

# Indigenous Women's Voices



## ACCESS AND OWNERSHIP OF LAND



# Improving women's access to productive resources in Transmara sub county of Narok



Just like many other counties in Kenya, Transmara has several community based, and self-help groups. They are scattered in the subcounty and are dominated by Maasai women from different locations and sub locations. These women are faced with different challenges considering that they are still living while controlled by traditional institutions. These traditional institutions still believe in negative cultural practises and still deny women a lot of opportunities. Even though Indigenous Information Network was already working in the areas on different issues of development with an environmental and human rights focus, it decided to give attention to key recommendations given by women in different meetings. One was on water, access to water. Women were never given priority to collect water when they go to the river, livestock was the priority and they wanted a solution. The next was land issues. Most of the women were widows and single mothers and they were experiencing poverty and desperations because the male members of the family were not letting them access their land.

There was need then for the women to get organized, register their organization and start working together as a team and look at different livelihood alternatives to help them move on. It was during the search and with Partners that IIN was able to come with a proposal to support some of the issues discussed with the women on “Improving women’s access to productive resources in Transmara sub- county of Narok in Kenya. We then decided to narrow only to one Sub County for a start. The funding for the project came from Voice which is an innovative grant facility that supports the most marginalized and discriminated people in ten low- and lower-middle income countries in Africa and Asia. It aims to amplify and connect thus far unheard voices in efforts to leave no one behind. Voice is an initiative of and financed by the Ministry of Foreign Affairs of the Netherlands as part of their overall policy framework and is executed by a consortium between Oxfam Novib and Hivos.



When the project started in October 2018, the target was planned for 50 women in about 12 women groups mainly from Lepolosi, Enerotetiti and Enoosaen. In order to get a host group of the project, the women groups were given an opportunity to discuss among themselves and decide which group will be the key host to the project and they together agreed that Namunya Lepolosi will guide them on the process and work closely with Indigenous Information Network to implement the project. The other main reason for Namunya to be selected is because it was located in Kilgoris where it is easily accessible and communication is accessible and they are able to reach out to the sub county administration for any advocacy. The women group have been involved in many activities since then such as training workshops and dialogue with community elders in the subcounty on land rights issues. Holding community dialogues for women on land rights and challenges they face in the control and access of land is one of the activities that the women have been involved in. This was mainly to further build the capacity of the members of the group and their associates in term of land rights, inheritance, property ownership and land use.



*Women listening keenly on the training on land issues in kilgoris and sharing the land problems they face*

# *‘Indigenous Women have a right to own and inherit land.’*



*Women sharing their experiences with their counterparts*

After only two training workshops, word went like bush fire in the same region and more groups, about 10 from Edonyo oo Ngopit wanted to be involved. The Women between the age of 25-70, wanted to listen and share the challenges they faced. In Endonyo oo Ngopit we had both the physically challenged those living positively with different health challenges and their support groups. The list of participants started moving from 50 as planned to 60 and 70. This was an indicator that there was a need for more discussion on the topic of land rights. It was at this point that we all knew that 90% of women attending had never even seen a land title deed.

During these discussions, they talked about land rights and the challenges faced in the control and access of land as indigenous women. During the different sessions, a dialogue was also held between the women, land officers and the local chiefs who were invited. And during the meeting the women were encouraged to go to the land office and talk about their problem. They were asked to start by speaking to the leaders in their own community and seek help with the area chief on how to go to the land office and if they do not have any confidence with the chief or any leaders they should go directly to the land office and seek assistance there. The government officials who called to talk to the women were positive and it is clear that they also want to learn the challenges the women face so that they are able to help them. The senior chief expressed interest to help the women to advance and requested them to report any violence or any other problem they may encounter in their quest to get back their land.

One of the main challenges on achieving this milestone was the lack of participation of many community leaders who failed to attend the meetings when invited to the dialogue with the women. Another challenge is that during the trainings different leaders from the county were invited but they do not attend they delegate other staff to attend. However, the office of land has been very helpful in that the officer who has been attending is senior and as a woman, the women feel comfortable and confident with her as she is well informed and ready to go a step farther to assist the women.



*Indigenous women keenly listening to the discussions being held on land issues*



*Hapines, the land officer in Kilgoris talking to the women and showing samples of land documents they need to know about.*

A training with Land officers in Kilgoris, Transmara was held as an outcome of the first meeting where the women wanted to learn more about the land documents required and how they look like because most of them had never seen a title deed before. They also wanted to know what one does when their husband or family sell or divide land without the woman's knowledge or consent. They also wanted to know what to do, where to go and to whom they should speak to when they experience land conflicts both at the family and community level. It was wonderful because Hapines, the land officer, was able to connect well with the women and the women were free and opened up to her with all the challenges they face. She explained step by step the process to register land and how also to stop any land sale without the consent of the woman or women in the home. Since Polygamy is accepted in the community, the women were advised to work together. The very important achievement is that the women, after being taken through several examples and shown documents, they started understanding slowly the process on how they have to check and what is usually undertaken and to speak out as early as possible whenever they realize there is a problem such as when the property being sold or taken away by family members isolating her as the wife and woman of the home.



*Narrikulmuran Masitoi she is one of the eldest in the group of beneficiaries. She is a widow and her husband left for her the land but she did not know the importance of having a title. After sensitization she was able to speak out and was able to learn and understand about genuine titles and she now has her title safely stowed away.*

# Radio Interviews

The women have started gaining confidence to be open and want their problems solved. After several training they wanted to own their land and property. They said they wanted the problems solved and that as women they should be given a chance to speak out. They have managed to do some radio interviews where they were able to share their stories about their land issues with a reporter from a Maasai radio station that is listened to widely by the Maasai community. Through this, attention is drawn to the land issues the women are experiencing. This shows that the women are ready to move they are ready to have their voices heard no matter how far. The radio interviews were conducted and aired on Sidai and Mayian FM radio which is a milestone for them. In one case, Paulina, a widow, one of the beneficiaries of the program, did the radio interview and after it was aired, she was visited by some elders from her community. They had heard her on the radio and so did her husband's family members who had wanted to dispossess her of her land. The elders implored to not take any further steps as they wanted to arbitrate the matter between her and her late husband's family. From the arbitration by the elders, the husbands family conceded land ownership and she was given a date to go see the land and to be shown the boundaries. Thereafter, the elders supported her bid to the local area chief who would then forward the matter to the government land officers to begin the process of getting the title deed to her land.



*Women being interviewed on land issues by radio reporter*

# Indigenous Women and Land Insecurity



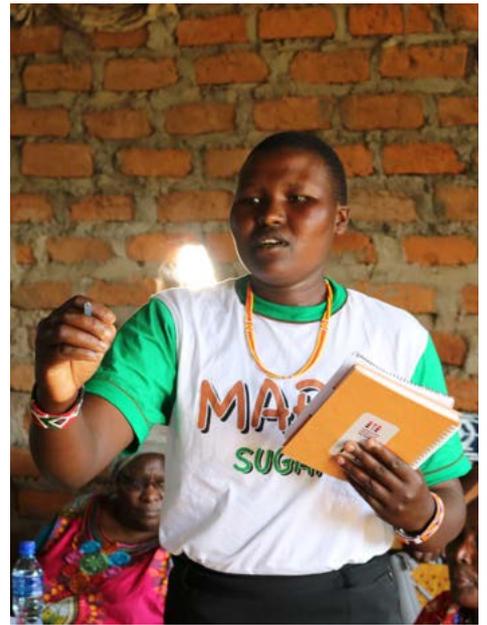
*Women demonstrating against land conflict in transmara*

There has been an insecurity risk in the area and this is mainly due to the tribal clashes between two Maasai clans Siria and Wasinkishu, from the same sub-county. The women have gone through a hard time running away from the clashes which were caused by the subdivision of land in the area. Many of the women who are widows lost their husbands because of the land issues and the resulting clashes and violence. They have also lost many family members to the violence caused by land issues. In some instances during the project implementation, the women would not leave their homes because of fear and insecurity and therefore activities planned had to be cancelled and rescheduled. The women were hiding in the bush, from the enemy who is the Siria Maasai clan, considering that they are widows and no one to give them protection, they felt the Government was not helping

them in solving the insecurity and resolving the land boarder problem.

One account is given by Nareyio ene ole Tiyo and the other women who are windows and their husbands lost their lives fight for the same land. The enemy came back and keeps coming because they know these are women who are alone and wanted to take the land by force. 'One day the women woke up and went to see their farm/land at the borders of [Siria and wasinkishu] who were their neighbors but to their surprise they found their neighbors building houses on their piece of land/farm. The women went back home and told the men that they saw people building houses on their piece of land and if the men know those people and it was also a surprise that the men didn't know them. The men asked the women if the intruders had any weapons so as to know what to do and the women told them that the intruders were armed with all kinds of weapons, arrows and spears and various other weapons. The men went and saw the intruders and because the men didn't want to fight and they knew the intruders wanted to fight because they were already armed, the men went back and went to the chief and explain to him about the incident that happened and the chief wrote for them a letter and gave them policemen who went with the women and the men to where the land intruders were building houses.

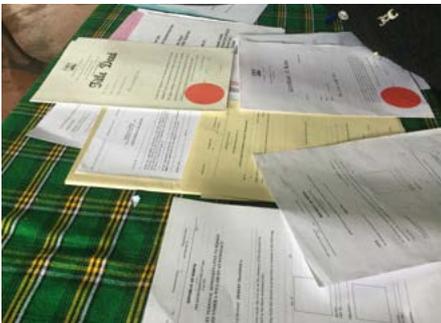
# Pictorial



# Exchange visit- Litein



# Community Dialogue



# Exchange visit- Ololulunga



When the police reached the place they saw it was true but didn't go near the intruders because the land intruders wanted to fight the police. They went back to the chief and they were told to come back the next morning so that they go to the District Commissioner office to ask for reinforcement. The next day when they were at the District Commissioner's office they were asked if they had the Title deed for the land/farm, which they gave it to him. After the District Commissioner saw the title deed he called the chief from the side of the land grabbers/intruders' and told the chief to tell those people to come for verification so as to be sure which side owns the land/farm. The chief from the land intruder's side called the intruders and told them to come but no one came. The District Commissioner threatened the chief that if the land intruders don't come he will be the one to be arrested. So the police were sent back to the place of the incident and they found the intruders still building houses on the land which didn't belong to them. They started attacking the police by throwing spears and arrows towards them. The police managed to take the intruders' weapons after fighting them back and arresting them. The police also managed to destroy all the houses the intruders built. It was clear that the intruders just wanted to take advantage of the women land/farm by grabbing it. They then decided to demonstrate by walking to the Sub- County Regional Commissioner. By daring to go out demonstrating, an act they never did before is a sign to show the power to speak out. The Police were there and they decided they will stay on until action is taken. That is already an indicator that they have power to change both the social and political landscape of the area. The knowledge they have gained since the project started shows the social and political situation has change because they demand the leaders to take action and remind them that they are that public that needs to be protected. That they have a voice to bring on the table and they should be participants in decision making. IIN has also been ensuring that some of the women participate beyond the meetings in their own village and town by taking them out to other women and other public forums to share their own experiences This is has continued to give them motivation and power to share.



*Indigenous women surrounded and blocked from moving to the authorities during land conflict demonstration*

# Women's day celebrations

## *Together Our Voices are Powerful*

The Indigenous women from Namunyak Lepolosi came together and invited other women groups to invite them in celebrating the World women's day. This was very important day for the women as it was the first time they were going to march and celebrate women's day in the sub county. They understood that this is a day where they would be able to join millions of women worldwide in advocating for their rights and make known their priorities. The women wrote out messages which they carried with them during the march. Their main messages were on land and property rights for women, education for girls and violence against women and girls. There was a peaceful procession through the town where they ended up in the Sub County Commissioner's office holding up their messages and urging for the office to work together with them towards development activities. They also planted tree seedlings at the Deputy Commissioner office to commemorate the day. Indigenous encouraged every woman to be strong and say no to early marriages and other retrogressive cultures to ensure gender equality.



*Women marching to the County Commissioner's Office*



*'Give women Land' this was the message from this woman.*



*Planting trees with the assistant Sub- county commissioner*

# COMMUNITY DIALOGUE HELD AT OLORKOTI CENTER, KILGORIS



*Indigenous women and their leaders during the community dialogue*

The women from the various women groups in Kilgoris who have been part of the Voice trainings came together to have a community dialogue with their Sub County officials. The dialogue was arranged so that the women can have a conversation with their leaders on land rights and specifically the issues they are facing as indigenous women.

The Sub County Officers present included Irene Kemunto-Assistant County Commissioner (ACC1), Lena Napukueyok-Sub-County Administrator Transmara West, Jonathan Sialo-Senior chief, Samuel Kirionki-Assistant chief, Happiness Ratemo - Department of lands, Okello Joshua Ochieng-Agricultural officer.

The challenges that face the women were mostly based on cultural beliefs on land ownership and inheritance. There was also a large lack of knowledge on what the constitution says about land ownership, inheritance, succession, matrimonial property Act. The women needed more training that was specific to the constitution especially in relation to land ownership.

Another important aspect that the women were told to consider was that of writing a will. Writing a will is important because it shows and tells who is to inherit your land/property. Without writing a will, the land issues brings conflict and one ends up in the court fighting for land. An example was given where in Poroko a man had two wives, before he died he showed the wives where the land reached and divided it among the wives, but neither had a title deed, after the husband died, one of them complained and said that she was not satisfied on the way the husband divided the land. This brought issues that could have been avoided had the husband written a will stipulating the division and allocation of land. The officers namely the senior chief spoke to the issue of fear. The women fear going to government offices to seek help. The women were encouraged to be brave enough to go to the government offices and present their issues to the relevant officers. And this was in relation to any issues they may have be it property wrangles, registering land or acquiring land.



*Irene Kemunto, Assistant County Commissioner, addressing the women*



*Lena Napukueyok, Sub County Administrator Transmara West*

They were also encouraged to take advantage of opportunities that are available for them such as The National Agricultural and Rural Inclusive Project (NARIGP) a project funded by Government of Kenya and World Bank/ International Development Association (IDA). This project gives loans to groups in different counties to increase agricultural productivity and profitability of rural communities. Another opportunity that was mentioned was the 'Kazi Mtaani Initiative, this a program from the Ministry of Housing that targets residents who are recruited to undertake projects concentrated in and around their areas with the aim of improving the environment and service delivery infrastructure, while providing income generation opportunities. some of the recommendations that the women were given during the dialogue included:

- The women should have the phone numbers of the OCPD, ACC, OCS so that they can call them or text them for instance when there is

a sick person among them because sickness cannot wait for the curfew hours.

- To write proposals so that they can get the World Bank loan as groups which will help them to advance in self-development. Some of the women groups have already applied for the World Bank loan and other groups should apply in order to make use of the money.

- To get a lawyer who will teach the women about the law of succession and matrimonial law so that they can have knowledge and information about them. so that they can fight for their land rights from a point of knowledge and be able to learn the channels available to them.

The officers present promised the women that they would be available to help should the women require it and even left their contacts and the contacts of other government officilas that can be of assistance especially for the women from Enosaen who were faced by insecurity because of conflict caused by land between clans.



## Link and Learn



*In Bagio knowledge exchange discussion Sheila, Lucy, Jolene, Margaret, Ngala and others from African team.*

Besides grant making, Voice's main strategy is to link and learn across countries, organizations and target groups. Bringing together diverse groups and the work of persons living with disabilities, sexual and gender minorities, women facing exploitation, abuse or violence, the young, the elderly and the ethnic minorities. One of the key approaches to bring this to light and share the highlights publicly, is the annual learning event, the Voice Indaba! This Knowledge Exchange on the leadership of women in Indigenous Peoples' struggle for social change and self – determination is the first in a series of Knowledge Exchanges Voice hosted at the time we started the project. This Knowledge Exchange aimed to stir discussions and integrate reflections on the leadership of women in Indigenous Peoples' struggle for social change and self-determination.



*Participants during one of the sessions in Bagio.*



*Group photo of Participants in Bagio.*

Namunyak and IIN have attended several of the linking and learning sessions and have had different experiences and capacity building trainings such as in accounting and reporting for the project, monitoring and evaluation and outcome harvesting workshops. These workshops have enable the team to not only share their experiences during the project implementation but to also interact and learn from other grantees. They provide a unique opportunity to bring together grantees, regional or global stakeholders, knowledge institutes, Oxfam/Hivos and Voice, to exchange and deepen knowledge and understanding on a number of issues that surface in the light of Voice grant-making and linking and learning. Jolene Sepeyo Leparakuo attended link and learn sessions. Her first experience was the travel to Bagio in the Philippines for linking and learning community to community exchange and learning. Her experience left everyone amazed because of how drastically she changed as a person. Jolene was shy and soft spoken but after the exchange visit, she became more outspoken and outgoing. She is currently managing the Olorukoti Knowledge centre and has been mobilizing women for different activities implemented by Indigenous Information Network and Namunyak Lepolosi. After attending several meetings she would always share what she has learnt in terms of knowledge and skill and this would continue motivating the community members and especially the women. She now is very keen and also watchful at the community to identify children and youth with problems and sees how the members of the group can intervene or assist. There are activities that are still ongoing and we are excited that they include exchange visits, more community dialogues and link and learn sessions until the end of the year 2020.



*The Paaza Festival held in Zanzibar is another knowledge exchange which gives different groups an opportunity to work together, Share and undertake challenges which gives confidence and motivation.*



*Namunyak Lepolosi was represented by by Rosemary Messopirr during this exchange.*

*Photos: courtesy of the Paaza Festival*

# Improving Indigenous Womens Access to Productive Resources in Transmara

Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. (UNDRIP 26 (1) )

60 (1) Land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable, and in accordance with the following principles  
(f) Elimination of gender discrimination in law, customs and practices related to land and property in land (Kenya Constitution, 2010)



Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. UNDRIP 26 (2))



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**States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.  
(UNDRIP 22 (2))**

