products that particularly protect journalists from appraisal.

KITUO CONDUCTS 5 DAYS' TRAINING FOR REFUGEE LED ORGANIZATIONS' REPRESENTATIVES



Alice Kwenda, Psychological Counsellor facilitating a training in Likoni

KITUO's Mental health and psychosocial support (MHPSS) team led by Alice Kwenda and Shem Alubala (Psychological Counsellors) in the month of May and July 5 days' training for refugee led organizations' representatives from Changamwe, Likoni,

Nyali and Kitengela. The trainings aimed at identifying and sensitizing the refugee community on differentiation between mental health and mental illness, trauma and its signs, psychological first aid and the rights and responsibilities of refugees as contained in the Refugee Act 2021. The trainings also help to enhance the skill of the refugee community to be able to identify those requiring psychological first aid and what other service providers they can be linked to.

Psychosocial support is an important component in mental health, growth

and development of an individual and a community at large. The aim is to achieve appropriate care, protection and social integration. It is essential to address trauma, stigmatization, mental illnesses or diseases, loss and grief. This can be achieved by offering psycho-educative trainings to build the capacity of an individual or a group on specific topics.

Alice Kwenda, Psychosocial Counsellor and Tayech Getaun, translator conducted 10 group therapy session with AMHARIC Women. The group therapy sessions aimed at decreasing the women's level of distress and improve their daily functioning.

THE STRATEGY MEETING WITH LAND NON-STATE ACTORS ON THE YALA SWAMP CASE



Participants following the hybrid strategic meeting on the yala swamp case

On 29th August 2022, KITUO Cha Sheria held a one-day strategy meeting with land non-state actors comprising of volunteer advocates, two representatives from the Yala Swamp area namely Dr. Phoebe Scoda and Mr. Rodgers Ochieng and representatives from Civil Society Organizations including RECONCILE, Natural Justice, Kenya Land Alliance and Transparency International.

Mr. Dismus Wambola, one of KITUO's volunteer advocates who is in charge of the Yala case took the representatives in the meeting on the plenary hearing convened by the National Land Commission in Siaya from 13th to 17th June, 2022.

The complaint made was on the contravention of the procedure on the conversion of Trust Land to Public Land. It was the assertion of the community that the land was previously Trust Land under the old constitution and thereafter converted to community land and that such conversion to public land was not in compliance with the law.

There was only a gazettment of the area being converted to public land and that the affected community would be compensated but this never happened. The land covers 3,700 Ha and 3,200 Ha. Currently, there is an investor who claims to have been given the unexpired lease is cultivating the two blocks of land as a whole.

Through the hearing session, it was confirmed that the land that had been allocated to the residents of Yala Swamp by the County government of Siaya was still submerged and National Land Commission believed that the land that had been allocated was fully reclaimed which was not the position. The County Assembly also objected to the manner in which the Yala Swamp residents were moved.

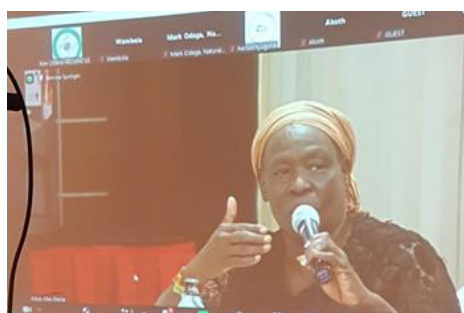
The Siaya County Assembly cited that the County Government did not seek

their approval before giving the land to the private investor and that no draft development plan had been shared with them. NEMA was also not involved in the approval of the plan and stated that there was never an Environmental Impact Assessment carried out.

It was argued during the hearing that not only was the parcel of land a source of livelihood through agriculture but it was also a cultural heritage of the community.

It was reported that the commission had since the date of hearing not issued its recommendations and decision on the matter which has resulted in worry. It was agreed that there is great need to put the government officials on high alert and that there needs to be an advocacy strategy that goes hand in hand with the court case. In the event NLC remains silent, it was agreed that the best approach would be to seek legal redress in Court.

The representatives shared that the Yala case will be a case study for future generations and that the support of KITUO through both the legal and advocacy front would be beneficial to ensure that the capacity of the community is built. In closing, it was shared that the Yala swamp case is a challenge for Civil Society to do more and that the advocacy strategy would be community grown and be informed by the response given by NLC on the reasons for their delay in pronouncing itself on the Yala Swamp matter.



Dr. Phoebe addressing the participants on the proceedings of the NLC hearing

LEGAL AND LAW ENFORCEMENT PILLAR MEETING



Members of the pillar conducting their meeting at the County Commissioner's office in Mombasa.

Kituo Cha Sheria through the Mombasa office attended the inaugural law enforcement and legal pillar meeting held on the 13th of June 2022 at the County commissioner's office.

The meeting was attended by 14 members of the pillar which included representatives from the County Commissioners office, CWID, Peace committee members, JUHUDI, Inter-Religious Council of Kenya (IRCK), Coast Interfaith Council of Clerics Trust (CICC), other NGAO representatives and Kituo cha Sheria.

The meeting begun with a round of introduction and climate setting, this was done by the County Commissioner's office. Before the commencement of the day's agenda participants were taken through the formalization and journey of the Mombasa County Action Plan on Countering Violent Extremism(MCAPCVE) thus far. The new MCAP-CVE entails 6 pillars, these include:

- 1) Legal and Law Enforcement Pillar
- 2) Ideological Pillar
- 3) Education
- 4) Economic
- 5) Political
- 6) Gender

Each pillar has two pillar heads and for the legal and law enforcement pillar this was Kituo and KECOSCE who were represented by a member from the former organization. The main agenda was to discuss the activities to be conducted under this pillar and construct a work plan for the same activities which would be carried out from June 2022- May 2023. The pillar meetings would be conducted on monthly basis. In each meeting members would be re-quired to present their reports on the activities with regard to the work plan.