



LAND UPDATE

SPECIAL EDITION - WORLD SOCIAL FORUM, WSF NAIROBI 2007

A NEWSLETTER OF KENYA LAND ALLIANCE

VOLUME 5 NUMBER 4

SPECIAL EDITION ON THE WSF

RELEVANCE OF THE WORLD SOCIAL FORUM TO THE KENYAN SITUATION



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EDITORIAL

The January 20 – 25, 2007 World Social Forum presented a unique opportunity to the poor and the pro-poor Civil Society Organizations, groups and individuals gathered in Nairobi – Kenya to discuss and debate alternatives to the current model of corporate globalization. The World Social Forum that took place at the Moi International Sports Centre Kasarani, brought together approximately 50,000 people who held regular exhibitions and meetings to discuss crucial ingredients of viable alternative development pathways for an equitable international society. Information, Education and Communication materials were distributed among many thousands of citizens and public policy groups from all continents that are engaged in working for a better world, which is possible, despite the overwhelming and marginalizing economic globalization.

Kenya Land Alliance and its strategic partners on land and other natural resources sector facilitated the marginalized and disadvantaged groups of women, pastoralist, informal sector traders and/or residents, fisher-folk, squatters and/or Internal Displaced Persons, and hunter-gatherers to share and exchange their experiences with a view to refining their strategies in lobbying and advocating for an all-inclusive land and natural resources rights reforms. Kenya Land Alliance and its strategic partners thus appreciated the World Social Forum as an ideal exchange and interaction space. Indeed the five day World Social

Forum provided an opportunity for meetings with people from all continents and interested groups to further refine their land and natural resources reform ideas, expand and/or modify them appropriately to local conditions, seek general consensus on as many points as possible for setting out broad guiding policy frameworks.

Through demonstrations, debates and processions it clearly came out that a peaceful, equitable and sustainable future depends on the outcome of escalating conflicts between two competing global visions: one corporate and the other democratic. The schism was clearly relayed to the world by the media images and stories emerging from the World Social Forum in Nairobi, Kenya and the others from the gathering of corporate and economic elites at the World Economic Forum at Davos, Switzerland (the two meetings took place in the last week of January 2007). To the Kenyan poor and pro-poor organizations that were attending the World Social Forum for the first time, it was an eye opener to them to see and debate why millions of people take to streets in India, Brazil, United States, Bolivia, France, Germany, England, Australia, South Africa and elsewhere in massive demonstrations against institutions and exploitative policies.

The Nairobi World Social Forum brought out clearly the notion of different worlds i.e. one of the corporate globalization in the name of private profits and the other of the citizens movements who orga-

nize to thwart the former in the name of democracy and diversity. Through various experiences and sharing coming out of the World Social Forum, it was clear to all that though humanity lives in the same physical world, going by varying styles of livelihoods, it must be living in wholly different worlds. The corporate multi-nationals inhabit a world of power and privilege from which they are hell-bent to privatize public assets and free the market from government interference and that way they believe that they are spreading freedom and prosperity throughout the world, improving the lives of people everywhere and creating the financial and material wealth necessary to end poverty and protect the environment. On the other hand the Citizens movements see a starkly different reality. Focused on people and the environment, they see a world in deepening crisis of such magnitude as to threaten the fabric of civilization and the survival of the world. For them the world is rapidly growing inequitably, and there is continued erosion of relationships of trust, and a failing planetary life support systems.

The Nairobi Social Forum clearly left participants convinced that there are two global visions where corporate globalists are convinced that the spread of democracy and vibrant market economies is the way to go, while the citizens movements are sure that the right pathway is that power to govern must shift to the people and communities. Deep in the conscience

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RELEVANCE OF THE WORLD SOCIAL FORUM TO THE KENYAN SITUATION

The World Social Forum in Nairobi in January 2007 was a timely New Year rallying event for Kenyans to revisit the fundamental principles for building a democratic and sustainable society as we prepare for December 2007 elections. The current organizing principles of the institutions that govern us in Kenya are narrow and serve the few at the expense of the many millions of

Kenyans that live in abject poverty. Yet, from all corners of the country it is acknowledged that it is within our collective ability to create a healthy and sustainable society that serves and work for all. From the procession that started in Kibera Slum to Uhuru Park to discussions and meetings at Kasarani Sports Centre back to the closing ceremony at Uhuru Park, the feel was that time had come for Kenya to make that possibility a reality. Sustainable and democratic societies are founded on certain core principles that were debated and refined in presence of Kenyans by the diversity of Civil Society that converged in Nairobi in January 20-25, 2007. The following are the core principles that were debated exhaustively in various meetings:

DEMOCRACY

The World Social Forum meetings, discussions and processions in which Kenyans fully participated made it clear that democracy flour-

ishes when people organize to protect their communities and rights by holding their elected representatives at all levels accountable.

The clarion call in all events was 'we advocate for a shift from governments serving corporations to governments serving the people and communities.' The analysis of the principle of democracy was live and vibrated through the Nairobi World Social Forum when Kenyan section of participants mobilized other interested groups in demonstration against the organizing committee for running the process undemocratically.

Lesson learned was that accountability as per ethos of new democracy was essential in all sectors at all levels and hence it was an inevitable process that is easier at the local levels but vital at all levels of government and/or governance. For KLA members and

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of the participants of the Nairobi World Social Forum there was a felt need to transform the world to economic democracy, which entails the current and future well-being of humanity being predicated on a more democratic and mutually accountable modes of managing human affairs that are self-organizing, power-sharing, and minimization of the need for coercive central authority. The World Social Forum ended on a note of assurance that powerful opposition movement is needed to enhance the fulfillment of a deep commitment to universal values of democracy, justice, and respect for life. Experiences from South America, Asia and Europe clearly showed that democratic community control of resources in their midst is the sure way of developing a sustainable world. To many Kenyans who attended the forum it was abundantly clear that popular initiatives and actions in defense of democratic rights is the emerging norm around the world.



The Landless as part of marginalized groups participate in a procession, lobbying for recognition and reclaiming of their land, which is a source of their livelihood.

constituencies of the marginalized and disadvantaged this lesson was appreciated and many promised to practice it and disseminate it to their colleagues who never had a chance to attend the forum in Nairobi.

SUBSIDIARITY AND / OR DEVOLUTION

Debates were live during the World Social Forum on the need to create new rules and structures that consciously place resource rights to the local people and follow the principle of subsidiarity. Event after event emphasized that whatever decisions and activities can be undertaken locally should be, and whatever power can reside at the local level, should reside there. This principle was appropriately appreciated in the Peoples Tribunal on the cases of concession over the use of the Yala Swamp by Dominion Farms Ltd. and the mining of Titanium by Tiomin Ltd. In both cases in the Tribunal hearings, it was ruled that under no circumstance can the Central Government be justified to take far reaching decisions detrimental to well being and livelihoods of communities contingent to both resources in their absence as was the case.

The relevance of this principle to Kenyan situation as Kenyans prepare for elections, is that only decisions and activities that cannot be satisfactorily undertaken locally, should move to the next higher level: region, nation and finally the world. Thus peoples' sovereignty over their local concerns and resources shall never be ceded away as the consequences are detrimental.



Heavy Machines being used by Dominion Farms to 'reclaim' Yala Swamp. Inset: Sample of fish cages to be used for commercial fish breeding in one of the swamp's Satellite Lakes - Lake Kanyaboli



Guilty as Charged!! A People's Tribunal in a mock trial at the WSF pitting the Yala Community Representatives and Dominion Farms, finds Dominion GUILTY of denying locals access and use of the wetland and for using it unsustainably

ECOLOGICAL, SOCIAL AND ECONOMIC SUSTAINABILITY

From environmental organizations, human rights organizations to land and other natural resources reform campaigners' tents, there was an overwhelming urge for economic activities however envisioned to be ecologically sustainable. The expression and demand from fisher-folk to other users of wetlands was that eco-systems

should enable them to meet present generation's genuine needs without compromising the ability of the future generations to meet theirs, and without diminishing the natural diversity of life on Earth or the viability of the planet's natural life-support systems. Indeed for Kenya with a history of unsustainable use of our abundant and varied eco-system for political patronage the participants got solidarity from

all over for maintaining the narrow path of championing the principle of ecological sustainability under difficult political environment.

The World Social Forum relevantly enabled Kenyan participants to also appreciate the importance of ecological sustainability in matters of common heritage that transcend the local boundaries or constituencies. The forum emphasized the principle that all over the world there exist common heritage resources that should constitute a collective birth-right of the whole species to be shared equitably among all. In this category the forum mentioned water, land, air, forests and fisheries among others on which our lives depend.

The debates discouraged extractive and exploitation systems that tend to privatize these resources for purely individualistic profit motive. Also discussed in the category of common heritage were basic public services relating to health, education, public safety, and social security which were appreciated as “modern” common heritage resources representing the collective efforts of whole societies.

To Kenya, lesson learned was that justice demands that common heritage resources should be readily available to all who need them. Thus, any attempt by persons or corporations to monopolize ownership and control of an essential common heritage resource for exclusive private gain to the exclusion of the needs of others is morally and politically unacceptable.

JOBS / EMPLOYMENT

- LIVELIHOOD

No principle touched the Kenyan living experience than this. The World Social Forum summed up this principle as - ‘livelihood’ which simply means ‘a means to living’ thus, the right to a means of livelihood is the most basic of all human rights. Therefore for Kenya any policies that displace small farmers

from their land and fisher-folk from their fishing ground ecosystem or a worker in formal or informal sector from addressing their livelihood needs is in contravention of this principle. So when politician during 2007 elections promise employment or jobs Kenyans shall be better informed to what it amounts to, this time round.



WSF Participants from Ekta Parishad (India) join their Kenyan Landless counterparts in a solidarity rally to discuss livelihood challenges facing landless people



Campaigners calling for women's access and ownership of land as means to productivity and food security, at the Pre-WSF Procession from Kibera slums.

FOOD SECURITY AND FOOD SAFETY

Debates on this principle clarified the notion that communities and nations are stable and secure when people have enough food, particularly when nations can produce their own food. For Kenya perennial dependency on food relief was demystified as a pointer to instability and insecurity however defined. Equally, the agribusiness firms' spread of chemical and biotech-intensive agriculture around the world was debated as threat to the peoples want for safe food, a commodity that is increasingly becoming scarce. Out of the World Social Forum, Kenyans gathered a lot of literature that shall enable them re-evaluate their perceptions on indigenous foods and to engage their elected representatives on the important principle of food security and food safety especially as they discuss the Bio-safety Bill.

EQUITY

In Kenya under the current economic rules, the gap between rich and poor people has widened just as between the rich and poor countries.

The World Social Forum provided Kenya an opportunity to reflect on the resulting social dislocation and tension world over that threaten peace and security. From leaders of the stature of the Retired Archbishop Desmond Tutu and the former Zambian President Kenneth Kaunda, Kenyans appreciated that greater equity both among nations and within them would reinforce both democracy and sustainable livelihoods for communities.

The forum called for the cancellation of debt and change of current global governance institutions as a sure means of reducing the growing gap of inequities.

PRECAUTIONARY PRINCIPLE

The World Social Forum brought to the attention of Kenya that all activities should abide by the precautionary principle, which simply guards society against uncertainty caused by our actions scientific or otherwise. In a country where we have always embarked on developmental projects without even environmental impact assessment studies, we are susceptible to undesirable or irreversible effects out of our negligence. Lesson learned during the debates at World Social Forum was that the proponents of a practice or products should bear the burden of proving that it is safe, before its implementation. This principle went along way in making Kenyans aware of the looming dangers of the harm to our health or environment that can be caused by engaging in not well reasoned adventures or projects.

PANPAPER MILL IN WEBUYE, WESTERN KENYA ONE OF THE FOREIGN COMPANIES ACCUSED OF GROSS ENVIRONMENTAL POLLUTION



KENYA'S INFORMAL TRADERS AND THEIR WSF EXPERIENCE

KLA PARTICIPATION IN THE WORLD SOCIAL FORUM

Kenya's previous participation in the World Social Forum has been mainly through Non-Governmental Organizations, NGOs with little representation of grass-root people's movements. The Nairobi 2007 WSF forum offered an opportunity for Kenya Land Alliance, KLA and other Civil Society Organizations, CSOs to facilitate grassroots people's movements, especially those that would otherwise have not managed, to become part of the forum. KLA and other CSOs joined in advocating for the rights of marginalized, vulnerable and minority groups to secure access to land and natural resources for their livelihood. Together the organizations facilitated among others the informal traders, fisher folk, pastoralists, internally displaced persons and squatters, hunter-gatherers, and women to be part of this important forum.

Securing participation of these vulnerable and often marginalized groups enabled them to present their concerns to the public policy debate table, and call for formulation of comprehensive policy, legal and institutional frameworks, particularly those on land, that are pro-poor. The forum served as common platform for these primary stake holders, whose livelihood depends directly on land, to meet, interact, and plan around identified land related issues, learn from one another, form meaningful partnerships and extend networking with local, regional, and international partners. The success of this effort is illustrated by the views expressed by representatives of two of these constituency groups (Page 7 -14)

As a street vendor in Kenya, the World Social Forum was to me a real eye-opening experience. Together with other street traders and hawkers in Kenya, it was time of profound joy for us to team up with thousands of other delegates from across the world to put forth our agenda and also solicit for international solidarity. We felt this was an opportune time to tell the world that street vending and hawking was just another noble means for securing a stable future for our families. Through it, many of us got education, food, medical care and housing and through it we want to provide the same and in even better form to our families. We also wanted to make known our contribution to the economy and to the job market especially for the many unemployed youth in Kenya. Though no official statistics exists, by 1999, the number of street traders and hawkers in Kenya was estimated to be just above 400,000 and the figure could be much higher today.

I attended the forum courtesy of support from Kenya Land Alliance, Streetnet International and Pamoja Trust, to all whom I am very grateful. As the chairman of Nakuru Street Traders and Hawkers Association, NASTHA and also the national chairman of Kenya National Alliance of Street Vendors and Informal Traders Association, KENASVIT, the World Social Forum provided to me an opportunity to meet and interact with my fellow informal traders leaders from other



Simon Sangale

parts of the world and together come up with joint resolutions to issues affecting street traders all over the world especially in Africa, Asia, and Latin America. My meeting and sharing with world leaders of informal traders like Clarise R. Fandy from Benin's USYNVEPID (Union Syndicale de Vendeurs de Pieces Vendeuses des Pieces Detachees et Divers des Marches du Benin), Charity Mandishona from Zimbabwe's ZCIEA (Zimbabwe Chamber of Informal Economy Associations), Gladys Mponda of Malawi's MUFIS (Malawi Union for the Informal Sector), Shinhee Chul of South Korea's KOSC (Korean Street Vendors Confederation), Pat Horn of Streetnet International based in South Africa among others brought in me a new drive to fight for the rights of my fellow informal traders.

LESSONS FROM THE WSF: BEST PRACTICES

One key lesson of best practice I came back with from the World Social Forum is that despite the challenges we street traders in Kenya face, violence is not the panacea to our problems, rather, we need to embrace dialogue and other non violent means for advocating for our rights. I learnt that non-violence works really well when

dealing with a government and state authorities that are ready and willing to listen. My Indian counterparts informed me that through their organization, 'National Association of Street Vendors in India' they have managed to achieve state recognition and presently in India there is no restriction placed upon vendors. In fact, the association is presently fine-tuning a Policy Paper that will govern their operations. In Brazil too, mainly because of their pro-poor president Mr. Lula de Silva, street traders' rights are now protected and entrenched in the country's constitution. I also learnt that without proper legal framework to govern street vending and hawking, serious problems would continue to arise.

In Countries like Indonesia, hawkers take to the streets for some stipulated hours and in shifts. Such a model can be developed in Kenya and open areas set aside as hawking zones or even some streets opened up at particular times for hawkers. Experience indicate that countries that have acknowledged hawking as a major activity in their economic development and has provided the sector with improved facilities, have made significant gains from hawkers participation in economic development. Examples of such a country is Malaysia, a country that not many years back was at par with Kenya in terms of economic development, but is now way ahead of us. In terms of worst practices I learnt that in countries like Kenya and South Korea where street traders have tried to use violence, it is we who end up suffering. Many of our people are beaten, maimed or killed and since we have no ac-



Representatives of Kenyan Street Traders use Song and Dance to Share their Experiences with Participants from other parts of the Globe at the WSF

cess to proper medical care and no insurance, it is our families and us who end up as the net losers. In Countries like Zimbabwe where in 2005 there was massive forceful crackdown on street traders, the nation as a whole continues to suffer. A third case of worst practice is not having a representative body that is recognized and one that exists solely for the rights and interest of informal traders and street vendors. In such situations, briefcase bodies come up, but these cannot engage in any meaningful dialogue and cannot enter into binding agreements with any party whenever that is necessary and hence cannot resolve anything.

KEY CHALLENGES FACING KENYAN HAWKERS AND STREET TRADERS

At the World Social Forum, I shared with the rest of the world some of the challenges facing we street traders and hawkers in Kenya. Unlike in countries like Malaysia, the laws governing street vending and

hawking has never been overhauled since Kenya's independence. Kenyan hawkers are stuck with archaic colonial laws, which surprisingly the successive governments have not been in a hurry to change, and as such constitutionally we are barred from trading in town and city centres. The councils are aware of existence of these oppressive laws and also knows we know the law exists. As such they frequently arrest our people and threaten to take them to court unless they part with some bribes.

Secondly, big business people in cohorts with government officials do not want us on the streets. They see us as direct competition to them. Since we street traders do not incur overheads like rent, electricity, water and wages etc, we are able to offer our customers bargainable prices, and moreover, the items we sell are no different from what is sold in many big shops. As a result, the big businesses have formed themselves into Central

Business District Associations like the Nairobi Central Business District Association, NCBDA and into alliances like the Kenya Private Sector Alliance, KEPSA. These are presently major sources of funds for politicians and political parties and they easily influence government policies. Whereas the body that I lead, that is the Kenya National Alliance of Street Vendors and Informal Traders Association, KENASVIT does not enjoy official recognition, those like KEPSA and NCBDA at a phone call can secure an appointment even with any minister and even the head of state.

Thirdly, street vendors are used as political pawns. Normally, a year or so to elections, the executive arm of the government, that is, the Provincial Administration and the police are sent to intimidate, harass

and evict us from the streets. Then when it is some months to elections, the government of the day comes up with plans to reallocate us into designated trading zones or build a market for us in a bid to win our support. At that time they give us audience and make many promises to us, on condition that we vote for the government. However, once they have achieved their target and the election is over, we are quickly pushed out of the streets again to allow the big business people who are the prime fund-raisers for political harrambes to recoup their monies in peace. Fourthly, in some places, notably Migori, in Nyanza Province, our members endure multiple charges. On the two market days per week, they pay every carrier that brings goods into the market, an entrance fee of 20 Ksh. For every carrier leaving

the market, an exit fee of 20 Ksh as well as loading fees of another 20 Ksh. They also pay a fee called 'cess' of 10 ksh, add that to the normal vending fee of 10 Ksh. At the end of the day, they pay a total of 80 Ksh to the local authority per trader. This when calculated in a year's time is 7,680 Ksh. This figure is way above what established shops pay to the council.

GENDER DIMENSION AND SURVIVAL TACTICS OF KENYAN STREET TRADERS

Women form a major part of those operating in the informal sector. They mainly sell groceries, foodstuffs, grains and clothes. They have limited access to capital and thus their profits are less. Many women, due to domestic chores that include taking care of children, work for fewer hours. Research



indicates that some of the women street traders operate with children on their backs, lap or side (Women Street Vendor: by Winnie Mitullah, Anne Kamau and Patrick Alila). Together with the physically challenged, women are the hardest hit by inhuman treatment meted out by council law enforcers locally known as *Council Askaris*, and the provincial administration. During the frequent crackdowns on their business, they are beaten up, and their wares stolen.

We hawkers have however devised a number of survival tactics. The most effective so far has been the use of mobile technology in the 'hide and seek game.' This system is organized in such a way that when some are working, others are monitoring and trailing the vehicle carrying Council Askaris. When they are headed the direction of those trading, we alert our colleagues via mobile phone of the impending danger and advice them on what direction to run to. They in turn pack the makeshift stalls only to reappear when the danger is gone. Another survival tactic that is morally reprehensible and illegal is that of bribing officers to look the other way. Some hawkers have been forced to do so especially since nowadays the provincial administration use the 'ambush approach' of arresting hawkers. In the ambush approach, police operate on civilian clothes and in unmarked vehicles as a disguise. Through formation of the umbrella body Kenya National Alliance of Street Vendors and Informal Traders Association, KENASVIT and regional umbrella alliances, hawkers have managed to hold meaningful dialogue and



Participants Dramatising Challenges Facing Land less People in Kenya at the WSF

negotiations which have led to some positive results, e.g Review of by-laws, Hawkers Bill, Small and Micro Enterprise, SME Bill among others.

The national association has been instrumental in networking with the international body, Streetnet based in Durban South Africa. Whenever there is a crisis involving informal traders, it is brought to the attention of all national associations who in turn send messages of solidarity and protest letters to concerned authorities. Aside from sharing the above experiences from Kenya at the World Social Forum, street traders came up with a number of resolutions that hopefully will improve our living and working conditions. These resolutions will form part of the discussions when street traders across the globe meet at an international congress that is currently being organized and slated for later in the year in Brazil. Based on reports from all national associations, and those from the World Social Forum the meeting is expected to ratify the

outcome of the World Social Forum. All national associations will be sending their reports to Brazil from where there shall be a joint resolution. The resolution will be sent to the International Labour Organization, ILO, one of the few international bodies that officially recognize Streetnet International, the mother body representing associations of street traders in all sub Sahara, Asian and South American countries.

RESOLUTIONS OF THE STREET VENDORS AND HAWKERS FROM THE WSF

The resolution that the World Social Forum, WSF in Nairobi came up are as highlighted below:

- a) **Town Planning:** It is our position that the government must embark on a new master plan for all urban centres in Kenya with street vending occupying top priority in such places.
- b) **Review of By-Laws and Licensing:** Licensing and by-laws governing vendors need to be re-organized and vendors given legal recognition.

WSF RESOLUTIONS OF INFORMAL TRADERS continued...

c) Empowering Women Street Vendors: In order to fast track economic and social development, the government needs to strengthen and promote women participation.

d) Government Involvement: Government needs to create favourable legal and policy framework for street vendors to operate under.

e) Relocation: Arbitrary relocation of street vendors must stop, and any such acts must be just one aspect of an integrated approach to managing street vending.

f) Reform Law Enforcement: Law enforcement must be reformed and its arbitrary and inconsistent application that includes harassment of street traders is outlawed.

g) Street Vendors Manual: A Manual governing operations of street vendors need to be developed and this to be done in both the official and national language and the manual to guide actions of both the traders and the councils under which they operate.

h) Business Assistance: Vendors to be facilitated to undergo periodic training on basic accounting, taxation, marketing skills and be given low interest loans to expand their business.

i) Department for street vendors: The Councils to establish a special department to address issues affecting street vending and hawking.

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KENYA'S FISHER FOLK COMMUNITY AND THEIR WSF EXPERIENCE



Okello Namadoa

Our participation as the Kenyan fisher folk under the auspices of Indigenous Fisher people's Network, IFP, at the World Social Forum 2007 in Nairobi was a unique experience. We not only managed to interact with various fisher folk activists, social movements, networks, coalitions and other progressive forces from all over the world, but also acquired crucial exposure for our sector which we often feel is relegated to the periphery of most socio-economic and political discussions.

Despite this being the first meeting for many of our ordinary members, and the small, but critical players in the fisheries sector we managed to present the issue of the fisher folk communities of East Africa onto the global arena. Through our engagement in experience sharing sessions we met with delegates and a cross-section of other natural

resource users as well as support agencies. Fisher folk are major victims of non-egalitarian policies being formulated under the guise of developing 'global trade,' and opening up of common property resources like wetlands.

We thus were able to join forces with like-minded forces in seeking for expanded democratic spaces, concrete, sustainable and progressive alternatives to imperialistic one-sided liberalization schemes being propagated by multinationals with subtle support of our government.

The fisher folk representation and participation in various discussion meetings in this week-long forum



was facilitated by the Kenya Land Alliance. We thus, were able to dialogue with progressive fisher social movements and intellectuals, participate in collective learning on issues of concern and also concerting efforts aimed at crafting alternatives for social transformation.

Key organizations we interacted with are: The Greenpeace International, Palamakaya Fisherfolk Association-Philippines, Katosi Fisher women Development Trust, World Forum of Fish Harvesters and Fish Workers, National Fisheries Solidarity-Sri-Lanka among others.

Together we deliberated on key global challenges facing the fisher folk communities as users of water bodies worldwide. One of these is pressure on governments to allow for privatization, individualization, and commercialization of water bodies at the exclusion of local users (as is happening in Kenya with the Yala Wetland saga and the Dominion Group of Companies from USA). Other examples are- around Lake Naivasha in the Rift Valley

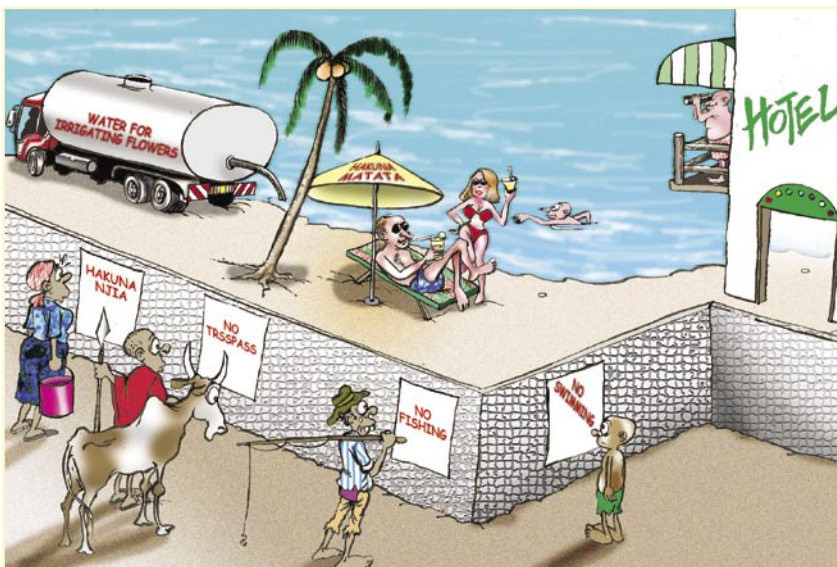
province and around Kenyan Beach fronts along the Indian Ocean.

Fisher folk also face harassment and intimidation in cross-border water bodies. Another key concern is lack of fish benefits trickling down to the locals both in nutritive and in monetary terms leaving the local fisherfolk poor and the people malnourished as the fish is exported to foreign countries. With the Kenyan exchequer earning over 6 billion in fish exports we felt the time had come for us to let the world know atrocities, social and economic injustices being meted out on the fisher folk community.

In our assessment of the challenges facing the fisher folk, wise and sustainable use of our natural resources like rivers and lakes is of paramount importance as a first step towards making another world possible for the fisher folk. However, wise and sustainable use are a multi-dimensional and intricate matter that should be addressed by various stakeholders to curb the ever-declining fisheries

stocks globally. In one particular session, participants were taken through a 2004 report by the Food and Agricultural Organization, FAO known as 'The State of the World Fisheries and Aquaculture.' The report states that in 12 out of 16 regions of the world evaluated, at least 70% of stocks are already fully exploited or over-exploited (The State of the World Fisheries and Aquaculture 2004, p33). Majority of these regions are in the third world countries.

The forums noted that in spite of stated good intentions, most governments including Kenya, continue to set fishing quotas higher than scientifically recognized levels and have failed to implement the tough actions necessary to stop Illegal, Unregulated and Unreported (IUU) fishing. Decision-making bodies tasked with managing fish stocks, inland, riverine and marine ecosystems continue to be held at ransom by fishing interests that threaten to undermine conservation measures.



In the face of overwhelming evidence that the fisheries management needs radical change, governments are dragging their feet as aquatic life in rivers, lakes and seas are being destroyed at an unprecedented rates. It was clear during the forum that for our fisheries to prosper we need to network with diverse like-minded organizations i.e. Kenya Land Alliance, OxfamNovib, GreenPeace International among others to synergize our efforts in advocacy and lobbying for fisher

folk rights as this is what ultimately determine their existence and access to God given wealth (natural resources) sustainably. Also, it was evident that solidarity is a crucial factor in enhancing our constituency stability with regard to the preservation of our progressive culture, traditions and resource management. Similarly, we were able to learn that development of literature on our respective indigenous fisher ethic group will help a lot in networking and initiation of development programs that benefit the fisher folk.

The other issue that featured prominently was that of the marginalization and discrimination of the minority groups in terms of national resource sharing, political dispensation, structural development and social amenities. For example the fisher folk in a Southern India are struggling to get back to an island that they had hitherto occupied for ages, but were ejected to allow for its “development” by the local government. However, through local and international lobbying they are in the process of successfully reclaiming this land.

This was a great lesson to the fisher folk community, particularly in Africa on the need to rise up and demand for recognition of our rights at all levels of policy application through dialogues, demands, declarations and if we are not being listened to, resort to petitions and protests as a last resort. Participants were also informed that at the World Summit



Lake Kanyaboli: An example of a lake being ‘privatised in favour of an investor at the expense of local communities

on Sustainable Development, States agreed to encourage the application of the ecosystem approach by 2010, (Implementation of the World Summit on Sustainable Development, Article 30(d), as well as to the establishment of a global network of marine reserves by 2012 (Implementation of the World Summit on Sustainable Development, Article 32(c).

The fundamental elements of the ecosystem approach require consideration of the whole ecosystem with a focus on the management of human activities rather than an attempt to manage aspects of ecosystem function in isolation. This has been previously ignored in awarding of ‘concession projects’ like in the Dominion Company project in the fragile Yala Wetland catchment area.

In conjunction with GreenPeace International-Netherlands and

World Forum of Fish Harvesters and Fish Workers (WFFHW) based in Canada, we (Indigenous Fisher peoples Network, IFP) have made a list of recommendations, including the proposals made at Nairobi WSF 2007, that will be presented to the scheduled Food and Agricultural Organization, FAO Committee on Fisheries, COFI, meeting slated for March 5th -9th 2007 in Rome, Italy.

THE GENDER ASPECT

Fishing being a labour intensive occupation requires people who are energetic and active to accomplish this involving activity/sector. Available data shows that the age bracket involved in active fishing activities ranges from 15-35 years across the board (Fisheries Department Annual Report 2004). This is a clear indication that young people are the power behind impressive catches that the government boasts raking in billions in fish exports.

However, most of the youth including women are vulnerable in the face of HIV/AIDS that is prevalent in all fishing regions in the country except the Lake Turkana region.

A good number of the youth and women are not actively engaged in the strategies that define the future of fishery activities in their respective landing sites making this age segment of the sector more vulnerable in threats and challenges from all quarters.

Further, they have not been spared in projects like the Dominion project (Yala Swamp) where most of their families have been left landless after being compensated a paltry Kshs. 40,000.00 for an acre, compensation that amounts to a human rights abuse.

WSF RESOLUTIONS OF THE FISHER FOLK COMMUNITY IN KENYA

As part of the objectives of the forum, the fisher folk envisaged interventions that will be able to propel their ideological focus and organizational capacity in partnership with other social movements and allies worldwide.

These are as follows;

a) Information Dissemination

As the adage goes information is power, it is the fisherfolk's belief that concerted efforts to keep our people informed of happenings and concerns both at national and global level is important, will water down the ignorance that has been

rife among the fisher community.

b) Exchange programmes

This will enable us continue and sustain exchange of information, engage in learning processes and experiences with our counterparts globally.

c) Community Natural Resources Management

The management of our God-given resources should not be given to somebody else for the community can sustainably conserve its resources so long as they are empowered with skills and experiences drawn from indigenous knowledge.

d) Fisherfolk Empowerment

This will assist in keeping track of economic, social and political development by involving all segments of the fisherfolk in relevant policy & programme formulation and subsequent implementation at all levels.

e) Gender & HIV/AIDS Response Mainstreaming

To ensure effective implementation of programmes targeting fisher communities it was proposed that women and the youth should be involved proportionally at all levels.

It was further resolved that being a sector that is worst hit by AIDS scourge, all programmes/projects designed for fisherfolk should integrate the HIV/AIDS component in their conceptualization and im-

plementation stages.

f) National Fisheries Policy

Fisher people demand for speedy formulation and implementation of a national framework for conservation and management of wetland resources. In order to realise this policy, we need to lobby members of parliament, and the executive arm of government.

g) East African Fisheries Policy

We need to pressurise the three East African States to formulate the fisheries policy that will enable fisherfolk within Lake Victoria and other cross-border water bodies to go about their activities without harassment, as is the case now.

h) Conservation of Marine Ecosystem

Correspond, liaise and work with other UN, inter-governmental and non-governmental organisations to establish a centralised and publicly accessible "blacklist" of fishing vessels, institutions and companies that breach inland and marine conservation measures as well as a public 'whitelist' of vessels authorised to fishing certain areas and the coordination in the areas in which they are allowed to fish.

The writer, Okeloh W'Namadoa is the National Coordinator Indigenous Fisher Peoples Network (IFP)

FACTS

LETTERS TO THE EDITOR

Did you know that:

Wetlands all around the world have been under attack since the beginning of agriculture. However, since the "industrial age" in the 1950s, and with the subsequent population explosion of 1960 and 70s, the destruction of the world's wetlands has become a veritable slaughter: an estimated 50 to 60% of the planet's wetlands have been lost since 1900 alone, and in many countries original wet areas like swamps, salt marshes, fens and frequently flooded plains have been "developed" for agricultural and other human-related uses. To many, flooded plains or swamps are just a waste of land, waiting to be filled in and "made useful" - all you have to do is dump some earth into it and voila!-you have nice flat ground eminently suitable to almost any purpose you may wish it for. However, wetland's relation to natural and human-related systems is diverse and absolutely vital: they absorb huge volumes of water during periods of flooding, they purify water for all and sundry, they act as "nurseries" for fish and other animals we and other species eat, and they support a huge variety of flora and fauna (plants and animals, i.e.): Most wetlands are "biodiversity hot spots", meaning that the variety of life-forms they harbour/provide vital habitat for, is much higher than average. When wetlands are destroyed, floods become worse, water quality goes down, fish and other stocks (shellfish, crustaceans) are diminished, aquatic birds lose both homes and stopping places along migratory routes, and populations of huge numbers of species are killed outright, or denied places to live. In many parts of the world, swamps protect the land behind them from storms and large waves.

Some good news on environment for a change!! Many scientists have been predicting the imminent demise of the world's coral reefs, due to their intolerance to rapid global warming. Corals form symbiotic relationships with algae to provide them with nutrients via photosynthesis. Many of these algae become considerably less effective at converting nutrients to more use able forms using the energy provided by sunlight, at temperatures only 1 degree Centigrade higher than the temperature they normally live at. This decrease in nutrient-conversion causes the corals to expel them from their colonies - a process called "bleaching", since it turns the colony white. Bleaching can kill a coral colony if it is too prolonged, or repeated too often. However, some strains of the species of algae normally used by corals are far more heat-resistant, exhibiting little or no reduction of photosynthetic efficiency at temperatures that send the normal forms into a tailspin. It now appears that corals can often switch to these more heat-tolerant strains or "clades", in order to avoid the negative effects of long-term higher water temperatures and the resultant loss of their primary food source. Since a very healthy chunk of the biodiversity of the oceans is connected with the high productivity and many kinds of habitats associated with coral reefs, the realization that they are not doomed to disappear in the next 50 years as earlier predicted is indeed good news.

Dear Sir,

On Behalf of the Trans-Nzoia Squatters Alliance (T.S.A) and the entire squatter community from North Rift, i take this golden opportunity to thank the Kenya Land Alliance for facilitating and enabling us participate in the just ended World Social Forum 2007 held in Nairobi Kenya from 20th to 25th January 2007. Indeed it was the first time for such marginalized community to take part and share global and local ideas in such a forum.

As a squatter community it was an important and historical moment for us and there is no reason for us not coming out openly to congratulate you people of Kenya Land Alliance who worked tirelessly to see that a community like ours get an opportunity to share ideas with the international communities that were represented at the Nairobi World Social Forum in Kasarani and at the Uhuru Park.

Last but not least, may God bless Kenya Land Alliance staff to remember and consider us again in future to participate in other global meetings

Your Sincerely

Mr. Christopher Mutasia
Chairman Trans-Nzoia Squatters Alliance

Dear Sir

We at the Homa-Bay station of the Ministry of Information and Communication, Nyanza Province, appreciates your good gesture for your distribution to us this year's Calendar and the Land Update focusing on the Draft National Land Policy - Volume 5 No. 3 2006 (two copies each). We thank you for this and we hope to make use of them for public sensitization

Lydia Nyamasege
For District Information Officer,
Homa-Bay

Your Letters

Send your views, opinions or contributions to the Editor, Kenya Land Alliance, P.O Box 2177 - 20100 Nakuru - KENYA and we will include them in our next issue.

NEWS

Public Debates Proposals of the Draft National Land Policy

A Consortium of eight Civil Society Organizations held a public forum at the KICC Nairobi on November 22nd 2006 to engage members of the public in a debate on the contents of the Draft National Land Policy. The event, attended by over 500 participants discussed among others the constitutional implications, principles of generational and gender equity and the institutional framework of the draft policy. Convenors of the forum were: Kenya Land Alliance, FIDA Kenya, Institution of Surveyors of Kenya, Hakijamii Trust, RECONCILE, Kenya Human Rights Commission, Citizen Assembly, and Shelter Forum

A key resolution of the forum was that the process of formulation and implementation of a comprehensive National Land Policy must be speeded up. Others were that:

- a) Land reforms must be linked to historical injustices, and victims of this injustice be identified and compensated, and laws that have facilitated dispossession of individuals and communities must be reviewed.
- b) Provisions prohibiting discrimination on the basis of gender and guarantee the rights of women in law and in customary practice be upheld.
- c) Mechanisms of identifying all vulnerable and marginalized groups and ways of addressing their plight be instituted.
- d) Since a majority of Kenyans are land dependent for livelihood, the present inequitable distribution is untenable, hence land redistribution and resettlement must be instituted and the amount of acreage per person limited. In addition lease to foreigners must be below 99 years.
- e) National Land Commission as the proposed overall land management institution must have its powers, responsibilities, operations, accessibility and independence clearly spelt out and entrenched in the constitution



KLA and FIDA Launch Women's Land Rights Campaign Publications

On 19th January 2007, Kenya Land Alliance and FIDA Kenya launched a Book and Policy Brief as part of their campaign on women's land rights as a precursor to the World Social Forum. The two publications analyses the current legislative and policy framework and assesses the way it treats women.

While acknowledging women's contribution to the country's Gross Domestic Product, GDP, speakers at the forum decried the apparent lack of legal and socio-cultural protection for women. They noted that women suffer at three levels: As girls, they have no guarantee of inheritance rights, as wives, they are not allowed equal rights of access, use and control, and as widows they are disinherited. They further noted that in order for Kenya to address poverty, it must also address women's access, ownership, and control of land and other natural resources.

The forum called for all actors, state and non state to do the following:

- a) Provide information, legal literacy and counselling in order to empower women and enable them demand and claim their land rights.
- b) The government to take immediate steps to improve systematically women's land and property rights both in law and practice and remove impediments to their realization.
- c) Ensure that gains made in the Proposed New Constitution drafts produced so far are not expunged when Kenya ultimately gets a new Constitution.

