

**PETITION BY EVICTEES FROM MARMANET FOREST IN LAIKIPIA COUNTY,  
CONCERNING THEIR COMPENSATION AND RESETTLEMENT**

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Honourable Senators,

1. Pursuant to Standing Orders 226 (1) (a), and 230(2) (b), I hereby report to the Senate that a petition has been submitted, through the Clerk, by representatives of evictees from Marmanet Forest in Laikipia County, concerning their compensation and resettlement.
2. As you are aware, under Article 119(1) of the Constitution, and I quote:-  
*“Every person has a right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation.”*
3. The salient issues raised in the said Petition are as follows:-
  - a) **That**, in 1961, the then Government set aside land in Marmanet Forest in Laikipia and settled the first group of settlers, pending their permanent resettlement which was to take place after independence;
  - b) **That**, following independence in 1963, the group was not resettled elsewhere, and continued residing in Marmanet Forest, where they also built schools, hospitals, cattle dips, places of worship and other social amenities. They were also frequently contracted by the government whereby they planted trees and carried out weeding and pruning of the expansive Marmanet Forest;
  - c) **That**, the government was aware of the existence of these settlers, who numbered about 10,000, and used to set aside land where they could cultivate crops for food to sustain their families, while also helping take care of the Forest;
  - d) **That**, all this changed in the year 1988 when, arising from the heated political situation at the time, the settlers were violently evicted from Marmanet Forest, and have since then never been resettled;
  - e) **That**, subsequently, almost the entire Marmanet Forest was excised and the land allocated to other people who cleared the Forest of its vegetation and converted it to farms; and

PETITION.

FROM: THE 1988 MARMANET FOREST EVICTEES (MAFEA CBO),

267-20300,

NYAHURURU.

3-08- 2018.

TO: THE CLERK OF THE SENATE,

PARLIAMENT BUILDINGS,

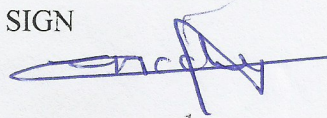
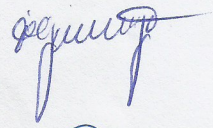
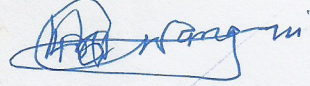
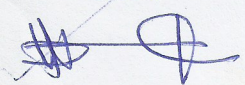
P.O. BOX 41842-00100,

NAIROBI.

Email: [csenate@parliament.go.ke](mailto:csenate@parliament.go.ke)

RE: PETITION TO THE SENATE CONCERNING COMPENSATION, PROVISION OF RELIEF AND RESETTLEMENT OF PERSONS EVICTED FROM MARMANET FOREST IN 1988.

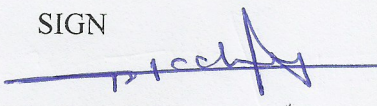
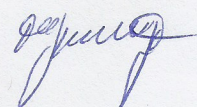
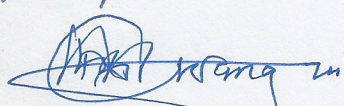
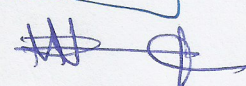
We, the undersigned, citizens of Kenya, and residents of Nyahururu Sub county, and on behalf of the 1988 evictees from the entire Marmanet Forest in Laikipia County ( 1988 forest map) wish to draw the attention of the Senate to our plight and thereafter pray for compensation, relief and resettlement

NAME	ID NO.	CELL NO.	SIGN
1. CHARLES BORO GACHEMA	4673732	0712418729	
2. James Karuki Kagwi	4673729	0725925222	
3. MART WANGI MWANGI	21715558	0725919849	
4. DANIEL WAIRAGU M.	5945313	0721703816	

**RE: PETITION TO THE SENATE CONCERNING COMPENSATION, PROVISION OF RELIEF AND RESETTLEMENT OF PERSONS EVICTED FROM MARMANET FOREST IN 1988.**

We wish to put forward the following;

1. That our fathers were settled in the Marmanet Forest by the Government in 1961 pending resettlement. By 1964, they were fully settled and ready to continue living and working there. These people became the original inhabitants of Marmanet forest. Later on, they got employed either as permanent or casual workers. Others lived there as standby workforce to be recruited during peak seasons like tree planting, pruning and putting out fires. They planted trees which saw the establishment of large forests. The forests became an important economic resource to the Government of Kenya.
  
2. That for all practical purposes, and as long as the then Government delayed their resettlement, Marmanet Forest became the ancestral land of the persons therein and their offspring. We are the descendants of these original inhabitants and therefore consider Marmanet Forest as our ancestral land for we were born, educated and brought up there. Our identity cards attest to that. It is in the Marmanet Forest that we conducted our religious rites of worship, some in churches, others on the hills and yet others in shrines. We enjoyed a high standard and fulfilling social life as we diligently conserved and improved the forest.

NAME	ID NO.	CELL NO.	SIGN
1. CHARLES B. CAHEMA	4673732	0712418729	
2. JAMES KARIUKI KARWI	4673729	0725325272	
3. MART WANGI MWANGI	21715558	0725919849	
4. DANIEL WAIRAGU	M. 5945313	0721703816	

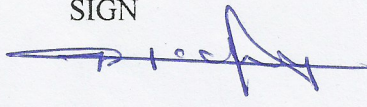
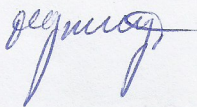
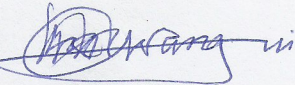

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3.

That these persons, under directions and full knowledge of the Ministry of Environment and Natural Resources established and lived in Shamanek, Gitundaga, Kabati, Ol arabel, Lariak, North Marmanet, South Marmanet and the adjacent Patel Shah Saw Mill Villages.

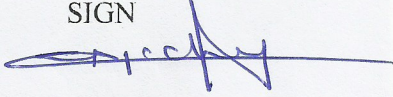
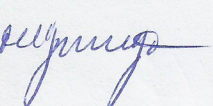
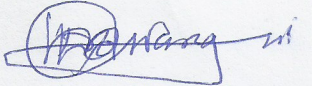
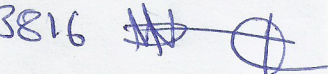
These villages hosted a population of about ten thousand( 10,000) people.

4. That our parents built schools, cattle dips and places of worship through cooperative efforts. These facilities guaranteed rights to education, economic development and religious practice. The Ministry of Environment and Natural Resources apportioned plot to persons living in the forests to cultivate. This ensured that every family got enough food. The persons living in the forest had access to clean piped water. Each village had a dispensary where the sick were treated.
5. That in August 1988, the Government, through the Ministry of Environment and Natural Resources, and the then Provincial Administration evicted all of us, including the persons living with disabilities. We were not informed within sufficient time which made us incur loses in terms of crops and animals. The eviction was forceful enough with threats, destruction of property and harassment by the security agents.

NAME	ID NO	CELL NO.	SIGN
1. CHARLES BOGACHOMA	4673732	0712418729	
2. Simon Kaduki Kagwi	4673729	0725825222	
3. MARY WANGUI TAWANGI	21715558	0725919849	
4. Daniel waragu M.	5945313	0721703816	

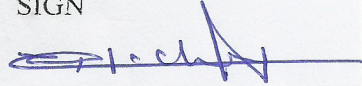
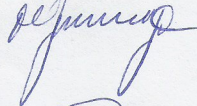
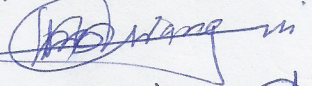
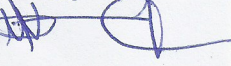
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6. That the notice given was inconsiderate in its timing and the existing political climate. It was given while crops were in the shambas and at a stage where they could not be harvested. The shortness of the notice made it impossible for the evictees to dispose their animals at a fair price. They could not, within the time and space given, move all of their property to safety. The events surrounding the eviction show that the authorities that would have protected us abdicated their role and subjected us to inhuman treatment. Furthermore, due process as required by law was not adhered to which makes the eviction an act of human mistreatment.
7. That although we moved, we did it out of fear of repercussions from Government forces but under much emotional and economic duress. We became, through an action of Government, Internally Displaced Persons. The Government breached the Human and Peoples Rights as in African Charter of which Kenya is a signatory.
8. That those children who sat for their Certificate of Primary Education in the schools located in the forest have challenges in collecting their certificates for some of the schools were demolished and others taken over by other incoming authorities.

NAME	ID NO.	CELL NO.	SIGN
1. CHARLES B. GACHEMA	4673732	0712418729	
2. KIMMESHANIULI KAGWI	4673729	0725825222	
3. MARY. WANGUI MWANGI	21715558	0725919F49	
4. DANIEL WAIRAGU	5945313	0721703816	

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9. That what happened to Marmanet Forest after the eviction shows profound malice. The Marmanet Forest was allocated to other people who cleared both the exotic and indigenous forest cover and left the forest bare. The forest was turned into a settlement scheme. This was done as we watched. We felt discriminated due to our ethnic, economic, social and political backgrounds. The eviction was done at a time when the political arena in this country was filled with chants of **siasa baya, maisha baya**.
10. That from the date of eviction, we have led a life of abject poverty, moving from one place to another looking for hospitable settlement to no avail. Some of us live in rental houses in slums.
11. That our efforts to resolve the issue with the Provincial Administration and local political leaders have never borne fruit.
12. That this matter is not pending in any court of law.
13. That we have presented a similar petition to the National Assembly and the National Lands Commission but have not got any response so far.
14. That we presented a letter of grievances to the Kenya National Commission on Human Rights. The commission has written to the National Lands Commission advising that we be resettled.

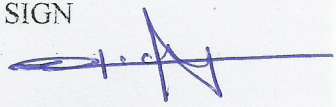
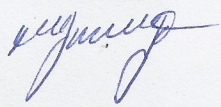
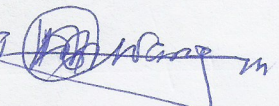
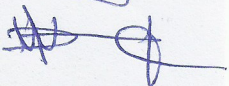
NAME	ID NO.	CELL NO.	SIGN
1. CHARLES B. GACHEMA	4673732	0712418729	
2. GRACE KARUKU KAGWI	4673729	0726325222	
3. MART WANGI DWANGI	21715558	0725919849	
4. DANIEL WANGUM	5945313	0721763816	

**RE: PETITION TO THE SENATE CONCERNING COMPENSATION, PROVISION OF RELIEF AND RESETTLEMENT OF PERSONS EVICTED FROM MARMANET FOREST IN 1988.**

15. That we have presented letters of grievances to County Governor Laikipia, the Senator Laikipia and the Women Rep Laikipia. We have aired our plight to the Member of Parliament Laikipia West, both in writing and a face to face meeting. We have only received verbal acknowledgements.
16. That we have therefore made the best efforts to have these matters addressed by the relevant authorities all of which have failed to give satisfactory response.

WHEREFORE, your humble petitioners pray that the Senate;

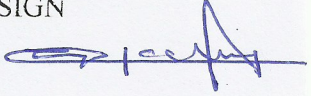
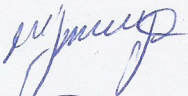
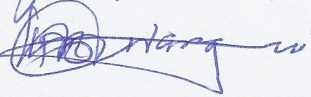
1. Direct that we be resettled by the Government.
2. Direct that we be compensated for the loss of property, livelihood, discrimination and violation of human and children's rights.
3. Direct that we be given relief as is done to Internally Displaced Persons in Kenya.
4. Direct that academic certificates for those who sat for Certificate of Primary Education in the schools located in the forest at the time of eviction be availed to owners.

NAME	ID NO.	CELL NO.	SIGN
1. CHARLES BORIS BACHEMA	4673732	0712418725	
2. James Karuku Karuri	4673729	0725320222	
3. MART WANGI MWANGI	2175558	0725919849	
4. DANIEL WANGI	5945313	0721703816	

**RE: PETITION TO THE SENATE CONCERNING COMPENSATION, PROVISION OF RELIEF AND RESETTLEMENT OF PERSONS EVICTED FROM MARMANET FOREST IN 1988.**

5. Direct that a comprehensive report on the reasons for eviction and subsequent allocation of the forest to other people be availed by the Government.
6. Direct that any other redress as it may deem fit be given to us.

Dated this third day of August 2018.

NAME	ID NO.	CELL NO.	SIGN
CHARLES BORDGACHEMA	4673732	0712418729	
2. James Kamukilaga	4673729	0725825222	
3. MART W. MWANGI	21715558	0725919849	
4. DANIEL WAIRAGU	5945313	0721703816	