

H.E. DR. John Stephen Simbachawene.
High Commissioner.
United Republic of Tanzania (Kenya),
P.O. Box 47790-000100,
Nairobi, Kenya.

Our Ref: BLM/FORE/01/21

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31st August 2021.

**PROTEST NOTE: KENYA FISHERMEN ARRESTS AND TRUMPED- UP
CHARGES AT A KANGAROO COURT TRIAL IN TANZANIA**

We the Bunge La Mwanainchi-Social Movement based in Kenya 47 Counties, hereby petition the Tanzania High Commission in Kenya, The River Nile Basin Initiative. The Nile River Basin Commission. The World Bank. The African Development Bank. Nile Council Of Ministers Chairman Hon Simon Chelungui- Cabinet Secretary for Water, Sanitation and irrigation. The Lake Region Economic Block. The Migori Governor- Hon Zachary Okoth Obado. The Kenya Senate- Hon Achillo Ayako. Migori County commandant, Kibiro beach Management Unit Chairman Mr Maulid Joel, Migori County ODM Branch Chairman Phillip Makabongo.

In June 25th this year, Six Kenyan fishermen were arrested and placed under Tanzania Sota Beach Police Post in North Mara District of Tanzania, the government of Tanzania has refused to return the seized fishing gears and boats despite numerous request.

Its uncalled for that six Kenyans arrested are incarcerated in Tanzania Prison yesterday 30th August 2021 were charged on trumped up charges on capital offences granted astronomical charges, similarly other arrests and confiscations have occurred and goes unreported, its estimated that over 400 Kenyan are languishing in either Tanzania and Uganda Prisons in matters related to Lake Victoria.

Kenya becomes a signatory to Cooperative Framework Agreement (CFA) on Nile and Lake Victoria Water resources utilization on May 19, 2010 while its counterpart Tanzania Government ratified the CFA ON March 26, 2015. Treaty was establish as a framework to "promote integrated management, sustainable development, and harmonious utilization of the water resources of the Basin, as well as their conservation and protection for the benefit of present and future generations"

In the spirit of the Lake Victoria being a bridge for unity, the riparian states of the Nile Basin decided to cooperate on the basis of agreement on all the 45 Articles of the CFA. The CFA outlines principles, rights and obligations for cooperative management of Lake Victoria Water.

The Agreement on Nile River Cooperative Framework (CFA) is built upon 14 fundamental principles propounded by the International Law Association the right to equitable but reasonable use is enshrined in Article 5 and Article 6 of the United Nations Convention on the Law of Non-navigational Uses of International Watercourse\ (Convention).

The CFA recognize that simple complicated and complex water networks requires different management approaches, dispute resolution mechanism being among them.

Decisions have consequences, at times, may have far reaching adverse implications due to Imperfect understanding of the problem context. Inherent bias towards Kenyan fishermen and Traders and Investors have been witnessed over the times especially within the East Africa Community partners states, we are hopeful through this petition such will be addressed. It's an open secret that uncertainty decisions were the hallmark issues that led to collapse of East Africa Community back in 1977.

It's on the basis of the doctrine of Community of Interest, for riparian state and citizens can harness or use the waters of the lake in a manner that can significantly not threaten the Water Security of any other nation.

We Demand the Following;

We demand the immediate unconditional release of the six arrested, release of their fishing gears and equipment's.

We demand a public apology, offer a restitution token for all those arrested and wrongfully incarcerated in Tanzania and Uganda on matters related to Lake Victoria fishing.

We demand the East Africa Community to formulate law and policies on Lake Victoria trans-boundary cooperation in utilization of Lake Water by fishermen and community residing with Riparian areas.

Whereas call for The Lake Region Economic Block and International donors through River Nile Basin Fund establish a kitty for welfare of registered fishermen and fisher folks along lake region areas.

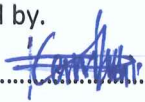
We demand the Kenya Government and Lake Victoria Basin to strengthen Beach Management Units on a model of participatory decision making in collaboration with their counterparts from (Tanzania and Uganda BMU)

Failure to the above intervention within 14 Days Bunge La Mwanainchi Countrywide Chapters will hold a major procession against the Tanzania Government.

WHEREAS, in the course of consideration or failure for the above will heighten Bunge La Mwanainchi push for the review of Nile Water 1929/ 1959 agreement for the full utilization of Lake Victoria Water.

THEREFORE, we anticipate that the Lake Victoria Basin Initiative /commission, the Nile Council Of Ministers will establish an Alternative Dispute Resolution Mechanism Registry/Committee in line with World Bank funding operating procedures.

Signed by.

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Githinji Kamotho-President Bunge La Mwanainchi

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Lawrence Oyugi- National Coordinator-Bunge La Mwanainchi /Activist.0732328351.

George Bush- Citizens Committee

1. H.E.r -President Republic of Tanzania.
Hon SamiaSuluhu.
2. Nile Basin Initiative Secretariat (Nile-SEC)
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4. The River Nile Basin Initiative.
5. The Nile River Basin Commission.
6. Baraza La Taifa
7. The World Bank /The African Development Bank.
- 8.Nile Council Of Ministers Chairman Hon Simon Chelungui- Cabinet Secretary for Water, Sanitation and irrigation.
9. The Lake Region Economic Block.
10. The Migori County Governor- Hon Zachary OkothObado.
11. TheMigori County Senator-Hon Achillo Ayako.
12. The Migori County commandant.
13. Kenya National Human Rights & Gender Commission.
14. Concerned Citizens Alliance.
15. Civil Society Reference Group-Kenya.
16. The Clerk of the National Assembly /Senate.
- 17.Citizens Committee.