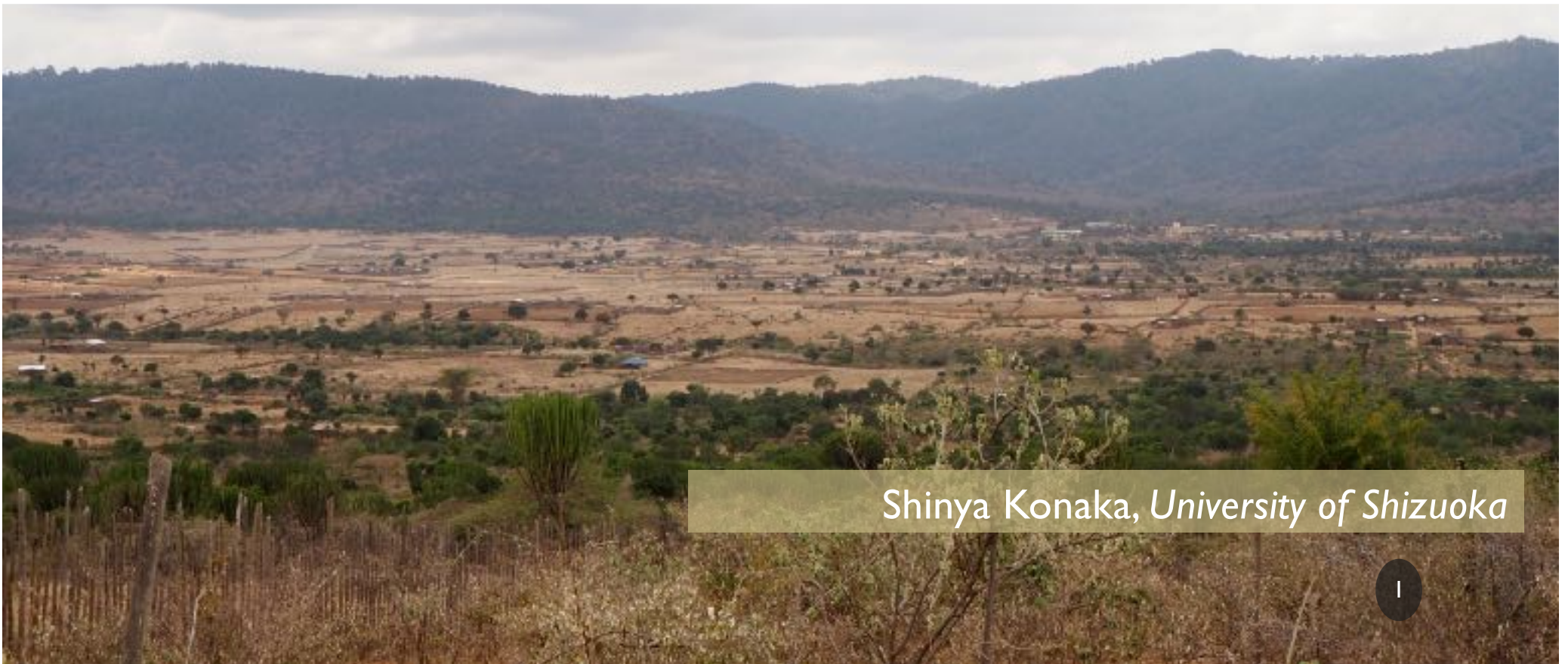


Virtual Consultation  
with the Special Rapporteur on the rights of Indigenous  
Peoples on: “The Situation of Mobile Indigenous Peoples”  
SESSION 2: 20 March 2024 at 8:00 AM Kyrgyzstan/10:00 AM  
Mongolia/19:00 PM MST

# ONCE THE SUSTAINABILITY NOTED, THE HUMAN RIGHTS OF NOMADIC PEOPLE FORGOTTEN A CASE REPORT FROM PASTORALISTS AND FORAGERS IN KENYA



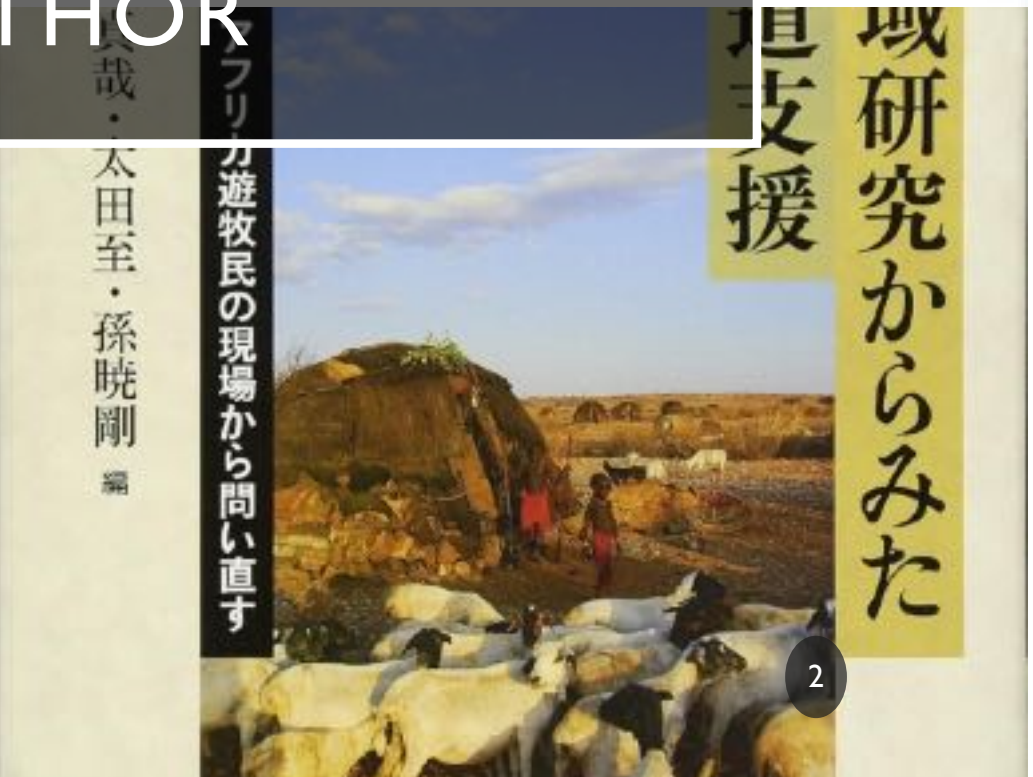
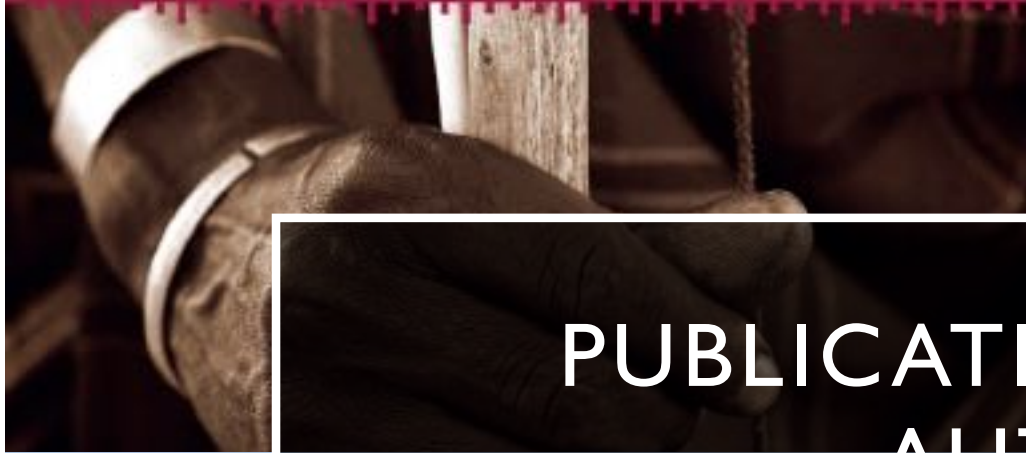
Shinya Konaka, *University of Shizuoka*

# Reconsidering Resilience in African Pastoralism

...  
*Towards a Relational and Contextual Approach*



## PUBLICATIONS BY THE AUTHOR





- Kirisia Forest is located on a group of hills at an altitude above 2,000m in Samburu County, Kenya.



- The land was originally inhabited by the Samburu, who are nomadic herders of cattle and flocks.



- and the Dorobo, foragers of bees and wild plant collectors.



- In 1933, the British colonial government seized the forest, and it has remained in the government's official possession since independence. However, as most of the county land was communally owned by the two ethnic groups, land ownership was nominal during both the colonial and post-colonial periods.

# Kenya Water Towers Status Report

## Kirisia Hills

- In 2008, Kenya formulated a national development plan called Kenya Vision 2030 that set a target of 10% forest cover by 2030. Kirisia Forest has been designated as a water tower of national importance. However, a significant reduction in forest cover has been reported.



# Kenya Water Towers Status Report **Kirisia Hills**

- Local pastoralists and foragers were identified as the main cause of deforestation, without sufficient evidence. Several reports underscore the view that local communities negatively impact forest ecosystems and jeopardise natural water supplies.



- Against this backdrop, a meeting was convened at the foothills of the forest in December 2019, where the minister and members of parliament notified forest dwellers to completely evict the forest within one month.





- The main reason presented was the claim that Kirisia Forest had been continuously destroyed because of overcutting for charcoal and firewood extraction by forest dwellers. In short, local residents were unilaterally assumed to be forest destroyers and were therefore asked to leave.



- The results of my field survey revealed that only dead trees were used by forest dwellers for making charcoal and firewood, and that they never cut down live trees. When asked why, they replied that trees have eyes and that they watch people who cut down trees and curse them.



- They said that when these trees saw someone felling a live tree, they fell towards the person and crushed him or her to die. Some may say that this is merely superstition. However, the sustainability of forests has been ensured by nothing but these superstitions.



- Why, then, was the Kirisia Forest destroyed? Deforestation progressed rapidly after large-scale illegal logging by external timber loggers began in the late 2000s. The loggers paid bribes to the police, used chainsaws, and transported logged timber to out of the forest at night.



- Some beekeepers lamented that the drastic increase in illegal timber logging led to a drastic decrease in honey harvests.

# Kirisia Forest evictions: More police officers deployed after attacks

<https://nation.africa/kenya/counties/samburu/kirisia-forest-evictions-more-police-officers-deployed-after-attacks-487508>

Thursday, May 07, 2020 — updated on June 29, 2020



- In April 2020, the armed government forces set fire to the houses of residents who remained in the forest, forcing them to leave.



- One forest dweller said, 'It was so hard that I felt like the world had ended'.





- Today, except for forest rangers, no one lives in the Kirisia Forest.



- Later, saplings were distributed by the UN agency to forest evictees, who were guided to plant them, but shortly afterwards, a drought killed all the saplings.



- What does this case suggest? First, we must prioritise the protection of mobile people's human rights over distorted sustainable development and environmental issues.



- Once the environmental issues were noted, the human rights protection of nomadic people were easily forgotten and they were labelled as environmental destroyers.



- Second, I suggest to set a strong initiative to advise each country to fairly evaluate sustainable practice of mobile peoples before labelling them as environmental destroyers.



- The Republic of Kenya has enacted one of the most advanced land laws which assures communal land use. However, everything is set aside when it comes to action. Hence, we need stronger initiative for mobile indigenous peoples.



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- Thank you for your attention.