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Adili

LAND CORRUPTION

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LAWS RELATING TO LAND ACQUISITION IN KENYA

Furaha Charo and Allan Gambo

The laws relating to land acquisition in Kenya are documented in The Constitution of Kenya 2010, The Land Registration Act 2012, The Land Act 2012, The National Land Commission Act 2012, and The Environment Land and Court Act 2011.

THE CONSTITUTION OF KENYA 2010

The Constitution of Kenya 2010 provides for land acquisition in Kenya.

Article 40 of the Constitution of Kenya states that every person has the right to acquire property of any description in any part of Kenya either individually or in association with others.

Article 40 (3) also states that the government can acquire rights to land through compulsory acquisition. The land however must be acquired for a public purpose and prompt and just compensation must be paid to the person whose land is being acquired.

THE LAND REGISTRATION ACT 2012

The important highlights of this statute in relation to land acquisition in Kenya are as follows:

Section 26 of The Act provides for the doctrine of indefeasibility of Title. It stipulates that the certificate of title issued by the Registrar upon registration shall be held as conclusive evidence that the person named as proprietor of the land is the absolute and indefeasible owner. However it also elaborates exceptions to the doctrine namely misrepresentation, fraud and unprocedural acquisition of land.

Article 28 of the Land Registration Act provides for exceptions to the doctrine of Indefeasibility of Title which include:

- Spousal rights over matrimonial property
- Rights of compulsory acquisition

- Rights obtained through adverse possession The Act provides for elaborate transfer and registration procedures of interests in land. These procedures include the transfer documents to be presented at registration which include; a copy of a national identification card, Personal Identification Number (PIN) certificate, passport photos and where applicable a marriage certificate.

THE LAND ACT 2012

The purpose of this statute is to give effect to Article 68 of the Constitution of Kenya 2010; to revise, consolidate and rationalize land laws in Kenya and to provide for the sustainable administration and management of land in Kenya.

The important highlights of this statute in relation to land acquisition include the following;

Article 5 of the Act provides for the land systems in Kenya namely

- Freehold
- Leasehold
- Customary land holding

Article 7 of the Act provides for the various methods of land acquisition which include:

Allocation (Section 12)

It is the process through which the government grants land rights to individuals usually for a specified time and for a specific use with stated conditions. Allocation can be through a public auction or tender. Land can also be allocated to a disadvantaged group.

Land adjudication process:

It's the process of ascertaining and recording rights in Trust land.

Compulsory acquisition (under part VIII, Section 107)

It is the power of the government to acquire private rights in land without the willing consent of its owner. The land must however be acquired for a public purpose, and full and fair compensation must be paid to the land owner.

Prescription (Article 7)

Also known as adverse possession, it's a legal concept that enables someone who has continuously and peacefully settled on a parcel of land for 12 years to acquire a title to the land registered in their name.

Settlement programmes (under part IX, Section 134)

Settlement programmes are initiated by the government to provide land access to squatters, persons displaced by natural causes, development projects, conservation, internal conflicts or other such causes that may lead to movement and displacement.

Transmissions (under Section 49 to 54)

This is the passing of land from one person to another by operation of law either on death upon production of a grant to the Registrar who may register by transmission or in bankruptcy upon production to the Registrar of a certified copy of the order of court declaring a proprietor bankrupt.

Transfers (under Section 43)

This is the transfer of rights to land through sale. A transfer is done after acquiring consent from the relevant County Land Management Boards. Stamp duty of two per cent of the value of the land is payable to the government in townships and rural areas while a duty of four per cent is charged on land in municipalities and cities. The transfer documents with the original title are then booked for registration in favour of the buyer.

Article 107 and Article 134 provides for compulsory land acquisition and establishes a land settlement fund respectively.

Compulsory Land Acquisition:

Whenever the national or county government is satisfied that it may be necessary to acquire some particular land, the respective Cabinet Secretary or the County Executive Committee Member shall submit a request for acquisition of public land to the Commission to acquire the land on its behalf. Upon approval of a request the Commission shall publish a notice to that effect in the Gazette and the county Gazette, and shall deliver a copy of the notice to the Registrar and every person who appears to the Commission to be interested in the land. Interested persons shall include any person whose interests appear in the land registry and the spouse or spouses of any such person, as well as any person actually occupying the land and the spouse or spouses of such a person. The land should be surveyed and inspected to ensure it's suitable for the intended purpose. Just compensation inclusive of the value and size of the land, shall be paid promptly in full to all persons whose interests in the land have been determined.

Land Settlement Fund:

The Commission shall, on behalf of the national and county governments, implement settlement programmes to provide access to land for shelter and livelihood. Settlement programmes shall include provision of access to land to squatters, persons displaced by natural causes, development projects, conservation, internal conflicts or other such causes that may lead to movement and displacement. Identification of beneficiaries shall be carried out and verified by a sub-county selection committee comprising of the following:-

(a) Sub-county administrator who shall be the chairperson;

(b) A representative of the county government, approved by the county assembly;

(c) A representative of the Commission;

(d) A national government representative;

(e) A representative of persons with special needs;

(f) A women's representative nominated by a local women's organization prescribed by the county government; and

(g) A youth representative prescribed by the county government.

The Commission is required to reserve public land for the establishment of approved settlement programmes, and where public land is not available, the commission may purchase private land.

After planning and survey, land in settlement schemes shall be allocated to households fairly and in a transparent manner. Any land acquired in a settlement scheme shall not be transferable except through a process of succession.

Beneficiaries of land in settlement schemes shall pay a sum of money as may be determined from time to time by the Commission and the body of trustees responsible for settlement matters.

THE NATIONAL LAND COMMISSION ACT 2012

Section 7 of the Act provides for the composition of the membership of the commission while its functions and powers are provided for under Sections 5 and 6 respectively.

The commission is also mandated to review grants under Section 14 with respect to Article 68 (c) (v) to establish their propriety and legality on its own motion, that of the national and/or county government, a community or individual.

The purpose of the Act is to make further provision as to the functions and powers of the National Land Commission, qualifications and procedures for appointments to the Commission; to give effect to the objectives and principles of devolved government in land management and administration.

THE ENVIRONMENT AND LAND COURT ACT, 2011

This Act establishes a judicial forum for adjudicating matters relating to land and environment, it is of the same status as the High Court thus any appeal from it can be taken to the High Court.

CONCLUSION.

From the highlights above, land acquisition is provided for in the supreme law and supplemented by the legislative laws. Land reforms in Kenya have yielded excellent legislative provisions. The benefits of these provisions however can only be enjoyed through effective implementation.

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Transparency International Kenya is currently one of the TI movement chapters in Africa implementing a project on land and corruption. The project seeks to explore mechanisms on how people-centred land-governance can be supported at national level, and land-related corruption can effectively be addressed in the country. The project also seeks to build linkages with state and non-state actors involved in land governance, and gather and share relevant data on corruption in the land sector, its trends, nature and strategies that have been utilised to combat it. TI-Kenya also seeks to contribute to the development of a body of evidence on land and corruption in Africa.

How to acquire land in Kenya

By Furaha Charo

The Land Act, 2012 under Section 7 outlines seven ways one can to acquire land in Kenya. They are as follows:

1. ALLOCATION:

This is where public land is transferred by the government to individuals usually for a specified time and for a specific use with stated conditions. Allocation can be through a public auction or tender. Land can also be allocated to a disadvantaged or marginalized group. For land to be allocated, it must first be planned, surveyed and serviced. Land acquired through allocation cannot be sold or sub leased.

2. LAND ADJUDICATION:

This is when rights and interests to land are ascertained and recorded in areas of community land. Through this process, trust land is converted to individual holdings.

3. COMPULSORY ACQUISITION:

This is the acquisition of land by the government for a public purpose but subject to fair, full and prompt compensation. It should be inclusive of severance, disturbance, and professional expenses necessarily incurred. Publication of the intention to acquire is done through the Kenya Gazette and County Gazette.

4. PRESCRIPTION:

This is also known as adverse possession and occurs when one gains title to real property through occupation of land without opposition for 12 years. It involves a court process and the adverse possessor must prove that she actually occupied the land continuously without interruption for 12 years. Thereafter one can proceed to the Lands Registry for the land to the registered in their name.



A surveyor showing school administrators how to identify their school boundaries

5. SETTLEMENT PROGRAMMES:

This is when the government provides access to land for squatters, persons displaced by natural courses like floods, development projects, conservation or internal conflicts. The Land Settlement Fund is administered by the National Land Commission. Any land acquired in a settlement scheme shall not be transferable except through a process of succession.

6. TRANSMISSIONS:

This is when ownership passes to another party whose powers over the land are restricted due to death, bankruptcy or liquidation of a company. In case of death, ownership passes upon production of a grant to the Registrar who may register by transmission or in bankruptcy upon production to the Registrar of a certified copy of the order of court declaring a

proprietor bankrupt, while a liquidator shall be registered as the proprietor upon production of a resolution or order appointing the liquidator to the Registrar.

7. TRANSFERS:

This is the transfer of rights to land through sale. A transfer is done after acquiring consent from the relevant County Land Management Boards. Stamp duty of two per cent of the value of the land is payable to the government in townships and rural areas while a duty of four per cent is charged on land in municipalities and cities. The transfer document and the original title are then booked for registration in favour of the buyer.

Furaha Charo is a volunteer at the Advocacy and Legal Advisory Centre, Mombasa and Political Science Student.



THE ROLE OF A LAWYER IN THE LAND ACQUISITION PROCESS

By Allan Gambo

There are various ways of acquiring land as a result a lawyer plays different roles depending on the mode of land acquisition. These roles include the following:

1. TRANSFER:

This is the transfer of rights to land through sale. A lawyer is tasked with drafting a sale agreement for the seller of land. Lawyers often have standard sale agreements, but it's important to make sure it's suited to the circumstances of the transaction before signing. The standard agreements stipulate a 90 day completion period for the transaction. The sale agreement should be signed, witnessed, stamped and stamp duty paid, otherwise it won't be admissible in court.

Drafting Transfer documents:

Once the transfer has been finalised, the buyer's advocate prepares a transfer, which is signed by the seller and his advocate. To file this, both parties have to provide documentation such as an ID, PIN certificate, the original title deed, land rent/rates clearance certificate, the land valuation and passport-size photographs.

2. TRANSMISSION

This is when ownership of land passes to another party whose powers over the land are restricted due to death of a proprietor upon production of a grant to the registrar. Before one acquires a grant from the court, one is supposed to file for letters of administration with the court. It is the duty

of the advocate to draft the letters of administration and ensure that they are filled with the relevant court.

3. ADVERSE POSSESSION

One acquires land through adverse possession when one gains title to real property through occupation of land without opposition for 12 years. It involves a court process and the adverse possessor must prove that she actually occupied the land continuously without interruption for 12 years. A lawyer is tasked with drafting for the adverse possessor an application to the court for the land to be registered in their name.

4. COMPULSORY ACQUISITION

This is the acquisition of land by the government for a public purpose but subject to fair, full and prompt compensation. Publication of the intention to acquire is done through the Kenya Gazette and County Gazette. The role of a lawyer during compulsory acquisition is as follows:

- Give citizens advice on the applicable statutory compensation regime
- Formulate negotiation strategies to be deployed prior to any formal acquisition
- Negotiate with the government on the provision of appropriate arrangements for temporary access to land.

- Retain expert property and business valuers and other professionals, where required.
- Prepare compensation claims.
- Advise on the strength and weaknesses of claims and the appropriateness of escalating disputes to a Tribunal or Court hearing.
- Conduct court proceedings connected with compulsory acquisition disputes.

5. Land adjudication

This is when rights and interests to land are ascertained and recorded in areas of community land. Through this process, trust land is converted to individual holdings. A lawyer may offer legal advice during this process and assist the parties to file any appeals in case they are dissatisfied with the process or outcome of the adjudication.

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MISSING THE MARK? A GENDER PERSPECTIVE TO LARGE-SCALE LAND BASED ACQUISITIONS IN KENYA

By Mary Maneno

Large-scale land based deals have been a recurrent phenomenon in the recent past, characterized by a new face which revolves around land access in Kenya. This has been triggered by multinational companies whose key interest is to accumulate land for purposes of investment, either through farming or infrastructure. In fact, this situation has rightly been acknowledged by scholars as the 'foreignization' of space due to globalization, foreign direct investment and the liberalization agenda which has now taken land as a market commodity.

Over the last 2 financial years, infrastructure has comprised the biggest budgetary allocation being 27% in the 2015/2016 period. This translates to an increase of 5% compared to the previous financial years. The converse side is that by prioritizing infrastructure which is a land intensive activity, this has escalated pressure on land. Most of these land intensive projects traverse land that is traditionally unregistered, unadjudicated and consequently having fluid tenure regimes. It is almost impossible for communities living in these areas to even resist government efforts since they do not have ownership rights to the land.

The Kenyan government has over the recent past commissioned several land intensive infrastructural projects across the country. Just like any other large-scale investment undertaking, these projects, if unchecked, could exacerbate the inequity they are meant to help reverse.

The role of women as significant citizens in national development

Women and the youth in Kenya contribute more than 80% of the labor required in the agricultural sector, contributing significantly to the income derived from agriculture. Women have for long had generalized access to land especially for farming purposes. Despite their dominance in agricultural production, the sad reality remains that

due to patriarchal forms of land governance, they merely have usufruct rights to land. Key decisions about land holding, management, purchase and disposition are heavily dominated by men. In the case of large scale land based acquisitions, women are the most disadvantaged as the negotiations tend to be masculine hence undermining the land-based livelihoods of women.

EFFECTS OF LARGE-SCALE LAND DEALS ON WOMEN

The new wave of land investments has had a major impact on men, women, and youths alike. However, it is notable that women have been the most affected. They have experienced both positive and adverse effects.

POSITIVE EFFECTS

Employment creation

When investments are set up, women gain employment. This creates some independence and earns them some livelihood from the income gained through working for the investors.

Development impacts (social amenities)

In some instances, the investors build infrastructure such as roads, schools and clinics, electricity supply and water which generally benefit the communities. The clinics benefit expectant mothers, and there is a likelihood of reduced maternal deaths as the women receive treatment from qualified personnel at the clinics and hospitals.

NEGATIVE EFFECTS

A careful examination of the daily realities of women reveals that the process has had adverse effects on them than benefits. Women have stood to lose land they have used for settlement, farming, grazing and recreation to these projects. These projects undoubtedly involve significant amounts of land acquisition, and socio-economic and environmental impacts as explained below:

1. Loss of livelihoods

Land is a critical resource which underpins the lives of the majority of women not only in Kenya, but Africa at large. As such, land acts as a symbolic, economic and political resource that women attest to as forming an integral part of their daily livelihoods and those of their communities. Denial of their land through large scale land deals therefore implies denial of their means of survival. This therefore affects women's capacity as homemakers to feed their families and to engage in meaningful economic activities that arise from being in possession of land.

The land acquisitions further disempower women as they have to focus more on food security, water and childcare burdens, thus affecting their capability for achieving independence and assertiveness. The burden is heavier and future bleaker for widowed, single and at times, aged women, who have nowhere to go and have to work extra harder to make ends meet.

2. Environmental impacts

a) Loss of water rights

Loss of land to investors automatically translates to loss of water sources that are on the land. Women therefore have to now walk longer distances in search of water. Investing long hours in the search for water is strenuous and problematic on these women as they still have to perform other household tasks as well as growing food for themselves and their families.

Land investments also lead to water grabbing. This happens when water sources are seized together with the land. By fencing off the water sources from the communities, the water automatically becomes a private commodity. These cases of water grabbing therefore lead to an increasing burden on women who are required to pay for the water and, in some cases, have to exchange water for other social commodities such as labour as they do not have the money to pay for the water.

b) Loss of Forests

When women lose their land to large-scale investors they also lose access to forests. This is because when the investors occupy these areas, forests are also included. Most Kenyan women depend on forests for their everyday livelihoods. The forests serve as useful sources of firewood, provide timber for construction purposes and in the case of rural women, may provide medicinal plants from the forests. Once investors take over land, they fence out communities from the forests and women lose access to these resources. Forestry resources are very important for the women as they serve as a conduit for their livelihood. As in the case of water sources, losing access to firewood also led the women to walk longer distances in search of firewood. This poses other threats to the women such as attacks by criminals or wild animals.

Moreover, loss of women's access to forests and water sources affects others in the community. For instance, sick members of the community rely on women for their care and recovery as they provide medicinal plants which must be accessed from the forests.

c) Spread of Diseases

With the investments, there is a likelihood of contamination of water through emission of chemicals. This may consequently pose a health risk especially since women are the main users of this water in the performance of their domestic tasks. This begs the following questions:

How do chemicals emitted through the investments affect ground water? Is such an analysis ever done?

3. Interference with entrepreneurial Activities

Since women rely on land, water and forests for their survival, this has a significant bearing on the entrepreneurial activities they conduct. Loss of access to land has affected women's productive capacity in terms of horticultural commodities such as vegetables, fruits and other produce that women would sell on a daily basis in order to acquire income for their sustenance.

4. Social Impacts

a) The projects expose women to different calibre of people within the site, including foreigners and local workers. This interaction may lead to moral decadence in a given society, particularly through prostitution, drug abuse and sexual violence through rape. These vices undoubtedly bring high chances of HIV/AIDS, and women are the most vulnerable group.

b) Sexual immorality through prostitution and HIV/AIDS has led to disintegration of families and some have been left destitute.

c) Low school turnout: With such investments, this encourages children to drop out of school and engage in cheap labour. This consequently violates the child's right to education.

d) Forceful evictions may lead to homelessness, loss of lives, property and sexual violence especially amongst women who have to seek protection for their lives and children.

Case Studies

Cases of discrimination on women especially during compensation following compulsory acquisition have been on the rise. The situation has caused unnecessary distress to women who have on several occasions had to hop from one office to another in search of redress for violations orchestrated by officers just by virtue of being women. The following cases elucidate some of the real stories as told by victims of gender violence especially in their journey to reclaim their land following compensation due to large scale based investments:

i) The case of Halima Abdallah

Halima, a 60 year old widow lost her husband in 2010. Their matrimonial house which stands on a 10 acre land situated in Mariakani is among those that the government intends to acquire to construct the massive Standard Gauge Railway. This automatically implies that compensation is her redress mechanism so as to pave way for the project. Following her husband's death, logic would state that Halima would be the beneficiary. To her utter shock and dismay, the poor woman was informed by the respective office that she could not be on the list of beneficiaries because of the

mere fact that she was a woman. She was informed that the other probable way of increasing her chances of being a beneficiary was to have her son listed as the beneficiary. Indeed, her son became the beneficiary, and was duly compensated but ended up squandering the money, to her detriment. Unfortunately, for Halima, having not benefited a cent from the compensation, her house was demolished and is now left homeless, having to live from hand to mouth from well wishers; obviously the price she pays for the existing gender inequalities in our society.

ii) Sexual Bribe: Riziki Omar*

For some women, compensation as a result of the projects would only be possible through sexual favours. This naturally amounts to a 'sexual bribe'. Such is the case of Riziki Omar who had one of the officers demand a bribe in the form of 'use of his body'. Owing to the fact that land is a critical resource that underpins the lives of most women, including herself, Riziki had no choice but to give in to his demand so as to recover her land.

The above cases reflect the tragedies caused by the neglect of women, their exclusion from the major negotiations on large-scale land investments and the gendered approach to compensation in Kenya. Human and particularly women development should be about protecting women from the loss of their land and protecting their rights to land in cases where they have to forfeit it, and not discriminating them entirely.

Recommendations

1. Since women have the major responsibility of food production, land policies should be clearly formulated so that they are prevented from losing land, and in the case of loss, be compensated justly and promptly.

2. The constitutional provisions that ensure equity and non-discrimination should be upheld so that women do not lose their land.

3. There is also a need to widen policy spaces in which women can participate in land deals and negotiations, especially where land investments are concerned so that they

can understand what the land means for them as a crucial source of their livelihood. Public participation is one of the principles of national governance, and women, just as like any other citizen, are entitled to such pertinent information.

Conclusion

Several feminist scholars opine that,

in any developmental paradigm, women should be taken as active citizens of that development. The starting point in land investment deals and negotiations by state and non-state actors should involve women to mitigate these issues. This should be taken as the starting point for any useful intervention that governs land access. If human development and national development are goals for governments, policy priorities should shift towards making women the starting point in land

governance. Women are the tillers of the land and losing land through discriminative practices can mean destruction for them and reinforces their lack of empowerment in terms of defending their rights to the land.

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Mumtaz Khan, from the Commission on Administrative Justice, sensitising the public during a public forum.



Activity briefs

Improving Education Governance – evaluating and learning

Determining the impact of a project and looking into what we have learned out of a project is one of the most important activities while conducting our work. Therefore, an evaluation and learning study has been conducted for the DFID funded "Improving Education Governance" IEG project that was

undertaken by TI-Kenya from October 2013 to May 2016. It analyzed the changes in the level of integrity in the governance, management and participation of key stakeholders in the education sector. Specifically, the study sought to assess progress against agreed project milestones and targets, understand the impact

on the different stakeholders involved, review key project strategies of increasing collaboration with government, civil society organizations and schools, including gender dimensions and finally to review the strengths and weaknesses in project implementation, with recommendations for future programming.

A new partner and the community's appreciation

Social accountability is imperative as it empowers community members to monitor and participate in development projects with an aim of achieving better service delivery. One of the main projects of TI-Kenya's Humanitarian Aid Integrity Programme, is on social accountability and advocates for better governance from service providers in the implementation of drought resilience interventions and this leads to openness and inclusion of community members. It is in this project that TI-Kenya welcomed the local organization SAPCONE, as a new partner of the initiative in Turkana County. As an initiation activity TI-Kenya and SAPCONE conducted monitoring visits to five locations in the county. During these visits, TI Kenya also awarded the social auditors, who had been elected by their communities, with certificates of service. Community members were given the opportunity to raise burning issues directly with the two organizations during public forums. Foremost, they stated that lack of inclusion remains one of the biggest challenges. This was specifically raised in communities that do not yet benefit from social audits. TI-Kenya and SAPCONE encouraged citizens to use the existing platforms, such as Uwajibikaji Pamoja, for raising

complaints. The social accountability project has empowered citizens with knowledge of their rights and enhanced participation of community members during the inception and implementation of development projects. Social auditors make follow ups on projects which in turn

benefits service providers with achieving their goals in time. The public awareness forums are crucial as they give an opportunity to sensitize community members on their rights and the need to demand for better service delivery.



Public Forum with SAPCONE in Turkana County

The A4T, project aims to contribute to strengthened democratic accountability and transparency in Kenya through citizen monitoring of government expenditure. The project is being implemented in conjunction with Pawa Initiative and Fojo Media Institute (Sweden).

Action for Transparency stakeholder meeting

TI-Kenya and partners in the Action for Transparency (A4T) project have mapped out CBOs and faith based organizations working in the health and education sectors in the larger Embakasi area. The organizations participated in a workshop in March 2016 aimed at creating a better working relationship between the partners and strengthening the network as the project sets off in Embakasi. The partners also identified possible partners for a Public Expenditure Tracking Survey being conducted under the project. The A4T team collated the data and feedback collected during the meeting, where participants were divided into groups and requested to offer suggestions on viable strategies of conducting public awareness forums.



Action for Transparency Stakeholders meeting

Public and legal aid forums in Mombasa County

TI-Kenya sees civic education as key in passing information to the community for empowerment. Where citizens are ignorant, their rights will automatically be trampled upon. Citizens need to be educated about how they can access information as well as how to consistently track whether their preferences are faithfully represented in public policy processes and service provision. By being involved in the affairs of their county as rights holders, they are able to hold the duty bearers accountable to ensure their rights are safeguarded. Effective citizen participation will undoubtedly play a big role in addressing poor governance and corruption. If the state is corrupt, and laws aimed at protecting citizens' rights are non-existent or unenforced, governance and basic rights fail completely. Most of the social injustices perpetrated

in society can be put to a halt if the community is equipped with basic knowledge on various issues in society. It is with these factors in mind that the Advocacy and Legal Aid Centre (ALAC) Mombasa team conducted 12 awareness forums and mobile legal aid clinics in the coast region (in Marimani, Bombolulu, Matopeni, Chagamwe, Likoni, Mwakirunge) on corruption and anti-corruption strategies, civilian oversight, citizen participation. The impact of the public forums could be seen in areas where they had been held before. It was quite evident that in some areas, participants had been empowered to monitor service delivery and to report corruption especially in the public sector. While a section of participants in some of seemed knowledgeable and well versed with these issues, the

levels of information in some other areas was scanty. During the forums, residents were sensitized on their rights in demanding for better service the areas visited, delivery, empowered to stand up against corruption, demand access to information for effective public participation; and the need to promote effective public participation. Advocacy materials were also disseminated to participants for continuous reference and awareness on their rights. In the neighborhood of Mwakirunge the team placed special emphasis on education on environmental laws and governance. This followed the establishment of a dumpsite without the requisite environmental impact assessment which has since created serious environmental, social and economic problems among communities living near the dumpsite.

COMMUNITIES MAKE MOVIES TO FIGHT CORRUPTION IN LAND

TI-Kenya is currently undertaking the Land and Corruption project in Africa which aims at promoting good governance in the land sector. Participatory Video Production is among the activities being undertaken so as to document cases of interest in regard to land and corruption while empowering citizens to understand their land rights and how to exercise them.

Thus TI-Kenya in partnership with Insight share facilitated training on participatory video production for some residents of Wasini, Kwale County in April 2016. This was necessitated by several land related complaints experienced by the residents in Wasini. Tapping the creative side of communities through participatory video making offered a new way of giving marginalized people a voice,

empowering them and engaging them to explore issues, voice concerns, needs and ideas to decision-makers and other groups and communities. Two screenings of the raw video documentary were carried out in Wasini and Mkwiro village respectively leading to further improvements in the video produced.



Pictures: Citizens are learning how to use the video equipment



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