



THE BORANA COUNCIL OF ELDERS

REJOINDER TO NRT'S STATEMENT ON THE BLOOD CARBON: HOW A CARBON OFFSET SCHEME MAKES MILLIONS FROM INDIGENOUS LAND IN NORTHERN KENYA REPORT

WE THE UNDERSIGNED MEMBERS OF WASO PARALEGAL NETWORK DO HEREBY RESPOND TO NRT'S STATEMENT REGARDING THE SURVIVAL INTERNATIONAL'S REPORT DUBBED THE BLOOD CARBON: HOW A CARBON OFFSET SCHEME MAKES MILLIONS FROM INDIGENOUS LAND IN NORTHERN KENYA AND STATE AS FOLLOWS:

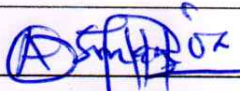




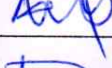
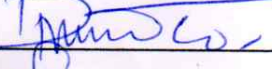
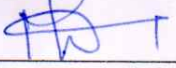

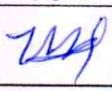


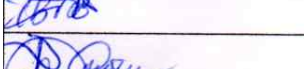
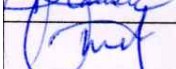

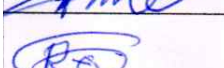
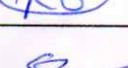
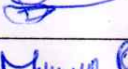

1. The indigenous communities in Isiolo County and other Pastoral Counties in Northern Kenya wish to sincerely thank the Survival International and other International Organizations such the Oakland Institute for continuously and tirelessly exposing the gross human right violations by NRT against the indigenous pastoral communities in Northern Kenya.
2. The indigenous communities fully support this report that is damning on NRT's commercial operations on unregistered community lands to the detriment of pastoral communities who have been facing displacements, extra judicial executions and enforced disappearances through endless ethnic conflicts and blood bath supported and well organized by NRT.
3. While the pastoralist community lands largely remain unregistered to date, no legal force known to these communities that have given NRT any colour of right to carry out any transactions on community lands let alone its green scam known as Northern Kenya Grassland Carbon Project (NKCP).
4. We reiterate that NRT does NOT have any right to 'own' and trade in carbon on our community land as the land belongs to the community.

5. The Constitution of Kenya and the Community Land Act 2016 places communities at the centre of any issues regarding community land. The communities have been pushing for the registration of their community lands though this process has been faced by multiple challenges. NRT has been frustrating communities' efforts to secure its land through registration by persistently forming new conservancies across Isiolo and other pastoral counties in Northern Kenya, Samburu and Laikipia Counties. We now understand that NRT's push to frustrate community land registration processes is driven by massive commercial interests and benefits it derives from these indigenous communities unregistered land.
6. NRT is known for its habitual denial and self-cleansing and sanitizing missions without responding to grave human right violations or issues raised in inquiry reports released by human right organizations and international organizations. This self-aggrandizing attitude has been depicted by NRT when also dealing with issues raised by communities against their operations. Therefore, NRT's shoddy response which lacks both in content and substance did not come as a surprise.
7. NRT rubbished the finding of the report that it is financially benefiting from the project by just stating that it does not take any profit. This stale statement by NRT is a lie that they have been propagating for years. A search conducted at the Company registry indicates that NRT is a private limited company whose aim of formation is profit making. On its green scam Northern Kenya Grassland Carbon Project (NKCP), NRT should publish all its financial statements from the time this project began so that the communities should find out who if not NRT has been benefiting from this project. Communities however much illegal this NKCP project is have never benefited from it.
8. Public Participations is one of the principles and national values listed under Article 10. The indigenous communities have the right to Free Prior and Informed Consent (FPIC) on any projects that affect them and their livelihood.
9. The Community has little or no information regarding the NRT's NKCP project. NRT forms and tightly controls its illegally established conservancies and any engagement or agreement between NRT and its conservancy boards should not be deemed as being that of community as conservancy boards are not in any way representatives of the indigenous communities. The Council of elders are the representatives of communities. The Community therefore supports the Blood

Carbon report's position and therefore categorically state that no Free Prior and Informed Consent (FPIC) process was followed and obtained from our communities let alone

10. We demand as we hereby do that NRT vacates our community land and cease any transactions on our community land until the same is duly registered in accordance with the Community Land Act.
11. We further demand that NRT makes public its audited financial accounts for this project, any benefit sharing agreements between NRT and communities, Memorandum or any agreement between NRT and communities for the utilization and commercialization of unregistered community land
12. We know NRT's skullduggery game too well. We are aware that they have been using massive resources acquired from our community land in compromising the County Government, Human Right Defenders, the County Commissioner & other National Government Administrative Organs, key security apparatus, selected political leaders who are enticed with NRT board positions and any other institution they see as key in the fight for community land rights.
13. NRT formed independent council of elders structures parallel to the Communities Council of Elders system. They have tirelessly worked towards disenfranchising the communities' system of governance, their traditional ways of lives and their indigenous knowledge on grazing and rangeland management. We now understand why our communities were displaced from their vast rangelands in Chari where NRT's Biliqo Bulesa Conservancy is located. NRT through what they call controlled rotational grazing have been able to employ violence through bloody ethnic conflicts which they support, enforced disappearances and extra judicial executions carried out by its elite ranger squad to ensure that communities are displaced from their rangelands.
14. We will peruse the report with our advocates with a view of instituting further legal actions against NRT for its continued robbery of community resources without any formal engagement and permission from the community.

SIGNED

	Name	Telephone No.	Signature
1.	ABDIRAHMAN OSMAN		
2.	MOHAMMED ABDIKADIR		
3.	KULICHA JILLO JIRNO		
4.	JILLO B. SAAD		
5.	HUSSEIN B. HALAKE		
6.	ABDIA HUSSEIN GURAD		
7.	DIDA MUKTAR		
8.	MOHAMMED HALAKE		
9.	WAQO DIKA		
10.	GALM ABDUBA		
11.	ABUBAKAR ABDUBA		
12.	Ibrahim Salese		
13.	IBRAHIM G. TOLHU		
14.	Ramadhan Mohamed		
15.	OMAR HALAKE		
16.	Abdi' Adan		
17.	Rahma OSMAN		
18.	SAGIA HAPPI		
19.	ABDIRAHMAN BADASU		
20.	AHAMAD MOHAMMED		