If you have interacted with our web-series stories dubbed #MyIDjourney on social media, and published on our website https://nubianrightsforum.org/ for the past three months, you have come across the impact stories of Abdullatif Abu-Bakr, Saumu Ali Abbas, and Abdulfajir in their documentation journey amongst other stories. One key milestone for our first quarter was the citizenship web-series where we shared on the successes and challenges that our clients experience on their documentation journey. As an organization, we realized that it is not often that our audiences get to know why the CITIZENSHIP conversation is important for communities at risk of statelessness. We believe that through the stories shared, one can resonate with our quest for a change in discriminatory policies that threaten the Nubian community and put them at risk of losing their identity, and even worse, at risk of statelessness.

A harmonious working between paralegals and the communications team allowed us to retrace the footsteps of our clients. We shared through 11 stories different angles of the documentation journey; including the process of application, the limitations to accessing services without having a document that identifies one as a citizen and the hurdles different clients faced before working with our paralegals.

The main reason for a glimpse at what we do is because often people ask Why citizenship? Why are you challenging the Huduma Namba? How sustainable is your fight? We realized a majority of these questions come either from a point of misinformation or from a point of ignorance. We therefore hoped that through our journey, clients, partners and donors would see why the citizenship program is paramount for our organization.

The Nubian community is more than a disgruntled community, it is a community that needs the violations of its basic rights because of skewed policies addressed. The Nubian community comprises of individuals who are first Kenyans before anything else, and this web-series was a combination of 11 freshly picked stories revolving around how different members of the community attained documentation, what was challenging in their process and how far they are from acquiring documentation.

See more about our light bulb discoveries from the Web-series on page 7.

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Page 6&7 - LAND RIGHTS - Kibos eviction pictorials and community dialogue.
Ramadan is considered to be one of the holiest months in the Islamic calendar year. Muslims during this month fast to commemorate the revelation of the Holy Quran. The fast of Ramadan entails forgoing food and drink, and if married, abstaining from sex during sunlit hours as a means of drawing closer to God and cultivating self-control, gratitude, and compassion for those less fortunate.

It is a month of intense spiritual rejuvenation with a heightened focus on devotion, during which Muslims spend extra time reading the Holy Quran and performing special prayers. Ramadan is also a highly social time as Muslims invite each other to break their fast together and meet for prayers at the mosque. The ultimate goal of fasting during Ramadan is gaining, Taqwa (greater God consciousness), signifying a state of constant awareness of God. A person should gain self discipline, self restraint and a greater incentive to do good and avoid evil. Allah says in the holy Quran (2:184) (2:185), "O you who believed, decreed upon you is fasting as it was decreed upon those before you that you may become righteous."

"[Fasting for] a limited number of days. So whoever among you is ill or on a journey [during them] then an equal number of days [are to be made up]. And upon those who are able [to fast, but with hardship] a ransom [as substitute] of feeding a poor person [each day]. And whoever volunteers good [excess] it is better for him. But to fast is best for you, if you only knew."

**THE 2nd ISI AND NRF FOOD-DRIVE AT KIBOS HELD ON - 24/03/2021**

The institute of statelessness and Inclusion (ISI) has been extremely supportive in cushioning families who identify as citizens at risk of statelessness and low-income earners from the harsh effects of some COVID-19 guidelines that limited their ability to put a meal on the table. ISI partnership with NRF currently has rolled out two phases of food and relief provision that has catered for at least 150 families in Kibera and recently in Kibos following the Kibos demolitions.

The Kibos demolitions saw a lot of Nubian communities living in Kibos lose their property and for the first night, families were forced to sleep in the cold. The drive was held on 24th March 2021 and covered at least 100 families who were most affected by the pandemic and the demolition. The food drive was meant to provide families with food to sustain them during the month of Ramadan and ensure mothers can comfortably provide for their children as their living situations are sorted out. The families were provided with non-perishable items including rice, flour, sugar, cooking oil and cereals.

The drive was well received by the community who were in need of help from any well wishers. Perhaps in this season, we should endeavor to give to those around us who need relief. We can provide relief not only through food, but comfort, awareness and encouragement.

**ON CITIZENSHIP AT HAKI NA SHERIA. UNDERSTANDING DOUBLE REGISTRATION**

Another group at risk of statelessness: Double registration is a state where a majority of individuals in The northern part of Kenya registered both as refugees and as Kenyans in an attempt to use the loopholes in the system to respond to access basic needs. As a result they are neither recognized as refugees nor Kenyans. With the ongoing discussion on the closure of the Dadaab and Kakuma camps, a few Kenyans are at risk of statelessness.

Following a discussion with Khasida a project officer with Haki na Sheria, and a human rights activist in Garissa. Their work on double registration can be accessed on their website at http://hakinisheria.org/ and they have documentaries on victims of double registration that was aired on youtube https://youtu.be/mJQhXGTEipM

The double registration conversation is so important because It has affected many Kenyans who are not able to enjoy their citizenship rights such as accessing government services, getting jobs, education, and local movement. The affected victims are at risk of being stateless because they are also in the refugee database. It has affected the victims' children in getting birth certificates since the parents do not have an ID which is a must have requirement for a child to be registered.

The double registration conversation is extremely important for communities at risk of statelessness because if the camps were to be closed, they would be forced to a foreign land that they are not familiar with.
Nguluks.
Perhaps you remember him as the old man that graced our previous newsletter with his documentation journey. A man frustrated by a system that he once protected, yet it abandoned him at his point of need. When he had a stroke, he had to rely on well-wishers to take him to hospital because he did not have NHIF neither did he have access to the Inua Jamii Senior Citizen’s scheme that would help him access universal pension coverage being that he is older than 70 years. With no documentation, he was already a stateless person by virtue of the number of services he could not access. Despite having worked for the government in the police force, when Ahmed Khalil lost his documents, it took him years to get a chance for his case to get heard. It wasn’t until he was meant to be a witness against the state did the office of the registrar finally give him a waiting card. Despite getting his waiting card, it took him two years to get his I.D. This begs the question, had Ahmed Khalil not been a witness against the state, would he have gotten an Identification Number?

A journey too costly to ignore

The second cost of the Citizenship journey for a Nubian is the financial constrain it puts on the individual. The cost of life in Kenya keeps appreciating while a majority of Kenyans remain unemployed and those lucky to be employed can barely access basic needs. Additionally, it is also a window of opportunity for corrupt officials to extort Kenyans, and gives leeway for non-Kenyans to buy their citizenship and consequently ruins the image for the community. Before Nguluks got in touch with the Nubian Rights Forum, he shared how officials tried to ask for bribes to help him. He says he denied all advances making his journey more difficult. Extortion and corruption are not unique to Nguluks alone, or the citizenship conversation, it cuts across ordinary Kenyans who visit public offices in need of assistance. The financial burden is a cost to great to ignore.

In his old age, Nguluks has missed years’ worth of pension because of lack of documentation, he did not have access to NHIF making his medical condition financially straining for him and those around him. That is just a glimpse of the cost of documentation and citizenship for a Nubian child from birth to their old age. It is a cost too great to ignore.
HOW SAFE ARE OUR CHILDREN? - AN ARTICLE BY MOHAMMED ABDUL

Sexual and gender based violence is the most common and widespread human acts violations which has been a predicament since time in memorial mostly brought about by gender inequality. SGBV is violence directed at someone on the basis of their gender or sex which results in physical, sexual or psychological harm.

There are various factors that aid sexual and gender based violence in Kenya such as poverty, lack of education, livelihood opportunities, war, harmful gender norms and impunity for crime and abuse informing the prevalence in informal settlements such as Mathare, Dandora etc. In as much as both men and women are victims to these violence, women and girls are the most affected with the perpetrators being men. According to the Government of Kenya, data shows that 45% of women and girls aged 15 to 49 years have experienced physical violence and 14% have experienced sexual violence bearing in mind that most of these cases are not even reported by the victims mostly due to fear.

The current status of SGBV now is 4 times worse than how it was before the Covid 19 pandemic struck, this is as reported by the head of 1195 helpline, Fanis Lisiagali. In light of children that are residing in these informal settlements, currently, they are the most affected due to the fact that they are no longer attending school courtesy of the pandemic measures taken by the government. Most girls consider school as their safe haven and an escape to the violence they experience at home during holidays which is no longer the case since they are currently still locked down in their homes with their abusers.

The atrocities that they experience are such as female genital mutilation (FGM), physical abuse, forced early marriages, defilement, rape, child neglect just to mention a few. Helplines have had hundreds of cases of girls being forced into partaking in FGM as communities are taking advantage of schools being closed. Currently, due to loss of jobs for most of the people both men and women living in these informal settlements, gender-violence cases have drastically increased.

School girls have become expectant with nearly 4000 teens becoming expectant in Machakos county in a period of 5 months, keeping in mind there are cases still yet to be identified. Most of these girls will be forced into early marriages in accordance with traditional customs while others will bid farewell to their education. The government in this case has tried to put in measures in schools so that in case of teen pregnancy the students will still be allowed to resume school. However which student will resume school with the already set parental responsibilities they have to undertake?

Due to closure of schools, girls have been sexually assaulted by older men who promise them simple things such as sanitary towels which they would get for free in schools but since they have been closed, the services have not been extended to their homes leaving the girls to depend on older men. In other instances sex would be exchanged for as little as 15 shillings for the girls to be able to take a daily shower at public bathrooms available in the slums. This is because they could go for days without taking a bath and it would reach a point where they could do anything to get the money. Older men took advantage of such wants and needs of girls and they would prey on them.

In as much as being in school would help girls avoid such abuse, being in school also contributes to most sexual violence cases as we have seen in the case of Lugulu Girls High School in Webuye, where the girls held a strike affirming that there has been a series of defilement cases and when they approach the administration they take no action and threaten to expel anyone who raises such complaints. This posses a question, “where are our girls safe really”? Children in informal settlements as we all know often fall victim to physical abuse from either or both parents. Physical abuse can be brought about by; either the sex of the abuser maybe to establish dominance, low income of the guardian, use of drugs or alcohol, family dysfunction and separation, social and gender norms that create a climate in which violence is normalized among other reasons. These children are usually unable to speak up since many at time they are physical abused by that one who ought to be taking care of them. They often have no one to turn to and they continue to live in abuse unless somebody from the outside intervenes.

Kenya however is really trying to put in measures to help the victims such as the Helplines available one of them being 1195 helpline. This helpline not only caters for the women and girls but also men where once you reach out to them, they have qualified counsellors who counsel you until help arrives at your doorstep. This helpline is free and they have gone a notch higher to ensure that they have counsellours who speak different local languages to cater for most if not all Kenyan tribes. Kenya also has organisations such as Centre for Rights Education and Awareness (CREAW), FIDA-Kenya, (COVAW), GROOTS-Kenya, SDGs Forum Kenya and Kenya Female Advisory Organization (KEFEADO). These organizations help in taking surveys in hotspot counties around the country and are able to do their own surveys and determine the root of the problem and how to prevent the continuance of the violence in the counties.

As part of our SGBV program, we offer professional counselling for SGBV survivors

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The Nubian Rights Forum is interested in partnering with different community organizations and regional bodies involved in Gender Based Violence, specifically SGBV, as well as organizations interested in the welfare of children for futuristic partnerships aiming towards reducing SGBV cases, increasing awareness of SGBV in the community and probono litigation for SGBV cases.
The first light bulb moment from the stories we collected is that the system is flawed due to loopholes that victimize minority groups who have no representation. There are no clear guidelines on documents needed and the alternative documents in case one is unavailable to process their papers. And it is clear that there are no clear steps as to how long it should take for a successfully vetted candidate to receive their documentation especially with the irregularities in timings. Some people receive documentation after years, while for others it takes weeks. Secondly the system has taken close to no time to educate the public on the consequences of late registration and as a result people continue with their daily life and only begin the registration process when they need the document. However, as an organization, through our outreach and radio program, we are making efforts to ensure that community members know why it is important to get early documentation from a young age. Disturbing information collected from the study showed that minors pursuing basic education also get exposed to the flawed system and this results in the increased number of absentee students and school drop outs especially when one has no guardian to care for them. While Chapter 4 of the Kenyan constitution acknowledges education as a basic human right for all individuals and Section 7 of the children’s act states that every child shall be entitled to education, the provision of which shall be the responsibility of the government and the parents. In layman terms, no child should be denied the right to education, because of lack of a birth certificate and the responsibility should not fall on the child. So what happens in a situation where a child has no guardian documents? While we can not exhaustively address all cases that were covered, when you visit our website you will note that for one to access education, financial transactions, or employment, they must have an identification card. The case of citizenship is therefore a matter of priority because it determines the type of livelihoods that our people get to live with and without the documentation. The web-series gave an insight on the existence of policies that fail to recognize the minority groups and their needs in the system. It is important that we address the loopholes in the system to ensure that the future generation does not miss out on educational opportunities, or employment. As an organization, we will continue to offer services that create awareness on the importance of documentation, and represent clients during vetting. However, it is high time the government comes up with better measures to ensure the Nubian community enjoys documentation rights just like other Kenyans.
1. NUBIAN COMMUNITY MEETING OVER COMMUNITY LAND PLANS
The Nubian community in Kibera was issued with a title for their land. Committee meetings are underway to conclude on a way forward. A meeting was held at Rowalan camp with community members to present issues they believe need to be addressed going forward.

2. HELPING FAMILIES EVICTED AT KIBOS
Despite the Kibos evictions happening and rendering families homeless, well wishers came together to provide food and shelter for Nubian Families evicted by the Kenya Railway Authority illegally in Kibos. The eviction was stopped by the courts after litigation by legal representation from Haki Africa and other partners.

3. COMMUNITY DIALOGUE
The Nubian rights forum in conjunction with Haki Africa on 20th April 2021, held a community dialogue in Kisumu county, Kibos with the Nubian community who had been displaced by the Kenya Railway Authority. The aim of the meeting was to bring the community together to discuss on some of the issues that has been affecting them as a community due to misunderstanding and lack of communication on the current land dispute they have with KRA.

Moments captured in Kibos from the evictions, to the tents and the community dialogue.
Another profound legality of community land is that it could be owned customarily, freehold or leasehold. This is important when effecting registration. There are communities that have leased their land to investors hence attracting revenues. Other community by virtue of their customs and cultural practice, one belongs to it by default.

The process of registration of community land is a significant legal recognition in this Act. The process is simple and straightforward. The Community land registrar shall notify the members of the respective community for a meeting. A community land management committee shall be elected amongst members. This committee will be responsible for coming up with a register, names of members who have the communal interest. The committee also come up with rules and regulations of the aforementioned community. The documents are lodged for registration.

The register of community land is also a paramount issue within the community land act. It contains a number of key items. A cadastral map showing the common areas held by the community. It also has the registered name of the community. It also includes a register of members with common interests.

Another entrenched profound legality is the management of the day to day affairs of the community land. There is a proviso for the Community Land Management committee. This is the executive entity that is mandated to manage a number of issues for community land. It is mandated for promoting cooperation amongst members of the community. It also provides holistic oversight on managerial affairs of the community land in general. However, there is establishment of the community assembly which ratifies decisions made at the committee stage. The vote must be two thirds of the 7-15 members’ composition.

This framework is a clear indicator that there are significant improvements as far as land ownership of land is concerned. It tells a good narrative of the significant yet enormous changes that had posed primary challenges to a number of communities. Today, a number of communities are proud to own chunks of land across the territory without disturbance. This Act holistically provided a new dawn for communities who have for long suffered under the hands of land cartels and brokers who robbed them hopes in broad daylight.
WE WOULD LOVE TO HEAR FROM YOU

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