

SENGWER INDIGENOUS PEOPLES
OF MARAKWET DISTRICT - KENYA

*'European Union! Why fund Projects within Sengwer Indigenous Peoples Territory
without our consent and participation'*

***SUSPEND CDTF-CEF FUNDED PROJECTS IN CHERANGANY HILLS IN
MARAKWET DISTRICT TILL POSITION OF SENGWER IS KNOWN***

Submitted to

**European Union,
CDTF-CEF
Kenyan Office**

17TH May 2007

Introduction

Who are Sengwer?

Sengwer (Cherangany) is an ethnic minority characterised by non-recognized as a separate and distinct tribe; marginalisation; vulnerability; powerlessness; torture¹; oppression; mal-representation; unemployment; and discrimination against hunter-gatherer² indigenous ethnic group. "...The Cherangany is a nickname given to us by the Maasai. Sengwer acquired cattle from the Maasai through blackmail."³ To the Maasai people who didn't have cattle were regarded to poor, hence the nickname 'Cherangany'⁴.

We are also referred to as Dorobo⁵. "...The Dorobo problem has risen because these people, living in small scattered groups, spread over large areas without any property...lived from hand to mouth by hunting and bee keeping..."⁶

"...We used to go over to Cherangani shooting and the only people with whom we came in contact along the Cherangani Hills were the Cherangani Dorobo, a small tribe of Dorobo."⁷

"...They are really losing their identity to some extent. Chairman: Would you say they were in the process of being absorbed by the Elgeyo or Marakwet? Mr. Hoey: No. I would not actually say that. I don't think they have reached that position yet. I noticed yesterday how emphatic they were on the Sengwer. Chairman: You say they are closely allied to the Dorobo? Mr. Hoey: I think undoubtedly they are."⁸

"...to the Maasai menace, it did not exist. If the Maasai shared Kaptiony salt-lick, as they almost certainly did, they did not interfere with the Cherangani. No wise cattleman offends the little from the forests..."⁹

Population and Distribution

Our population is estimated to be 30000¹⁰. We have cultural administrative organization made up, mainly, of sub-tribes¹¹, clans¹² and totems¹³. The community members are spread in three main administrative districts (West Pokot, Marakwet and Trans Nzoia) in and along Cherangany Hills.

The impact of forceful eviction, displacement and discriminatory laws¹⁴ by British Colonial Government led to dispersion and spread of Sengwer in and out of Kenya. Today, Sengwer in diaspora are living amongst Maasai (Kenya and Tanzania), Pokot (Uganda and Kenya), Sabiny (Uganda), Luhya (Sirikwa

¹ "Torture" means any act which severe pain or suffering, whether physical or mental.... for such purposes as intimidation of any kind,....or for any reason based on discrimination of any kind..."

² Assistant District Commissioner, Marakwet, letter to the Provincial Commissioner, Naivasha on 1st October 1918

³ Kenya Land Commission report 1932

⁴ The pronunciation and spelling is not as it is documented

⁵ Kenya Land Commission of 1932 and colonial District Commissioners monthly and yearly reports

⁶ Evidence given by Mr. C.H. Adams acting Provincial Commissioner Rift Valley Province before the Kenya Land Commission in 1932

⁷ Mr. H.C. Kirk giving evidence before the Kenya Land Commission on 8th October 1932

⁸ Mr. A.C. Hoey giving evidence before the Kenya Land Commission on 3rd October 1932

⁹ Kenya Land Commission report 1932

¹⁰ The population can go beyond 50000 if Sengwer in diaspora are included

¹¹ Kaplema, Kamengationy (Kopoch, Kapkotit), Kipsirat, Kapteeteke, Kapsorwei, Kimarich, Kasaango, Kaamosus, Kaptapkiitiny, Kapcherop, Kaptogom, Kapumpo, Kapcheper, Kapchepoororwa, etc

¹² Koopil, Koopon, Toyoi, Sot, Terik, Soogom, Moi, Talai, Kaptooso, etc

¹³ Cheptuke, Asis, Moororoch, Iilat, Chepsiirere, Chepkuukwa nyi lel kat, Soo, etc.

¹⁴ Forest Preservation Policy of 1920-30s

Sengwer Indigenous Peoples of Kenya of Cherangany Hills, P.O. Box 142, Kapcherop 30204, Kenya

mpai, Apa Sengeli), Tugen, Ogiy (ek), Kipsigis, Nandi, Marakwet, Keiyo, Sabaot, Wasocho (Tanzania), etc.

Sengwer Ancestral territory

Sengwer tribal territory covered the whole of Cherangany constituency, part of Saboti and Kwanza constituencies in Trans Nzoia; part of Lugari; part of Eldoret North constituency in Uasin Gishu; part of Kapenguria and Sigor constituencies in West Pokot; Part of Marakwet West and East constituencies in Marakwet district.

Sengwer tribal neighbours

Sengwer tribe was surrounded by Pokot, Karamojong, Sebei, Kony, Bukusu, Nandi, Maasai, Keiyo and Marakwet ethnic groups.

“...Once the Cherangany were a powerful race called Sengwer...”¹⁵.
“We are not Marakwet, but Sengwer.”¹⁶

Indigenous Peoples

Sengwer community identify itself as Indigenous Peoples. United Nations, World Bank¹⁷, African Commission on Human and Indigenous Rights, and other international institutions have recognised as Indigenous Peoples in consideration of their close attachment to their land, non-dominance, distinct culture and language, etc. World Bank recognized Sengwer as Indigenous Peoples of Cherangany Hills in their final report on Indigenous Peoples Planning Framework, 2006. The report was adopted by Kenya government.

European Union – Community Environment Facility (CEF)

It has come to our knowledge that European Union has given Kenyan government a grant through its Community Environment Facility (CEF) for funding projects geared towards empowering communities in Cherangany Hills, Marakwet district.

We understand that Nature Kenya and other local organizations are set to receive grants upto about Kshs 25 million to carry out identified projects in Marakwet district specifically around Cherangany Hills in Kapcherop division and within Sengwer Indigenous Peoples ancestral territory.

We understand that European Union has a policy that seeks to promote and enhance social, cultural, economic and political rights of Indigenous Peoples in our mother earth without discrimination.

We as Indigenous Peoples of Cherangany Hills in Marakwet district have not been consulted either by European Union agencies in Kenya or Kenya government or by the national and local organizations implementing the EU funded projects.

¹⁵ District Commissioner Elgeyo/Marakwet, Tambach, Report dated 11th October 1927

¹⁶ Arap Kamussein, Sengwer chief, giving evidence before the Carter Land Commission on 2nd October 1932 at Mr. A.C. Hoey farm

¹⁷ World Bank, Indigenous Peoples Planning Framework, Final Report 2006

We as Sengwer Indigenous Peoples in Cherangany Hills have legally registered organizations with multiple issues to be addressed – these include conservation of forests and water catchment areas; economic empowerment of our community; etc. These organizations have not been involved the EU funded projects.

Sengwer Indigenous Peoples Recommendations on EU CDTF-CEF Projects in Cherangany Hills Catchment, Marakwet district

We recommend that:-

- i) European Union suspends funding of projects in Cherangany Hills (Marakwet district) since neither Sengwer Indigenous Peoples have been consulted nor involved in the identification of the said projects
- ii) European Union suspends funding the identified implementing organizations since Sengwer Indigenous Peoples organizations are not involved in the whole programme
- iii) European Union suspends the CDTF-CEF funded projects until free prior and informed consent of Sengwer Indigenous Peoples is carried with active and effective participation of the indigenous community
- iv) European Union convenes an urgent meeting with Sengwer Indigenous Peoples elders and leaders of Marakwet district to agree on the community's position on CDTF-CEF funded projects in Cherangany Hills

Lastly,

European Union will be perfecting continued oppression, marginalization, torture and discrimination of Sengwer Indigenous Peoples if it will go a head and fund the identified projects in Cherangany Hills of Marakwet district without consultation and participation of Sengwer Indigenous Peoples.

By funding the CDTF-CEF projects in Cherangany Hills in Marakwet District, European Union will be going against its own POLICY ON INDIGENOUS PEOPLES

Sengwer Indigenous Peoples will support development programmes/projects within their ancestral territory if and only if they consulted, involved in decision making and their benefit clearly identified.

The Sengwer Indigenous Peoples memorandum is hereby signed on behalf of the community members living in Cherangany Hills, Marakwet district by:-

1. Councillor Paul K Kibet – Sengwer ward
2. Councillor Reuben K Tekeroi – Kamoi/Chesupet ward
3. Mr. Vincent C Cheruiyot – Secretary Sengwer Cherangany Hills Forests Conservation SCHFC
4. Mr. Joel Kiprono – Chairman SCHFC

Sengwer Indigenous Peoples of Kenya of Cherangany Hills, P.O. Box 142, Kapcherop 30204, Kenya

5. Mrs. Jane Jerotich – Treasurer SCHFC
6. Mrs. Joyce Jerop – Ogilgei Women Group
7. Mr. Paul Chemelil – Chairman Sengwer Cherangany Hills Water Users Association SCHWUA
8. Mr. Joseph Rutto – Sengwer SCHWUA
9. Mr. John Kiplangat – Chairman Sengwer Indigenous Youth Group
10. Mrs Alice Koech - Ogilgei Women Group
11. Mr. Chemelil Tororei – Sengwer elder
12. Mr. Wilfred Tuwei – Sengwer Elder
13. Mr. Moses Katam – Sengwer Elder
14. Mr. Edward Ngisirei – Sengwer Education Bursary Fund
15. Mr. Jacob Chelimo – Member SCHWUA
16. Mr. Samson K Rotich – Member SCHWUA
17. Mrs. Pauline Kipkosgei – Member SCHWUA