

**STATEMENT BY ENDOROIS WELFARE COUNCIL-KENYA AT THE 56<sup>TH</sup> ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS 21<sup>ST</sup> APRIL TO 7<sup>TH</sup> MAY 2015 IN BANJUL, THE GAMBIA**

Honourable Chairperson of the African Commission on Human and Peoples' Rights.

The Honourable Commissioners of the African Commission, distinguished States representatives, Members of the NGO Forum, all protocol observed, Ladies and Gentlemen.

The Endorois wish to take this opportunity to thank you for your continued support towards the implementation of the Endorois decision against Kenya.

Your ruling in 2010 provided the Government of Kenya with an opportunity to show leadership in the development of minority and indigenous peoples' rights, in recognizing the right to property of an indigenous community within the framework of a communal property system, and establishing the mechanisms necessary to give domestic legal effect to such rights, in accordance with the African Charter and indeed international law.

Despite the Government of Kenya being repeatedly required by the Honourable Commission to provide a road map on implementation and indeed issuing a resolution calling upon the Government of Kenya to honour its decision, the Endorois are disappointed and concerned that, 5 years after the ruling was issued, still nothing has been forthcoming from our Government.

The Kenyan Government has also made many promises to the Commission to implement the ruling, and indeed, His Excellency the President Uhuru Kenyatta formed a taskforce comprised of 5 members on 26<sup>th</sup> September 2014, but to date (6months down the line), the task force has not been able to commence its work for reasons which are not entirely clear.

Madam Chair, in addition, the Endorois have some concerns about the terms of reference for the taskforce which appear to give room for further study and analysis on the decision by this Honourable Commission, instead of implementation. For example the Task Force has been empowered to study the decision and provide guidance on its political, security and economic implications – yet the Government has had 5 years to evaluate the decision and all of its implications. We are also concerned that, whilst the Task Force is permitted to seek the views of the public in relation to implementation, there is no requirement to consult with any Endorois representative.

Honourable Chairperson, in conclusion I wish thank the Commission for continuing to avail its good offices to assist the parties in implementation of the recommendations, as stated in your ruling.

Thank you for your attention.

The Executive Director

Endorois Welfare Council

Email: [kipkaziwk@gmail.com/ewcbogoria@hotmail.com](mailto:kipkaziwk@gmail.com/ewcbogoria@hotmail.com)

Website: [www.endorois.or.ke](http://www.endorois.or.ke)

Tel: +254 721549649