



Center For Justice Governance And Environmental Action



# Annual General Report 2021-2022.

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## **ACRONYMS**

**CAJ** – Commission of Administrative Justice

**CBO** - Community Based Organization

**CDA** – Community Development Agreement

**CJGEA** – center for Justice Governance and Environmental Action

**DD Coalition** – Defend Defenders Coalition Kenya.

**EIA** – Environmental Impact Assessment

**EMCA** – Environmental Management and Coordination Act

**EROG** – Environmental Rights Organization

**HRC** – Human Rights Council

**HURIA** – Human Rights Agenda

**KWACODEP**- Kwale Community Development Project

**LED** - Land and Environment Defender

**LEDs** - Environmental Human Rights Defenders

**NAP** – National Action Plan

**NEMA** - National Environment Management Authority

**NGO** - Non-Governmental Organization

**OHCHR** - UN Office of High Commissioner on Human Rights

**UN** – United Nations

**UNEA** – United Nations Environment Assembly.

**UNEP** – United Nations Environment Programme

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## FOREWORD

### MESSAGE FROM EXECUTIVE DIRECTOR



Since founding, CJGEA has established itself as an organization committed to promoting the protection of flora and fauna to ensure that every Kenyan enjoys their rights to the highest attainable standards of health, right to life and right to a clean and healthy environment.

The year 2021-2022 has been quite a challenging one especially with the ongoing global pandemic and emerging new strains. The whole world has been desperately trying to emerge from the impacts of the deadly pandemic to focus again on other urgent and critical global issues such as climate change. The whole world is in critical times where we are faced with the triple planetary crisis with very little commitments from the world leaders to correct the status quo.

The milestone Human Rights Council Resolution “40/11 recognizing the contribution of environmental human rights defenders to the enjoyment of

human rights, environmental protection and sustainable development” and other policy developments including HRC Resolution 48/13” will inform discussions on how to deliver on states’ commitments to protect and support environmental human rights defenders in line with the Secretary-General’s Call to Action for Human Rights.

CJGEA managed to achieve significant milestones in the ending year despite the many challenges that were associated with it. The expansion of the network of LEDs in Kenya dubbed EROG to encompass more groups of defenders from all over the country and the election of the officials was a major step towards having the network exist as an independent entity. LEDs in Kenya continue to face a myriad of unprecedented challenges in their work with escalation in attacks against them for standing up for land and environmental rights. The network of LEDs is a safe haven for defenders to continue their work safely. Furthermore the recent milestone resolutions by the HRC on the human right to a clean, healthy and sustainable environment and the UNEA resolution 5/14 titled “End Plastic Pollution” legitimizes the important work of LEDs and underlines the critical need to protect them.

CJGEA has also managed to mobilize the LEDs within the network around policy frameworks they can leverage to ensure the protection of socio-economic rights and access to environmental justice in Kenya. One such example is the Mining Community Development Agreement Regulations of 2017 (CDAs) that are legally binding contracts

between holder industries and their host communities likely to be impacted by their operations. CDA has increasingly been used to better define relationships between mining companies and impacted communities. CDAs recognize

communities as part of the investment into corporate activities and is therefore critical in ensuring accountability in the exploitation and utilization of the environment by mining companies.

Despite all the achievements accomplished, we acknowledge that there is need for more to be done especially to bridge the gaps in peoples understanding of the linkages between the environment and human rights. Moving forward, CJGEA will continue to work closely with all stakeholders to ensure that the end goal of a clean, healthy and sustainable environment is realized for all.

**Ms. Phyllis Omido**  
**Executive Director,**  
**Center for Justice Governance and Environmental Action.**

## **ACKNOWLEDGEMENT**

I would like to extend my sincere gratitude to CJGEA staff and the board who played a very critical role in the development of this annual report.

Special thanks goes to our partners, donors, EROG, our communities, CJGEA personnel and all our well-wishers both locally and internationally. We are forever grateful to you for all your immense contribution towards the organization's success.

To all of you we say thank you!

**Phyllis Omido**  
**Founder CJGEA.**

## **1.0 INTRODUCTION**

Center for Justice Governance and Environmental Action-Kenya is the 2015 Africa Recipient of the Goldman Environmental prize dubbed “The Green Nobel” under Miss Phyllis Omido. Our focus is to apply a human rights-based approach to environmental protection of marginalized communities affected by the extractive industries and toxic sites in Kenya, drawing synergies of awareness on climate change mitigation and carbon Emissions.

Founded in 2009, the organization was established to address environmental issues facing settlements near toxic sites and extractive industries along the coastal belt of Kenya. CJGEA is an environmental and human rights civil society organization registered in Kilifi County, Kenya that works towards the realization of human and environmental rights of the economically marginalized and ignored communities in the coastal region of Kenya.

CJGEA has been able to penetrate and scrutinize the environmental governance systems necessitating the urgent need to develop advocacy strategies towards addressing the growing linkages between the environment and human rights. CJGEA, therefore, incorporates policy change and environmental governance advocacy into its core work.

### **Our Vision**

In the next decade to have molded a generation that understands, respects and integrates human rights with the environment.

### **Our mission**

Mainstreaming human rights-based approach towards environmental protection of the marginalized and ignored communities found around extractive industries.

### ***Actions for realization of mission statement***

- ✓ Supporting and creating space for its communities in their course of action to challenge the responsibility of the state and non- state actors towards environment protection and access to socio-economic rights to eradicate poverty, injustice and inequality that affect communities around extractive Industries.
- ✓ Building capacities and awareness of community issues by organizing public picketing and media campaigns; and educating communities on local and international instruments available for advocacy e.g. through the dissemination of information, publications, media work, campaigns and organizing events, etc.
- ✓ Participation in International networks by supporting communities to do so thus influencing political decision-making that affects the creation of better policies and decision -making on environmental issues.

### **Core Values**

- Respect for the Environment

- Respect for Human rights
- Activism and service through volunteerism
- Commitment to justice, equality and rule of law for all
- Solidarity with the poor and the pro-poor individuals and the agencies.

### Strategic Objectives

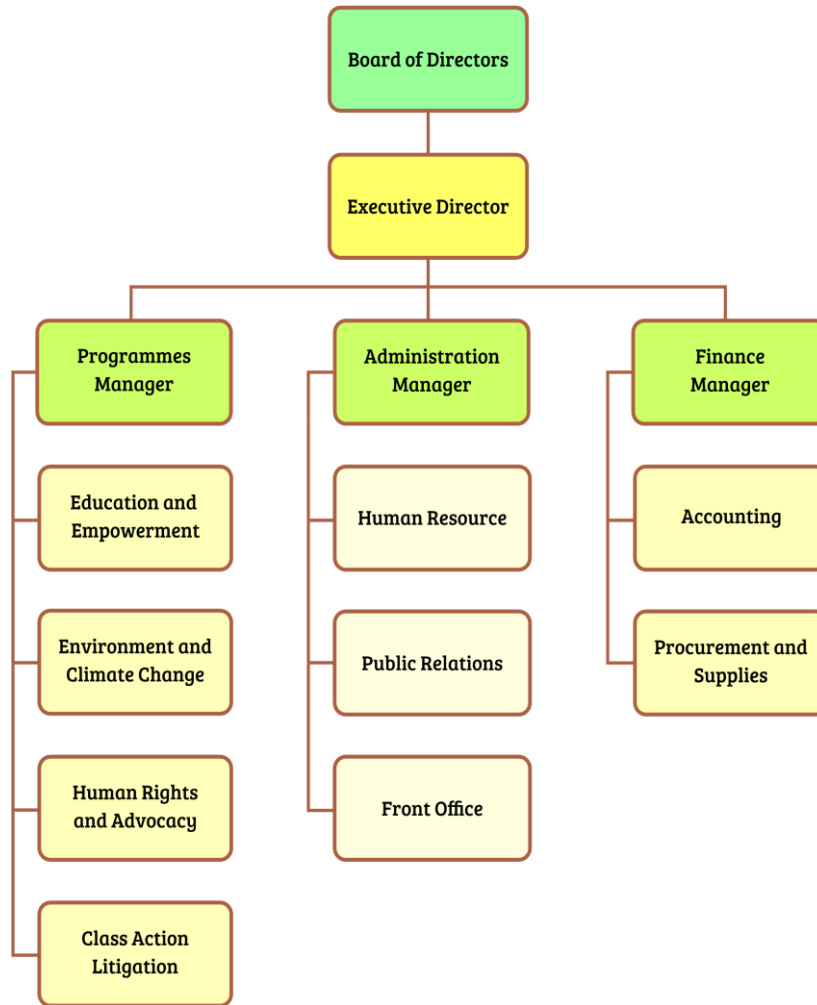


### Activities for the achievement of strategic objectives

- Organize coastal communities to form a strong and sustainable environmental movement
- Empower local communities to protect their community and the environment from pollution and risky extractive activities
- Advocate for effective implementation of environmental laws and policies
- Challenge the responsibility of environmental agencies and government towards the protection of communities from individuals or businesses that pose risk to their health and the environment.
- Raise and provide judicial precedents
- Advocate for safer spaces for environmental human rights defenders poor and rural areas
- Leverage on the media as a tool to influence public opinion.



## Organization structure



CJGEA believes that sustainable environmental governance is fundamentally related to the respect, protection and fulfillment of human rights, particularly with regards to the links between environmental management and the realization of specific human rights. Further, it is directly related to issues of equality, for instance, concerning procedural rights in environmental management (gender concerns) or the relations between states in International law (differential treatment). Procedural environmental rights, we believe, is an integral tool of empowering communities, to defend and protect their right to a clean and healthy environment therefore increasing accountability in environmental governance.

The organization comprises of ten Board Members, Management Committee and a full-time programmatic and administrative paid staff. In addition, it utilizes a network of Associates and Consulting Experts and works in concert with other local, regional, and international organizations. It also offers internship and fellowships. The Board members are responsible for the strategic policy direction of the organization. The management committee guarantees a sound internal management structure and policies that contribute to the optimal functioning of the

organization. The Executive Director is the head of the secretariat, responsible for its management and implementation of policy directions, coordination of Programmes and ensuring accountability in utilization of its resources.

**The organization's running programs:**

- Public interest Litigation
- Education and empowerment
- Environment and Climate change
- Advocacy and Human rights

**2.0 OVERVIEW OF KEY RESULT AREAS AND ACHIEVEMENTS**

- Successfully continued the process of challenging the responsibility of the state and non-state actors in protecting the citizens' right to a clean and healthy environment through the judicial process that began in 2016 through the filing of the Owino Uhuru Environmental class action suit at the Environment and Lands Court. In 2020 a landmark ruling was issued where the community was awarded 1.2Billion shillings in compensation and 700Million shillings awarded to CJGEA to co-ordinate the soil/environmental clean-up exercise. The appeal process seeks to uphold the high court judgement at the court of appeal.
- Successfully enhanced the protection of the right to access effective remedy and justice through the regular court attendance that has enabled the smooth continuation of the appeal process which allowed us accomplish several steps towards the main appeal hearing. Continued strengthening and building the National Network of Land and Environmental Defenders by initializing the process towards its legal registration. The network that will now be referred to as Environmental Rights Organization (EROG) now has officially elected officials who will work to see that it is legally registered and that it exists independently. The network brings together LEDs from all the 47 counties of Kenya to advocate for the land and environmental rights as a united front under one umbrella.
- Vibrantly engaged and increased awareness on environmental governance and protection issues through research, training and creating knowledge and information on the organization's online platform. CJGEA as well used the media to increase awareness on environmental governance and justice matters through press releases, press statements and interviews.
- CJGEA managed to introduce the EROG network members to the Mining Community Development Regulations of 2017 (CDA) that is an important entry point for advocacy for Land and Environmental Defenders to work on effective remedies for their communities and push for environmental justice through CDAs around extractive industries and mining areas.

- CJGEA has also successfully enhanced the promotion of the right to participate in environmental decision-making within communities through building the capacity of locals on the importance of taking part in making decisions on environmental issues that directly affect them through the CDA committee.
- CJGEA Continued forming creating new partnerships by bringing in new stakeholders on board while maintaining the ones that already existed. CJGEA enjoyed new working relations with new partners and donors. We managed to get different government agencies to partner with us in supporting some of the work we did. The agencies included the office of the ombudsman, Council of Governors, National Environment Management Authority etc. CJGEA also got to continue her work by collaborating in other networks such as the IPEN network and working closely with partners locally, regionally and internationally.
- CJGEA Positively influenced policy makers and other stakeholders through sharing of information, knowledge and best practices on institutional reforms targeting the institutions in charge of the environmental governance system.
- Successfully continued the documentation of attacks and violations against the Land and Environmental Defenders in Kenya. This documentation was very instrumental in advocacy towards ensuring the protection of the LEDs. The data was collected first hand in the field and the sources of information verified before declaring the data as authentic.
- CJGEA successfully continued with the expansion plan to increase the geographical scope of her work. Currently CJGEA works in the whole country with cluster heads leading the operations of the organization in the different counties around the country. This ensures that we are able to reach even the most grassroots persons in remote areas through our clusters. This expansion plan was in line with the organization's strategic plan 2019-2024.
- CJGEA has managed to multiply the number of LEDs that we work with. We managed to have Indigenous LEDs and professional ones joining us to ensure we work together for the common good. CJGEA now has county cluster heads that are environmental organizations working on similar issues. This has enhanced connection to more grassroots LEDs and environmental movements. It has also ensured that CJGEA's work at the county levels is continuous and consistent as the monopolization of roles to specific individuals has been eradicated through involvement of more LEDs.
- CJGEA has been able to closely monitor the progress of work of its LEDs through continuous follow ups. The capacity of the LEDs have been constantly raised through regular trainings where they are equipped with unique skills to assist in their work.
- CJGEA has continued the implementation of the Natalia Project that has ensured all at risk LEDs that CJGEA work with remain protected and safe at all times. We have also conducted regular security trainings on both physical and digital security for the Defenders that has helped enhance their capacity on how to handle and respond to security threatening situations. Security protocols have been developed for all the defenders and key CJGEA personnel to help increase their general security.

### **3.0 MAJOR ACTIVITIES, ACHIEVEMENTS AND KEY ENGAGEMENTS**

This section details the programs that were undertaken by CJGEA in the ending fiscal year and the milestones achieved.

#### **3.1 “Tuna Sauti” Public Interest Litigation (PIL)**

The [Environmental Class Action Suit](#) seeks to challenge the responsibility of the state and non-state actors towards the protection of the right to a clean, healthy and sustainable environment as stated in Article 42, 69 and 70 of the Kenyan constitution 2010. Owino Uhuru Community’s right to a clean and healthy environment was infringed when they were exposed to lead poisoning by a state licensed Lead smelter and through CJGEA they were able to go to court to seek remedy. . The case was filed in 2016 at the Environment and Lands Court of Mombasa. In July 2020, the [judgement](#) to the case was issued and the community managed to record a landmark win. The Honourable Justice Anne Omollo delivered Judgement on petition no. 1 of 2016 that sought to challenge the responsibility of the state and non-state actors towards the protection of the right to a clean and healthy environment, right to life and other socio-economic rights. In her final ruling, she granted prayers recognizing through declarations that: - the community’s right to a clean and healthy environment was violated thereby granting them compensation to a tune of \$12 Million for their losses and redress in form of cleaning-up and rehabilitation of their environment to a tune of \$7million.

The case was then appealed by appealed by two state agencies i.e. the National Environment Management Authority (NEMA) and the Export Processing Zones Authority (EPZA) and this saw us move back to court of appeal for fresh hearing and determination of the case. The appeal case is currently still on going at the Malindi court of appeal.

The Owino Uhuru class action litigation suit at the high court created an international precedent that can be used by similar communities globally to seek effective remedy for environmental rights violations. The case has also been adapted by several learning institutions globally as a case study and been used to come up with recommendations on environment and human rights and also on business and human rights by the United Nations.

CJGEA litigation suit is a critical component of the environmental justice framework for Kenya as a country as it has helped enhance accountability in environmental governance and will ensure that those who pollute the environment get to bear the responsibility of restoring it to its former state.



*Figure 1 Owino Uhuru community members at Mombasa Law courts.*

### **3.2 Addressing attacks and threats on CJGEA members and Land and Environmental Defenders (LEDs) working closely with the network.**

LEDs work on environmental and land issues and these mainly touch on money and profits. Resource extraction and land issues in Kenya are considered as wealth dens and are often associated with a lot of money. LEDs are therefore met with backlash when they rise to oppose wanton utilization of the environment and land rights violations. Proposals for large-scale development projects from foreign companies and states around extraction, industrial, agriculture are on the rise and these have further exacerbated tensions. It has led to disputes between LEDs and investors. LEDs therefore continue to work at great personal risk and most of the time they are subjected to unfair treatment surveillance, forced evictions, murder and criminalization over their opposition to developments.

Currently CJGEA is working closely with up to 5 LEDs who are members of the EROG network on their security protocols and two of them have been issued with security devices for raising panic alarm in case they are in security risky situations. Grassroots environmental movements in Kenya face open hostility especially when they work to hold state and non-state actors accountable for their actions. CJGEA LEDs have at times come under attack for demanding environmental justice and defending land rights in their communities. Other incidents of insecurity were recorded for the network members more particularly those from the indigenous community working to protect their land rights.

The most recent incidents of threats involved 2 LEDs that forced them to seek security protection from time to time to shield them from the threats and security risks they are facing in line of their work. Constant surveillance of the individual and their family members by unknown assailants have prompted the LEDs to go into emergency relocation for their safety.

### ***Interventions taken***

- The LEDs who have been facing imminent security threats have been included in CJGEA's security monitoring programme.
- The two LEDs who were targeted have been equipped with security alarm gadget for raising alarms when in security threatening situations.
- The LED Network members have continuously been taken through digital and physical security management to help them monitor and manage their security situation.

CJGEA has taken a lead in advocacy for change of attitudes towards environmental activists and their legitimate work. There is an urgent need to challenge systemic failure to protect environmental activists. Many have been killed yet non-action and silence from relevant state agencies signal silent consent for the vilification of these group of individuals working to preserve the nature and sustainability of their communities.

### **3.3 The 5<sup>th</sup> Annual LED workshop.**

Despite the challenges brought about by COVID-19, The 5<sup>th</sup> Annual Land and Environmental Defenders workshops was CJGEA in partnership with the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Environment (UNEP) and KIOS-The Finnish Foundation for Human Rights. The theme for the workshop was *“Tools for the realisation of environmental justice and socio-economic rights in Kenya”* and was conducted over a three days period.

The workshop was held from 24<sup>th</sup> – 26<sup>th</sup> of November, 2021 at the Flamingo Beach Resort hotel brought together up to 60 LEDs from all over Kenya working in different contexts to learn from each other through sharing of experiences. Kenya has become an extremely volatile state for the LEDs to exist in as they are constantly harassed, criminalized and even executed for the role they play in defending the land and the environment. The workshop was an important platform to enhance the visibility and legitimacy of the work of LEDs which in turn helps to neutralize the numerous violations and security threats they face in the course of their work.

The workshop attracted participation from a wide range of stakeholders including duty bearers, Land and Environmental CSOs, media, International organizations, individual LEDs and corporates. The workshop had well thought out topics in the [agenda](#) that presented opportunity for maximum engagement of all the participants in the sessions. Here is the [concept note](#) for more information on the workshop.

From the workshop, it was clear that the LEDs are increasingly facing heightened security risks and threats as a result of their activism and hence there is need to ramp up efforts to ensure they remain safeguarded from attacks and intimidation from their adversaries. These and all the other workshop events have been well documented in the [workshop report](#) including the resolutions that the LEDs came up with.



*Figure 2: LEDs attending the fifth annual workshop*

### **3.4 Media as a tool for the realization of environmental justice and socio-economic rights in Kenya.**

One of the tools that CJGEA has used during the course of its work is the media. Throughout the Owino Uhuru litigation, the media has been one of the most efficient and trusted sources for disseminating information and therefore became vital in swaying public opinion for the cause. The media aroused the awareness of environmental impunity in Owino Uhuru at all levels in a concerted effort to restore dignity to the residents and affected people of Owino Uhuru through supporting demands for the protection of their rights. Media also played a role in protecting defenders from backlash they faced during campaigns for a clean and healthy environment. At times when the local media themselves feared backlash, then the international media played a role in pacesetting the conversations that could then be easily picked up by the Kenyan media. Against this backdrop, CJGEA has continued to leverage the media to pursue its courses.

The media has been very critical in advancing the plight of the Owino Uhuru residents and other grassroots communities that we work closely with like the Mdune Village and Kadzonzo communities at the coast. The media has continued to support advocacy efforts by CJGEA on the need to uphold and protect the right to a clean and healthy environment and the fight for environmental justice. Our strategy has been to ensure that we get the media to cover and circulate widely activities implemented by CJGEA that speak to the needs of LEDs and their communities as well as land, environmental and human rights. We have managed to produce several documentaries and programs that have run on prime time news as well as several newspaper articles in both local, regional and international media. The latest one was by TV 47 that was on delayed Justice for the Owino Uhuru community.

We have also managed to connect the network members to several media personnel that now help to cover their stories and the plights of their communities. This has also helped boost the profiles of the LEDs we work with thereby decreasing the security risks they face.



*21<sup>st</sup> April 2022-Tv 47 E.D Ms. Phyllis Omido interviewed on delayed justice for Owino Uhuru Community.*

### **3.5 Leveraging alternative avenues and potential opportunities for pursuing environmental justice.**

We have mobilized the LED community on new national policy frameworks and international processes including the mechanisms and instruments of the UN system that have a bearing on the national context and can be critical in pursuing justice by the LEDs. One of the most recent legislations that was enacted in Kenya is the Mining Act of 2016.<sup>1</sup> Under this Act, there was the introduction of the Mining community Development Agreements Regulations (CDAs) that came to force in 2017.

CDAs represent a great milestones in domesticating the UN Guidelines on Business and Human rights. The framework is critical in defining relationships between mining companies and impacted communities. They are legally binding contracts between holder industries and their host communities likely to be impacted by their operations. The introduction of CDAs created a platform for communities hosting extractive industries to hold industries establishments accountable to the community's environmental and socio-economic rights.

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<sup>1</sup> [Mining Act no. 12 Of 2016](#)



One advantage of the CDAs is that it recognizes communities as part of the investment into corporate activities and therefore obligates the mining companies to relinquish at least 1% of their gross profits back to the community to stimulate socio-economic development through the CDA Committees (CDACs). One of the biggest mining company in Kenya i.e. Base Titanium has become a pioneer in the implementation of the CDAs by entering into community development agreements with up to three of its communities and the socio-economic impacts are positively far-reaching.

Through a one day meeting supported by OHCHR held on 24<sup>th</sup> June 2022, stakeholders came together to explore the possibility of mobilizing other mining companies to learn from Base Titanium's experience around the CDA framework and to encourage the companies to adopt and implement the CDA Regulations with their host communities. The meeting brought together mining companies, state actors, LEDs, experts on CDA and other relevant stakeholders to take part in the conversations around the NAP on Business and human rights and using the CDA (2017) Regulations to enhance business accountability. The meeting also brought on board the UN Global Compact which shared with the companies the value of being members of the organization including sharing the principles that govern the membership.



*Sharing of socio-economic impacts of CDAs*

### **3.6 Sixth Annual LED Workshop.**

The 6<sup>th</sup> Annual Land and Environment Defenders (LED) Workshop was held at Pride Inn Paradise Resort from 21<sup>st</sup> – 23<sup>rd</sup> of June. The theme for the workshop was “*Strengthening commitments to protect land, ocean and environmental human rights defenders*”.

The theme resonated with the current situation of LEDs in the country where many have fallen victims to violent reprisal from their aggressors. In recent years there has been a spike in the number of killings of the LEDs especially women LEDs who work on land and the environment. Global Witness documented that on average four environmental human rights defenders were killed every week during 2020 in what was considered the worst year on record for their work protecting the environment; including from deforestation and industrial development.

In Kenya we have witnessed high profile murders of LEDs with most of the killings remaining unresolved. The spike in the number of killings is just 'the tip of the iceberg' in terms of the vulnerable and perilous situation of LEDs. For every individual killed, many more face a range of other reprisals. This has created a need to ensure proper mechanisms are put in place to protect these defenders. The loss of lives of defenders is a clear indication of the insufficiency of current mechanisms and structures to ensure defenders work is safe and it is not used to compromise their rights. The workshop therefore focused on identifying mechanisms for LEDs protection and proposed improvements to existing gaps in the mechanisms. It also identified gaps in environmental incident reporting, developed mechanisms for response and built the capacity of LEDs for risk reduction.

On the other hand the workshop also focused on the role of LEDs and other stakeholders in conservation, protection and rehabilitation of oceans and seas from marine litter and micro plastics. In the workshop we highlighted the work of defenders working on marine litter. Attention was placed on discussing the interlinkages of environmental justice, marine litter and ocean plastics, and tabling of potential solutions to contribute to addressing these injustices. This was also done against the backdrop of the most recent UNEA 5.2 resolution 5/14 titled “End Plastic Pollution” that provides a starting point towards a legally binding treaty to end plastic pollution and may be an entry point for defenders working in marine space to contribute to intergovernmental efforts to end plastic pollution, including ocean plastics.

The workshop brought together LEDs, CSOs, and state actors, regional and international organizations that work on land and environmental rights issues, including ocean plastics and marine litter, and the relevant duty bearers. Among the workshop outcomes included coming up with concrete steps in tackling marine litter; documented statement of state actors and stakeholders commitments to implement and increased action towards protecting and supporting LEDs; a workshop report with concrete action plans for the year.



*Figure 3: Group photo at the 6th annual workshop*

### **3.7 Geographical expansion of the “Tuna Sauti” Movement**

“Tuna Sauti” is translated to mean amplifying voices. This is a continuous campaign meant to amplify the voices of the voiceless. The project has offered CJGEA with an opportunity to scale up CJGEA work and have a nationwide impact by involving LEDs from other counties to take part actively in environmental governance in the country.

Currently CJGEA has representation in all the 47 counties of Kenya and coordinates a network of LEDs known as EROG that is hosted under her. The network was formed in 2017 and has existed under CJGEA since then. It currently enjoys a membership of 40 CSOs working on land and the environment and up to 80 individual LEDs. As part of the expansion program, CJGEA conducted the first Environmental Rights Organization network elections during the 6<sup>th</sup> Annual LED workshop. EROG brings together LEDs from all over the country to safely advocate for land and environmental rights as a united front. The elections of the officials signified the journey towards realizing the dream of having the network exist independently.

On 22<sup>nd</sup> June 2022 at Pride Inn Resort 44 LEDs present elected the Chairperson, Vice Chairperson, Secretary and the Vice Secretary. 11 board members were also selected. The Board had good representation with the elected chairperson hailing from a minority tribe in Kenya. Others included but not limited to a lawyer, a community member, indigenous persons, persons from marginalized counties. Gender parity was considered to ensure equal representation for both men and women in positions of leadership in the network. CJGEA remains the secretariat for the Network for the time being. The elected members were tasked with developing thematic areas of work for the network, get members to develop the network’s constitution and organize county cluster heads among the LEDs whose responsibilities will be to recruit more members into the network and report to CJGEA any threats or attacks against an LED within their areas.



*Figure 4: Newly elected members of the EROG network.*

The network has included grassroots land and environmental rights organizations as stakeholders as well as individual LEDs. The network has helped increase the legitimacy, safety and effectiveness of individual activists and has fostered the working of partner organizations under this umbrella body. This is because through the network, the LEDs have been able to access platforms that have helped enhance their relationship with relevant authorities through networking and which has helped the relevant authorities to have positive perception and understanding of the good work that LEDs are involved with.

Through this project, CJGEA has been able to scale up her membership to 47 counties and vastly increased the number of LEDs and their affiliate organizations joining the network. This has helped enhance safety in the work of LEDs for example, it has promoted solidarity in responding to LEDs situations by having many organizations giving statements and lending their voices to help highlight and amplify serious situations to ensure that a swift solution is sought for the issue at hand. The project has also made significant strides on ensuring that grassroots environmental movements become more informed and actively involved in decision making. This has in turn helped guarantee gender balance in environmental governance thereby reducing gender bias, social and cultural barriers to participation as well as ensuring gender balance in the grassroots LED representation.

#### **4.0 CHALLENGES EXPERIENCED IN THE FINANCIAL YEAR.**

- Challenges brought about by COVID-19 interfered with smooth running of some of the organizations programs.
- The constant postponement of the appeal hearing in the Owino Uhuru case has delayed access to justice for the residents of Owino Uhuru community.
- The court process is very costly and hence utilizes up a lot of the organization's resources.
- The organization could not raise sufficient resources to respond to the rising demand for interventions on access to environmental justice, governance and rule of law issues by victims of environmental injustices that reported to us from all around the country. We were only able to address the ones we could.
- There is a huge information gap on linkages between the environment and human rights among the grassroots communities we work with, the state actors and non-state actors. CJGEA has made great strides to try and bridge this gap, however more work still needs to be done.
- Frequent surveillance by the state on our work which makes us be cautious at all times.

## 5.0 STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS ANALYSIS OF THE ORGANIZATION.

The following are the strengths, weaknesses, opportunities, and threats that exist in CJGEAs working environment. The SWOT analyses and examines the environment within which the organization operates. We have examined constraints, both legal and institutional that promote or impede the effective implementation of CJGEA projects.

STRENGTH	WEAKNESSES
<ul style="list-style-type: none"> <li>• CJGEA has enjoyed a very strong grassroots presence and support in communities it works with e.g. Owino Uhuru which we represent in the litigation suit.</li> <li>• CJGEA coordinates a national network of LEDs which has greatly contributed her geographical expansion as she currently has presence in the whole country.</li> <li>• CJGEA continued with defending the landmark ruling at the Environment and Lands High Court of Mombasa on behalf of the Owino Uhuru community at the court of appeal thereby making great strides towards the realization of justice for the community.</li> <li>• CJGEA is a recognized and accredited organization by the UNEP, therefore the scope of our work has expanded locally and globally this means that the organization can access more partnerships and donations.</li> <li>• CJGEA was recognized for her work through the ED in 2020 when she won the global Ethecon Blue Planet Award.</li> <li>• As the 2015 Goldman Environmental prize winner, CJGEA has earned respect both locally and internationally making our engagements much easier than previously.</li> <li>• CJGEA also enjoys a strong international presence having worked with international organizations such as the UN organs, Human rights, Universal Rights Group, World Resource Institute, World Economic Forum, KIOS Foundation etc. on environmental, land and human rights advocacy Issues</li> <li>• CJGEA has the resilient ability to stay focused on its mandate as has been seen with the Owino Uhuru case where the Tuna Sauti project has been run from 2009 to 2021 where different phases were implemented with a view to explore access to effective remedy or justice.</li> <li>• CJGEA enjoys very cordial relations with the Media both locally and internationally, therefore this makes all the projects receive wide media attention and makes the dissemination of information easier.</li> <li>• CJGEA has greatly improved in her reporting on projects which has increased donor confidence in the organizations capability to handle even larger projects.</li> </ul>	<ul style="list-style-type: none"> <li>• There is a need to keep on improving on its internal and external financial structures that will give donors the confidence to continue funding us.</li> <li>• CJGEA is currently under staffed and there is need to bring in more employees to ease the work load.</li> <li>• Again there is need for better remuneration for employees to enable the organization maintain them and avoid scenarios where they are poached by other well-paying organizations.</li> <li>• Increased recurrent costs and support for legal fees have weighed so much on the budget of CJGEA as the Owino Uhuru Appeal case keeps on prolonging with the cumbersome judicial process.</li> <li>• The organization lacks a vehicle to use as a means of transportation in facilitation of its programs and projects.</li> <li>• Some NGOs feel threatened by the existence of CJGEA as an organization and for this reason; they refuse to cooperate with us in certain projects that require involvement of other organizations to implement thereby hindering our work.</li> </ul>

- CJGEA has the ability to work amiably with new donors and partners to move the organizations agenda forward for the benefit of our grassroots communities.

**OPPORTUNITIES**

- CJGEA convenes Annual LEDs workshop each year since 2017 which brings together EHRDs from different parts of the country. These workshops are a good platform for the LEDs to learn, share experiences and network amongst themselves and the attending international organizations and relevant authorities.
- CJGEA is the pioneer organization in the concept of Human rights and the environment in the coastal region and hence it has more Knowledge and wider experience in the area having worked very closely with Dr. John Knox from the office of the UN Rapporteur on Environment and Human rights linkages.
- CJGEA has managed to organize the LEDs nationally to operate under one umbrella in the ERORG network and plans on registering it formally to enable it be recognized legally.
- CJGEA works with several grassroots environmental organizations and LEDs countrywide and this has made us have a strong presence locally at the grassroots level which is also maintained by well-coordinated structures.
- CJGEA also was at the 1st ever United Nations Environment Assembly (UNEA) and has attended the subsequent one's ever since.
- CJGEA managed to pass a resolution on Used Lead Acid Batteries in UNEA 3.
- CJGEA has had the very rare and coveted opportunity at the international level to mingle with the policy makers and therefore has a wider influence.
- CJGEA has managed to expand her work in all the 47 counties of Kenya and this has made us work with more communities in addressing their environmental issues.
- CJGEA enjoys a wide range of networks locally regionally and internationally having represented Kenyan grassroots Human rights and environmental movements in many forums like The meeting convened in GENEVA by the Universal Rights Group (URG) on the issue of environmental human rights defenders (EHRDs) in collaborations with various partner organizations and individuals.

**THREATS**

- The constant insecurity around the Owino Uhuru Class Action Litigation Suit.
- Criminalization and targeting of LEDs and grassroots environmental movements that work with CJGEA.
- Corruption on the part of both state and non-state actors greatly threatens our work.
- Existence of a knowledge gap by both the local communities and relevant government agencies
- Ignorance of the local communities, state and non-state actors on environmental rights and their protection.
- Unforeseen situations like the pandemic which greatly disrupt our operations.
- Inadequate and ineffective government policies and standards to protect the environment and regulate exploitation of the natural resources.
- Legal constraints
- Financial capacity constraints
- Lack of political goodwill towards environmental protection and conservation.
- There's overlapping responsibility within government agencies, therefore there is no clear format for implementing the existing policies leading to neglect of duty.

## **6.0 KEY CJGEA STAFF**

### **MS. PHYLLIS OMIDO**

**Executive Director,**



She has more than 10 years with CJGEA as a human rights defender with a background in Business Management from the University of Nairobi and a work experience of over 11 years in the Industries in Kenya. She is in charge of campaigns coordination i.e. lobbying, advocacy, environmental and human rights activism.

Phyllis Omido is a Kenyan grassroots environmental activist and co-founder of the CJGEA an organization that advocates for the environment and socio-economic rights of marginalized and ignored communities around extractive industries in the coastal belt of Kenya.

She was Africa’s recipient of the Goldman Environmental Prize in 2015 and is known for organizing protests and shutting down a lead-smelting plant located in the middle of Owino Uhuru, a slum near Mombasa. The plant was causing lead poisoning by raising the lead content in the environment, killing residents, in particular children, and harming others, including her child. Phyllis is also the 2020 Ethecon Blue Planet Award recipient and was also recognized by the county government of Mombasa for her efforts in protecting the environment in 2018 and received the Mombasa County Woman of Courage award. In 2020 she was recognised by BBC as 100 most influential women globally and in 2021 Time magazine named her as 100 most influential people globally.

### **TOM BICKO**

**Programs Manager**



Tom works as a programs manager is the organization’s head of the programs department. He is a



graduate with a BSc. Degree in Environmental Planning and Management from Pwani University. Bicko has formerly worked with the County government of Kilifi in the capacity of an intern under the department of Energy, Lands, Housing and Physical Planning. He has also worked as a project community Liaison officer at CJGEA before becoming the project officer and now the programs manager. Since Tom joined CJGEA, he has contributed immensely to the organization as he has wide knowledge on environmental issues and his input is always of great importance to the programs department. He is a great team player and always supports in other office duties as well.

### **MR. GILBERT KASUKI**

**Finance and Administration Officer,**



Mr. Gilbert Kasuki is the finance officer and the acting administration officer of the organization. He is a graduate of Kenya Institute of Management and has experience in finance and management working in the private sector for the last 10 years. His skills have proven beneficial to the organization.

### **Ms. TRACY ANYANGO**

**Community Liaison Officer,**



Ms. Tracy Anyango is the community liaison officer of the organization. She is a graduate of Kenyatta University interned at Muslim Education Welfare Association as paralegal officer. She has previously worked as a social science researcher with Bio-cult in Kaya-Kambe. She maintains the good rapport between CJGEA and the community at large with her public relation skills.

## 7.0 BOARD MEMBERS

<b>NAME</b>	<b>Position</b>
Nixon Paloma	Chairman
Phyllis Omido	Executive Director
Gladys Oguga	Treasurer
Sandra Liani	Secretary
Jimmy Shabaya	Member
Anastacia Nambo	Member (Community Representative)
Hamisi Diyo	Member
Silas Enane	Member
Hannah Wamuyu	Member (Legal Representative)
Dorcas Amakobe	Member

## 8.0 PICTORIALS



