

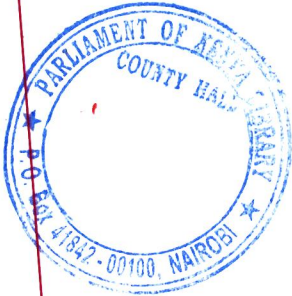
Approved for tabling *BW* *SWA*

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21/3/17

REPUBLIC OF KENYA

Paper Laid
By Hon. Asman Kamama, MP
Chair - DC Administration &
National Security on
Wed, March 22, 2017 (pm)
Mmmw



THE NATIONAL ASSEMBLY



ELEVENTH PARLIAMENT – FIFTH SESSION – 2017

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

REPORT ON THE CONSIDERATION OF A PETITION BY LAIKIPIA TURKANA COUNCIL OF ELDERS REGARDING ALLEGED DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY IN THE ISSUANCE OF NATIONAL IDENTITY CARDS

DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

MARCH, 2017

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ACRONYMS AND ABBREVIATIONS

Hon. Honourable

MP Member of Parliament

Chairperson's Foreword

On 30th March, 2016, a petition was tabled before the House pursuant to Article 119 (1) of the Constitution and Standing Order No. 225 (2) (a) by the Hon Christopher Doye Nakuleu, MP on behalf of Laikipia Turkana Council of Elders regarding alleged discrimination of members of the Turkana Community in the issuance of national identity cards.

In considering the petition the Committee undertook a field visit to Laikipia County and held meetings with the Laikipia County Security Intelligence Committee, the petitioners and the Hon. Christopher Doye Nakuleu MP. The Committee also received written submissions from the Cabinet Secretary, Ministry of Interior and Coordination of National Government.

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee is also thankful to the Cabinet Secretary, Ministry of Interior and Coordination of National Government, the Hon. Christopher Doye Nakuleu MP, the petitioners and the Laikipia County Security Intelligence Committee for the submissions they made.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my pleasant duty to table in the House the Report of the Departmental Committee on Administration and National Security on its consideration of a petition by Laikipia Turkana Council of Elders regarding the alleged discrimination of members of the Turkana Community in the issuance of national identity cards

The Hon. Asman Kamama, MGH, OGW, MP
Chairperson Departmental Committee Administration and National Security

EXECUTIVE SUMMARY

The purpose of this report is to respond to prayers made by Laikipia Turkana Council of Elders in a petition regarding alleged discrimination of members of the Turkana Community in the issuance of national identity cards. The Committee observed that delayed issuance of national identity cards has denied many Kenyans, particularly the youth access to government services, employment as well as access to socio-economic opportunities like Youth Enterprises Fund, Uwezo Fund and the Women Enterprises Fund. The Committee also noted that many applicants with waiting cards waited for a long period of time before they acquired national identity cards. Some of the petitioners were reported to hold of waiting cards dating back to 2010. The Committee further observed that since the Turkana community was only found in Kenya no foreigners of Turkana descent who would fraudulently acquire Kenyan national identity cards.

The Committee recommends that the National Registration Bureau should expeditiously process and issue national identification cards to all eligible persons in the Country by streamlining the production processes and acquisition of modern production technology. The Bureau should also exempt Kenyans with valid birth certificates who are born in non - border Counties from undergoing vetting before been issued with national identity cards.

Further the Government should allocate sufficient funds to the of National Registration Bureau to facilitate the purchase of motor vehicles and recruitment of staff to expedite the registration and issuance of national identification cards to all eligible persons in the Country.

Lastly the Ministry of Interior and Coordination of National Government should review the national identity card vetting regulations to provide for standardization of processes, specific timeliness and ensure that no Kenyan is discriminated in the exercise.

1.0 PREFACE

- On 30th March, 2016, a petition was tabled before the House pursuant to Article 119 (1) of the Constitution and Standing Order No. 225 (2) (a) by the Hon. Christopher Doye Nakuleu, MP on behalf of Laikipia Turkana Council of Elders regarding alleged discrimination of members of the Turkana Community in the issuance of national identity cards;
- The House, pursuant to Standing Order 227, referred the petition to the Departmental Committee on Administration and National Security for preparation of the Report;
- The Committee received the petition on 30th March, 2016 and set out a procedure for its consideration and to report to the House as set out in Standing Order No 227(2).

1.1 Mandate of the Committee

The Departmental Committee on Administration and National Security is established pursuant to the provisions of Standing Order No. 216 (1) and (5) with the following terms of reference:-

- i. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- ii. to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- iii. to study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
- iv. to study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
- v. to investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister;
- vi. study and review all legislation referred to it

1.2 Committee subjects

The Committee is mandated to consider the following subjects:-

- i. National security
- ii. Police services
- iii. Public Administration
- iv. Public Service
- v. Prisons
- vi. Immigration
- vii. Management of natural disasters

1.3 Oversight

In executing its mandate, the Committee oversees the following Government Departments and agencies, namely:-

- i. The Presidency
- ii. The State Department of Interior
- iii. The State Department for Coordination of National Government
- iv. The Public Service Commission,
- v. The National Police Service Commission
- vi. The Independent Police Oversight Authority

1.4 Members of the Committee

Chairperson The Hon. Asman Kamama, MGH, OGW, MP

Vice Chairperson The Hon. Alois M. Lentoimaga, MP

The Hon. Joseph Lekuton, MP

The Hon. Alice Wahome, MP

The Hon. Zakayo K. Cheruiyot, MP

The Hon. Timothy W. Wetangula, MP

The Hon. Patrick Ole Ntutu, MP

The Hon. Ali Isaack Shaaban, MP

The Hon. Samuel Moroto, MP

The Hon. (Dr.) Humphrey Njuguna, MP

The Hon. Francis K. Mwangangi, MP

The Hon. Rashid J. Bedzimba, MP

The Hon. David Gikaria, MP

The Hon. Mohamed Shidiye, MP

The Hon. Jane Machira, MP

The Hon. Ibrahim Abdi Saney, MP

The Hon. Joseph O. Ndiege, MP

The Hon. Wanjiku Muhia, MP

The Hon. Akuja Protus Ewesit, MP

The Hon. Joseph M. Kahangara, MP

The Hon. Ahmed Abdikadir Ore, MP

The Hon. Grace Kiptui, MP

The Hon. George Theuri, MP

The Hon. James Bett, MP

The Hon. Benard Shinali, MP

The Hon Charles Nyamai, MP

The Hon Fatuma Ibrahim Ali, MP

The Hon. (Dr.) Makali Mulu, MP

The Hon Peter Kaluma, MP

The Hon James Opiyo Wandayi, MP

Committee Secretariat

First Clerk Assistant I

Clerk Assistant II

Clerk Assistant III

Legal Counsel II

Research officer III

Fiscal Analyst III

Mr. Leonard Machira

Ms. Rose M. Wanjohi

Ms. Hellen Lokwang

Ms. Christine Odhiambo

Ms. Fiona Musili

Mr. Edison Odhiambo

1.5 Recommendations

1. The National Registration Bureau should expeditiously process and issue national identification cards to the Turkana community in Laikipia and all eligible persons in the Country by streamlining the production processes and acquisition of modern production technology.
2. The Government should allocate sufficient funds to the Registration Bureau to facilitate the purchase of motor vehicles and recruitment of staff to expedite the registration and issuance of national identification cards to all eligible persons in the Country.
3. The Ministry of Interior and Coordination of National Government should review the regulations and policy on issuance of identification documents so as to provide for specific timeliness, standardization of processes in all parts of the Country and ensure justice and fairness in the issuance and distribution of the national identification documents so that no Kenyan feels discriminated in the exercise.
4. The National Registration Bureau should exempt Kenyans with valid birth certificates who are born in non - border Counties such as Laikipia from undergoing vetting before being issued with national identity cards.
5. The Ministry of Interior and Coordination of National Government should engage local elders and chiefs in the verification of citizenship before issuance of national identification documents.
6. The Ministry of Interior and Coordination of National Government should ensure that vetting when used as a security and control mechanism for citizenship is applied to all citizens without bias.

2.0 INTRODUCTION

- 2.1 The petition by Laikipia Turkana Council of Elders regarding alleged discrimination of members of the Turkana Community in the issuance of national identity cards was tabled in the House pursuant to Standing Order 225 (2) (a) by the Hon. Christopher Doye Nakuleu , MP on Wednesday 30th March, 2016.
- 2.2 Pursuant to the House rules, the petition was referred to the Committee on Wednesday 30th March, 2016 for consideration and preparation of a report. The Committee considered the petition pursuant to the provisions of Standing Order 227.
- 2.3 The petitioners wished to draw to the attention of the House to the following, that:-
- i. Article 12 of the Constitution entitles every citizen to equal rights and privileges and benefits of citizenship any document of registration or identification issued by the state;
 - ii. Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person's birth, either the father or mother of the person is a citizen;
 - iii. in spite of the members of Turkana Community in Laikipia County being citizens by birth, the National Government delays issuance of national identification cards through a biased vetting process, contrary to Article 27 of the Constitution that prohibits all forms of discrimination;
 - iv. The delayed issuance of national identity cards had denied the Turkana youth access to government services, employment as well as access to socio-economic opportunities like Youth Enterprises Fund, Uwezo Fund and the Women Enterprises Fund;
 - v. The lengthy vetting process had also disenfranchised the affected citizens and deprived them the enjoyment of rights and fundamental freedoms enshrined in the bill of rights, particularly Article 38 of the Constitution on political rights;
 - vi. Inordinately delaying the processing and issuance of national identification cards to Turkana youth in Laikipia County was breeding unemployment, marginalization and antisocial behavior among the disillusioned youth who cannot access means of economic empowerment;
 - vii. The lengthy vetting process had also disenfranchised the affected members of the Turkana community in Laikipia County and deprived them of their right to full enjoyment of the rights and fundamental freedoms as contained in the bill of rights, particularly political rights enshrined in Article 38 of the Constitution;
 - viii. Controlling registration and inordinately delaying the processing and release of national identification cards belonging to Turkana youth in Laikipia County was breeding unemployment, marginalization and antisocial behavior among the disillusioned Turkana youth who cannot access means of economic empowerment;
 - ix. The efforts by the community to seek redress from relevant offices on the matter have been in vain;
 - x. The issues raised in the petition were not pending in any Court of Law, Constitutional or

legal body.

The petitioners prayed that the National Assembly, through the Departmental Committee on Administration and National Security:-

- i. Investigates the circumstances and reasons for the inordinate delay and protracted vetting process of members of the Turkana community living in Laikipia County before issuance of national identification cards;
- ii. Intervenes with the Cabinet Secretary, Ministry of Interior and Coordination of National Government to forthwith revoke any order(s) authorizing/directing the tedious vetting of the members of the Turkana Community in Laikipia County by the offices responsible for registration of the persons in the County; and
- iii. Ensures that the Directorate of Registration of Persons expeditiously processes and releases all national identification cards belonging to youths of Turkana origin that have been pending for the last three years, and immediately commences mass registration and issuance of national identification cards to all eligible Persons of Turkana ethnicity resident in Laikipia County;
- iv. Makes any other order(s) deemed fit in mitigating the plight of the petitioners.

3.0 EVIDENCE

3.1 Evidence from Hon Christopher Nakuleu, MP

The Honourable Member also informed the Committee that the elaborate vetting process undertaken by the National Registration Bureau before the issuance of identification cards to members Turkana Community in Laikipia County was unnecessary since the County did not border another country. Further members of Turkana community residing in Laikipia County are third or fourth generation and as such had no links to the Turkana Community in other parts of the Country.

He observed that Members Turkana Community residing in Laikipia County were not a security threat to the country therefore it was not necessary for them to undergo an elaborate vetting process before being issued with national identification cards.

He also stated that the perceived political threat posed by the Turkana Community in Laikipia County who were being viewed as challenging the political establishment of the County. Therefore the delay in the issuance of national identification cards would have been used by the political establishment in the area to contain the perceived threat.

The Committee observed that the matter registration and issuance of identification cards was a systemic problem which affected many citizens in the country.

3.2 Evidence by the Laikipia County Security Intelligence Committee

The Committee held a meeting with the Laikipia County Security Intelligence Committee on Wednesday, 28th September 2016 in the County Commissioner's boardroom. Hon. Christopher Nakuleu, MP informed the meeting that subjecting members of the Turkana community living in Laikipia County to rigorous vetting before issuing them with national identity cards was discriminatory and had contributed to many youth being unable to access their economic, political and social rights. He added that the youth would not be able to apply for loans from the youth Fund, the Women Enterprise Fund. The affected youth would also not register as voters and therefore were unable to exercise their political rights through seeking elective positions or electing representatives of their choice. He argued that the situation was tantamount to economic sabotage. He concluded that there was no valid justification for the vetting of applicants from the Turkana Community since the community was only found in Kenya and there were no foreigners of Turkana descent who would fraudulently acquire Kenyan national identity cards.

The County Commissioner explained that the vetting of applicants seeking national identity cards was anchored in law and the exercise is guided by a circular from the Cabinet Secretary Ministry of Interior. He stated that the Registration of Persons Act Cap 107 allows the Director of National Registration to set up identification committees where necessary. The composition, mandate and conduct of the vetting committees are regulated through rules issued by the cabinet secretary from time to time with the latest rules issued in June 2014. He added that applicants

from the Turkana community seeking national identity cards are vetted in all Counties in Kenya and therefore Laikipia County was not an exception.

The County Registration Officer stated that the decisions of the vetting committees are classified into three categories:-

- (i) Approvals – such candidates are registered forthwith and usually make the largest proportion of the output of vetting committees.
- (ii) Deferrals – such candidates are usually required to present themselves again during the following vetting meeting, this is mostly when some aspects of the information they provide is not immediately verifiable. They might for example be required to present a letter from their assistant chief verifying the claims. They are typically approved or referred during the next vetting meeting unless they fail to present themselves.
- (iii) Referrals – such candidates are referred to another County/Sub-County for proper identification. This will typically be unknown persons who have no ties whatsoever to Laikipia and are either passing through or visiting. The elders are unable to identify them.

He further informed the Committee that in the past four years only 98 applications had been referred by the vetting committees due to information gaps. Only 41 of the referred applications were from persons of Turkana origin. Further the office of the County Registrar of person had also approved the issuance of a total of 5872 national identity cards over the past four year. 2351 of the approved applications were from applicants from the Turkana Community.

The Officer further stated that:-

- (i) Identification (vetting) committees were constitutional and anchored in law;
- (ii) Applicants from the Turkana are not only vetted in Laikipia but countrywide. The standards are set centrally and are equally applied nationwide;
- (iii) The vetting exercise was not a lengthy process unless there were gaps in information provided, the committee makes its determination on the spot and where cases are deferred, the cases are usually prioritized during the next vetting meeting unless the concerned individuals fails to turn up;
- (iv) Vetting/ identification committees play a facilitative role and assist the Registration Officer to determine the merits of applications;
- (v) There is no evidence of disenfranchisement of Turkana youth due to lack of identity cards. Registration of Turkana youth for new identity cards had increased from 331 in 2013 to 1052 as at September, 2016. Further the registration had been initiated by the office of the County Registrar of Persons through mobile registration; and
- (vi) That there is no delay in issuance of national identity cards to Turkanas. Any unfortunate delays are usually at the production centre and the delay affected all applicants in the Country.

3.3 Submissions by residents of Ngare Nyiro

The Committee held a public meeting at Ngare Nyiro on Wednesday 28th September, 2016 .During the meeting the residents informed the Committee as follows:-

- i. The Turkana Community settled in Laikipia in the early 1900s most of them worked for colonial settlers at the time. After independence they continued to reside in the County. Some members of the community have bought land in the area while others remained as squatters in the ranches;
- ii. Members of the Community were subjected to a stringent vetting process in order to acquire national identity cards;
- iii. The vetting process was elaborate and slow with referrals taking more than six months to be considered The issuance of national identity cards was also discriminatory as the delay only affected Turkana residents while applicants from others communities reportedly received identity cards on time;
- iv. Cases of issuance of Identity cards of with mismatched photos, incorrect names were rampant;
- v. Applicants with waiting cards waited for a long period of time to acquire national identity cards .Some applicants were reported to hold of waiting cards dating back to 2010;
- vi. Cases of corruption were rampant in the Laikipia Registration of Persons office with the residents reportedly paying Kshs. 300 as bribes during the vetting exercise; and
- vii. The Turkana youth experienced enormous challenges due to lack of identity cards that included inability to access employment opportunities, opening of bank accounts, ownership of property, access loans from the Higher Education Loans Board, access bursaries from the County, register for Mpesa services, opportunities to study abroad.

3.4 Submissions by Rumuriti Residents

The Committee held a public meeting at Rumuruti Catholic Church Hall on Thursday 29th September ,2016 .During the meeting the residents informed the Committee as follows

- i. The Turkana Community settled in Laikipia in 1900s as workers in the colonial settlers ranches. After independence there remained in the County as squatters or continued working in the ranches;
- ii. Members of the Turkana Community started being vetted in 2009;
- iii. The vetting process was elaborate and slow with referrals taking more than six months to be considered The issuance of national identity cards was also discriminatory as the delay only affected Turkana residents while applicants from others communities reportedly received identity cards on time;
- iv. Cases of issuance of Identity cards of with mismatched photos, incorrect names were rampant;

- v. Applicants with waiting cards waited for a long period of time to acquire national identity cards .Some applicants were reported to hold of waiting cards dating back to 2010;
- vi. Cases of corruption were rampant in the Laikipia Registration of Persons office with the residents reportedly paying Kshs. 300 as bribes during the vetting exercise;
- vii. Voter registration among the Turkana community in Laikipia West Sub - County was low due to delayed issuance of national identity cards. Therefore limiting access to political rights;
- viii. Members of the vetting panels in the Sub County do not speak Turkana language and cannot therefore communicate effectively with elderly persons from the community seeking national identity cards;
- ix. The vetting process had no legal basis as the government had not availed the circular authorizing the vetting of members of the Turkana Community before they are issued with national identity cards;
- x. Lack of national identity card had perpetuated poverty among successive generations of members of the Turkana Community in Laikipia as they continued to work in the white own ranchers and could not access employment outside the County;
- xi. Member of the Turkana Community faced challenges in succession of deceased persons estate particularly shares in land buying companies due to lack of identification documents. Leading to loss of inheritance;
- xii. The Turkana youth experienced enormous challenges due to lack of identity cards that included inability to access employment opportunities, opening of bank accounts, access university education ownership of property, access loans from the Higher Education Loans Board , access bursaries from the County, register for Mpesa services, opportunities to study abroad .

3.5 Submissions by the Cabinet Secretary, Ministry of Interior and Coordination of National Government

The Cabinet Secretary, Ministry of Interior and Coordination of National Government in written submissions submitted to the Committee dated Monday 3rd October, 2016 stated as follows, that:-

- i. Article 12 (1) (b) of the Constitution confers citizens the right to a Kenyan passport and any document or identification issued by the state to citizens. Further Article 18(g) gives Parliament the power to enact legislation to give effect to the provisions of the chapter;
- ii. Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person's birth, either the father or mother of the person is a citizen;
- iii. The Ministry was not aware of any discrimination against members of the Turkana community in the issuance of identity cards in Laikipia County. Further the Turkana Community is not the only community that is subjected to vetting during the

- application of national identity cards in Laikipia County. Other communities that are vetted include the Maasai, Somali, Borana Luo and Luyha;
- iv. Vetting of applicants hailing from the above mentioned communities is necessitated by the fact that they hail from border areas. It is not therefore prudent to refer them back to their home counties for positive identification before they are registered;
 - v. The Ministry was also not aware of any delays in the issuance of identity cards as applications were processed as they are received on a first in - first out basis and there was no backlog of applications at the card production centre;
 - vi. That the vetting process is not lengthy and had not disenfranchised the affected citizens and deprived them the enjoyment of rights and fundamental freedoms enshrined in the Bill of Rights, particularly as provided for in Article 38 of the Constitution on political rights. This is based on the fact that the vetting meetings are held regularly and are simple one – stop process for the positive identification of applicants by vetting elders; and
 - vii. The vetting of applicants seeking national identity cards is undertaken in all cosmopolitan, settlement and border areas where identification of eligible applicants is hampered by the presence of foreign nationals who have a tendency of posing as Kenyans in order to obtain Kenyan identity cards.

4.0 COMMITTEE OBSERVATIONS

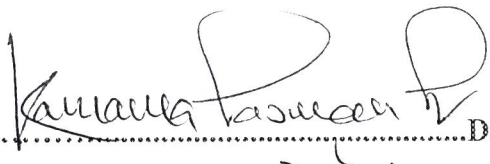
The Committee made the following observations from evidence adduced in the meetings, that:-

1. Article 12 (1) (b) of the Constitution confers citizens the right to a Kenyan passport and any document or identification issued by the state to citizens. Further Article 18(g) gives Parliament the power to enact legislation to give effect to the provisions of the chapter;
2. Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person's birth; either the father or mother of the person is a citizen;
3. Delayed issuance of national identity cards has denied many Kenyans, particularly the youth access to government services, employment as well as access to socio-economic opportunities like the Youth Enterprises Fund, Uwezo Fund and the Women Enterprises Fund;
4. The vetting for issuance of identification documents when used for security reasons should be subjected to all Kenyans. In such instances government should use local elders and chiefs who know the applicants;
5. There is need for justice and fairness to all in the issuance of identification documents;
6. Many applicants with waiting cards waited for a long period of time to acquire national identity cards .Some of the petitioners were reported to be holding waiting cards dating back to 2010;
7. The Government has a responsibility of ensuring that all genuine Kenyan applicants are promptly issued with identity cards;
8. Since the Turkana community was only found in Kenya and therefore no foreigners of Turkana descent who would fraudulently acquire Kenyan national identity cards;
9. In situations where vetting is applied to a section of the community it breeds a feeling of discrimination and ends up not achieving its intended purpose and instead divides Kenyans; and
10. There is need to streamline and standardize the policy on issuance of identification documents so as to facilitate and not restrict access to identification documents which is a constitutional right.

5.0 COMMITTEE RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

1. The National Registration Bureau should expeditiously process and issue national identification cards to the Turkana community in Laikipia and all eligible persons in the Country by streamlining the production processes and acquisition of modern production technology;
2. The Government should allocate sufficient funds to the Registration Bureau to facilitate the purchase of motor vehicles and recruitment of staff to expedite the registration and issuance of national identification cards to all eligible persons in the Country;
3. The Ministry of Interior and Coordination of National Government should review the regulations and policy on issuance of identification documents so as to provide for specific timeliness, standardization of processes in all parts of the Country and ensure justice and fairness in the issuance and distribution of the national identification documents so that no Kenyan feels discriminated in the exercise;
4. The National Registration Bureau should exempt Kenyans with valid birth certificates who are born in non - border Counties such as Laikipia from undergoing vetting before being issued with national identity cards;
5. The Ministry of Interior and Coordination of National Government should engage local elders and chiefs in the verification of citizenship before issuance of national identification documents; and
6. The Ministry of Interior and Coordination of National Government should ensure that vetting when used as a security and control mechanism for citizenship is applied to all citizens without bias.

Signed..........Date..... 21 / 03 / 2017

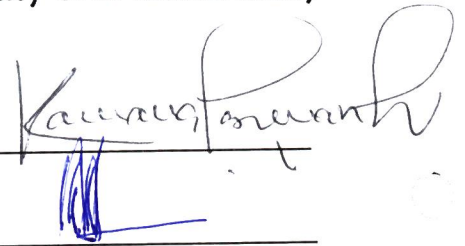
Hon. Asman Kamama, MGH, OGW, MP
Chairman, Departmental Committee on Administration and National Security

APPENDIX 1

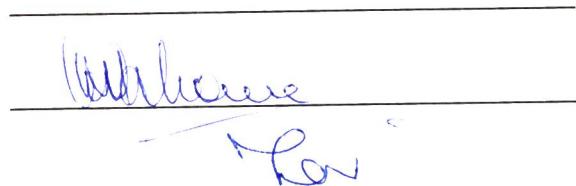
ADOPTION LIST

We, Members of the Departmental Committee on Administration and National Security have pursuant to Standing Order 227(2) adopted this report on the consideration of a Petition by Laikipia Turkana Council of Elders regarding alleged discrimination of members of the Turkana Community in the issuance of national identity cards and affix our signatures to confirm our approval and confirm its accuracy, validity and authenticity on as per the attached adoption list.

1. The Hon. Asman Kamama, MGH, OGW, MP – Chairperson



2. The Hon. Alois M. Lentoimaga, MP- Vice Chairperson



3. The Hon. Joseph Lekuton, MP

4. The Hon. Alice Wahome, MP

5. The Hon. Zakayo K. Cheruiyot, MP

6. The Hon. Timothy W. Wetangula, MP

7. The Hon. Patrick Ole Ntutu, MP

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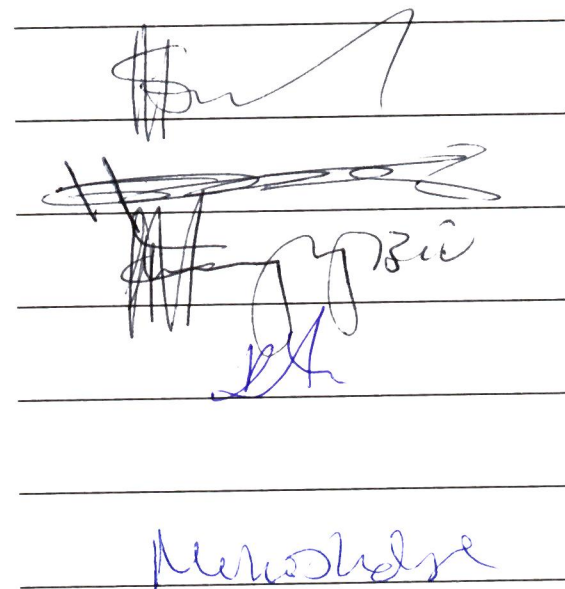
10. The Hon. (Dr.) Humphrey Njuguna, MP

11. The Hon. Francis K. Mwangangi, MP

12. The Hon. Rashid J. Bedzimba, MP

13. The Hon. David Gikaria, MP

14. The Hon. Mohamed Shidiye, MP



15. The Hon. Jane Machira, MP

16. The Hon. Charles Nyamai, MP

17. The Hon. Joseph O. Ndiege, MP

18. The Hon. Wanjiku Muhia, MP

19. The Hon. Akuja Protus Ewesit, MP

20. The Hon. Joseph M. Kahangara, MP

21. The Hon. Ibrahim Saney, MP

22. The Hon. Grace Kiptui, MP

23. The Hon. George Theuri, MP

24. The Hon. James Bett, MP

25. The Hon. Benard Shinali, MP

26. The Hon. Fatuma Ibrahim Ali

27. The Hon. (Dr.) Makali Mulu, MP

28. The Hon. Peter Kaluma, MP

29. The Hon. James Opiyo Wandayi, MP

APPENDIX II

COPY OF PETITION

Approved
30/3/16
SNA



THE NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT – FOURTH SESSION
PUBLIC PETITION

BY THE LAIKIPIA TURKANA COUNCIL OF ELDERS REGARDING ALLEGED
DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY
IN THE ISSUANCE OF NATIONAL IDENTITY CARDS
IN LAIKIPIA COUNTY

I, the **UNDERSIGNED**, on behalf of **LAIKIPIA TURKANA COUNCIL OF ELDERS** and the entire Turkana Community resident in Laikipia County;

DRAW the attention of the House to the following:-

1. **THAT**, Article 12 of the Constitution entitles every citizen to equal rights, privileges and benefits of citizenship including any document of registration or identification issued by the state;
2. **THAT**, Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person's birth, either the father or mother of the person is a citizen;
3. **THAT**, in spite of members of the Turkana Community in Laikipia County being citizens by birth, the National Government delays issuance of national identification cards through a biased vetting process, contrary to Article 27 of the Constitution that prohibits all forms of discrimination;
4. **THAT**, the delayed issuance of national identity cards has denied the Turkana youth access to government services, employment as well as access to socio-economic opportunities like Youth Enterprise Fund, Uwezo Fund and the Women Enterprise Fund;
5. **THAT**, the lengthy vetting process has also disenfranchised the affected citizens and deprived them the enjoyment of rights and fundamental freedoms enshrined in the bill of rights, particularly Article 38 of the Constitution on political rights;
6. **FURTHER THAT**, inordinately delaying the processing and issuance of national identification cards to Turkana youth in Laikipia County is breeding unemployment, marginalisation and anti-social behavior among the disillusioned youth who cannot access means of economic empowerment;

PUBLIC PETITION

PUBLIC PETITION

**BY THE LAIKIPIA TURKANA COUNCIL OF ELDERS REGARDING ALLEGED
DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY
IN THE ISSUANCE OF NATIONAL IDENTITY CARDS
IN LAIKIPIA COUNTY**

7. **THAT**, the lengthy vetting process has also disenfranchised the affected members of the Turkana community in Laikipia County and deprived them of their right to full enjoyment of the rights and fundamental freedoms as contained in the bill of rights, particularly political rights enshrined in Article 38 of the Constitution;
8. **FURTHER THAT**, controlling registration and inordinately delaying the processing and release of national identification cards belonging to Turkana youth in Laikipia County is breeding unemployment, marginalisation and anti-social behavior among the disillusioned Turkana youth who cannot access means of economic empowerment;
9. **THAT**, the efforts by the community to seek redress from relevant offices on the matter have been in vain;
10. **AND FURTHER AVERRING** that the issues raised in this petition are not pending in any Court of Law, Constitutional or legal body.

THEREFORE your humble petitioners pray that the National Assembly, through the Departmental Committee on Administration and National Security:-

1. Investigates the circumstances and reasons for the inordinate delay and protracted vetting process of members of the Turkana community living in Laikipia County before issuance of national identification cards;
2. Intervenes with the Cabinet Secretary, Ministry of Interior and Coordination of National Government to forthwith revoke any order(s) authorizing/directing the tedious vetting of the members of the Turkana community in Laikipia County by the offices responsible for registration of persons in the County; and
3. Ensures that the Directorate of Registration of Persons expeditiously processes and releases all national identification cards belonging to youths of Turkana origin that have been pending for the last three years, and immediately commences mass registration and issuance of national identification cards to all eligible Persons of Turkana ethnicity resident in Laikipia County;
4. Makes any other order(s) deemed fit in mitigating the plight of the Petitioners.

And your humble **PETITIONERS** will ever pray.

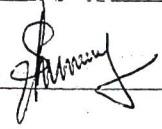
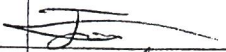




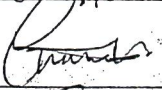


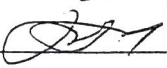




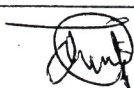
PRESENTED BY

HON. CHRISTOPHER DOYE NAKULEU, MP
MEMBER FOR TURKANA NORTH CONSTITUENCY

Date:

Date - 30/03/2016

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
STEPHEN LONYAIT ARI	24124943	
JAMES LOBOT Lotaba	24202278	
RICHARD N KONGA	11652074	
Josephus Ekarbor WAKUA	20258417	
LOWEL W. NARCY	28731887	
LOPULERT LOKIT DANIEL	20412885	
George Mwangi Ebum	30932476	
PAULINE NGAUNY EPORON	13045717	
John mpayen Lepyo2	280110210	
Peter Eteleji Asju	33316063	
JAMES EHPETOT	23995549	
John ATAMA MPAYEN	26985590	
JOSEPH KAMALS LOKOPE	28400525	
JOSEPH LONYAIT LOBEI	22125109	
JOHAN LOXYAP'A LOBAA	28402966	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE
OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA
COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
Joseph MURU NAWO	21371022	JMS
James Enan Lodenjo	29022905	JMS
Johnson YENO	1165208	JMS
Samuel URUMU UGWAM	4269769	JMS
Buncan Longiro Lomai	23325937	JMS
James Lokitari Lodinga	2458 24775844	JMS
FRANCIS EKURU ADIKE	14560935	JMS
Pauline Mapejo Lotiten	31578242	JMS
Peter Amodoi Locho	27287655	JMS
FRANGAE NAWIANGUR	9533517	JMS
Akai ERKWALE LOMARIKARO	24425317	JMS
WILLIAM LOKWAM KILION	25097027	JMS
JOSEPH LONYE KAMAROO	24395475	JMS
JOSPHINE AYAPAR	2574909	JMS
James EKURU LOROO	28533245	JMS

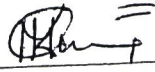

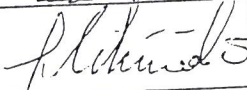
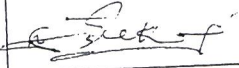
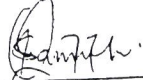
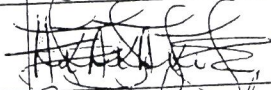
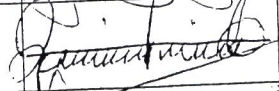



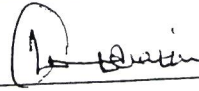
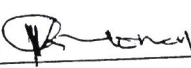
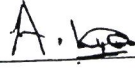
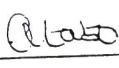

PUBLIC PETITION

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY


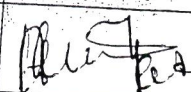





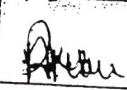
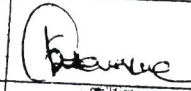


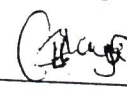

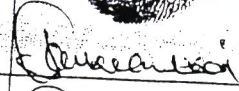

CONTACT PERSON
 WILSON RE. 201 - 0721486989
 (Chair Laikipia Turkana Council)

Name	ID. No./Reference No.	Signature
WILSON REMOI	5952841	
JEREMIAH NANEI	12975656	
SAMUEL LOPETET	28560307	
JOHN KALEI	22013476	
WILFRED RYBWA	11260762	
ELIMO K. ARENGIMO	4344802	
JOSEPH E. EWET	5952530	
FRANCIS ACHUKA LONHOKI	11508398	
JAMES K. ALPERI	23153981	
JOHN ELINLOI EWET	Reference no 18/3/2013	
JOSEPH LORATOO AULE	22675305	
DANIEL WAETUCHU	0084531	
STEPHEN K. LOCHOKI	20502414	
MICHAEL REMOI	24943119	
DAUDI KALO	28930350	





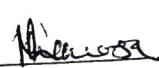
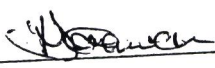

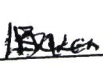
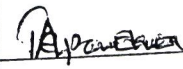



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 COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
PETER LULE LEMOI	13134235	
NEEMA LOUM LOTABA	23148113	
LOCHIMIDI J. ESOKON	24292826	
LOTUKOI LOTOME	1374344	
SAMUEL N. LODURGA	30323100	
AUKO FRANCIS LOTUNYENY	22074341	
REV. JAMES JOCKE SAMMAL	9842654	
Eng. John Ekale ARUMA	A2036973	
ELIZABETH ACHUKA LEMULLA	6699481	
MARGARET KODI IREGAM	24848981	
NGATHIGE LUNGEYA	4206216	
KALETHOI KANYAMUN	11120923	
ALICE LOKORODI	5501232	
AGNES ATABO		
EWALAN APROT	22629371	

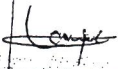
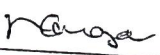




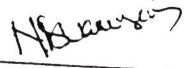

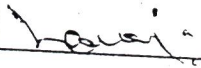

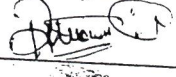

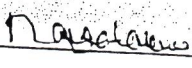
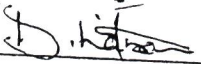
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Name	ID. No./Reference No.	Signature
LOSUKE LURIENTAMUNAM	4545461	
MARGARET APROT EKWE	9008276	
BEATRICE ASOKON EKIPINENOR	13449164	
JOSEPH KUNUCHAN LOTABA	20992878	
LOTABA IMMAU	0293336	
CONSOLATA MURUNGUE KALBE	20958076	
PAULINA MANGIRO LOSOKAI	23999191	
ROSE AKWAM NAMAKAI	25097055	
SIEPITA LOYA ELEGIAE	20463618	
LOTIPANAN NGICHACHA	4193518	
JAMES LOCHORIANO TIUAE	23599627	
GILBERT ALEYO ETIANGI	14673083	
EKWAMU ASHUKA	5983169	
JOSEPH EKWAM EKAI	2314783	
JACUSEN ESALAKE	26447889	

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Name	ID. No./Reference No.	Signature
EKIAL EMATHE	21762158	
NGRAMURA LOTIN	13045813	
NANGIRO LOOTE	4196345	
SIMON KITIA KOKALA	11652729	S. M. Kitia
ESTHER KONGOR LOURIN	20598080	
LOWASA BWOL	0291709	
ROSE LOWASA	22573185	Rose
PETER NGASIKE	22792436	P. M. Ngasike
JANE NAETHUCH LUKUAWI	20939342	
AKIRU ALOKOL	4356304	
MICHAEL ESOKON	5169317	
AKATADAN EKUTANI	21380712	
PAULINA EVANAE	20056826	
EKWAMU ENGOLE	6698766	
JOHN EBETETI	20607580	

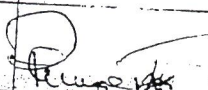

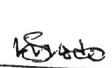


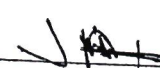
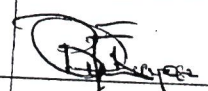
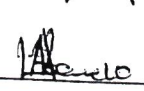


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Name	ID. No./Reference No.	Signature
EKIRO LOMITURI	20779677	
MARGARET NAMANGA	10316316	
AKWAM EWOI	4350715	
EWOI NADATILO	3046543	
NGODIEN EMANI	2569745	
SAMUELA LOSMA NGOTDI	20654774	
TROFOSA LOMOKODI LAKURAU	23811232	
NDUKUYA LAKANBA	2317664	
CHRISTINE MEMEN	20143970	
JOSEPH LOUOI ETGE	23748300	
EMURIA EWOI	11456835	
SAMUEL RAMURI	11068763	
JOHN LOLIMA KARIBOK	8642916	
JANE NAKALAWO CHUREL	9452429	
DANIEL EMURIA LABANI	26552971	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE
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COMMUNITY IN LAIKIPIA COUNTY

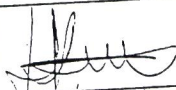
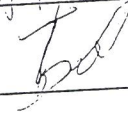



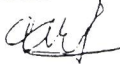

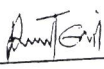
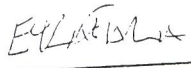
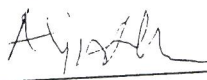



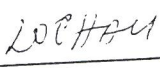

Name	ID. No./Reference No.	Signature
Elupe Apili	10316375	PILI
Mary Akai	26412207	Kai
Teresa Ngasre	4264021	Ngasre
Peter Edung	13131642	Peter
Esther Ntome	10512566	ESL
Paul Louyeit	9289786	Can
Joseph Edome	30050553	J.
Joseph Lokopoti	11120875	WAB
Esther Ekitela	13531652	Esther
Sarah Nwari	26431677 28927526	Daria
Mary Ekani	28927526	Ekani
Agnes Ekani	21527447	Agnes
Rebecca Akulam	26623105	Rebecca
Mary Achuko	26431641	Mary
Beatrice Lojove	28110112	Lojove

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
Rose Acitela	31144135	
Moses Ndege Eripou	26746097	MOSES
ESTHER AMONI		
SUSAN KARIET MOBO	20347847	
VERONICA TUNGA	2772690	V. Tungu
AGNES NARUMBE	344268	
GLADYS ALAIN NANOK	30792113	
JANET AKAI	20014135	
MARGARET WANGU	23103463	Margaret
BENEDICTE LOBETA	27829951	
ELIZABETH A. LOMBO	10316935	
FRANCIS LOBOCHU	25550637	
EKAI LONGOL	9288299	Longol
PETER KIVONGUA EWOI	20046507	
MARGARET IREGEAI	23076319	Margaret

PUBLIC PETITION

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
LUKAS EPOKE BOKOL	28125967	
JAMES LOPEYOK	30322811	
ROBERT LONKOLE	24547164	
JOSEPH NHABILE	23601290	
PETER G. LONYILO	23153976	
MOSES ELIAT	23155470	
NEWER MILTER MATINHA	33475210	
ROBERT EDOT NAPIET	14561290	
ELIGIALA T. ANHATAKINII	16102866	
EARNMRE A. MAMMA	5170429	
SIMON ETUREN TOKANA	11418465	
JOHN EBUKUO MERINYA	7002109	
ESTHER AKLOT	3843991	
ROCHUA LOBOI LOKORAT	4355799	
EWOI ESIMA ESOKOL	4344725	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
1. LOMELO MOSES ERAGO	33599305	
2. ANGILOI SOLOMON LOKUI	30942996	
3. EREGAE JACKSON NARUMBE		
4. BISHAR HASAN ABAI		
5. SUSAN LOMALO LOTWAI	5168535	
6. JENEFFER LOBOCHE LONGEDE	25024273	
7. ZAINABI NINGOR TUWAI	30644414	
8. CHRISTINE ATELEJ	30147596	
9. ELIZABETH ETAMBO	27109225	
10. CHRISTOPHER EGIAZAN NEMO	3041720	
11. PAULINE LOKIPI	9842652	
12. CILIA ACHILA	25051249	
13. MAGDALENE NACHATU	26474544	
14. REBECCA NTOYE	26586519	
15. ELIZABETH AKAI	7873632	
16. MONICA RAMVAM	21091342	
17. LOBOLE EREGAE	22711071	
18. AKENO LOMUIEN	6587362	
19. ECHWA ETMBA	12974283	

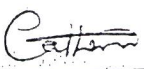
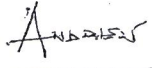

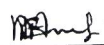



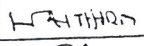


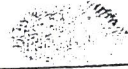




PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE
OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA
COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
EWICE TIKURU	31521442	
LOMURIA AKOMWA	22977877	
LOKEUN LOMERINTUKO KEKAMAI	30075045	
LAATA LEMULI	31691320	
REBECCA NAIMAT LOHALAW	30178326	
PAULINE AKATORIT	31338385	Pauline
MARY NABU LODIKETA	20892419	MARY
LUKAWA LELEWE	32340331	
PAULINE ATIKURU ELTO	30912892	Pauline
MAINA MICHAEL MURATI	31224614	MAINA
EMILY JEPKORIR MUTAI	22322952	Emily
DORIS LEKUYA	31691164	
JOSEPH ALEPER LEKUPARE	30912904	Joseph
FLORENCE LANGIRU MUNJAMBO	6621827	Florence
PAULINE NABILAE ONTO	31134780	




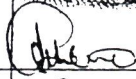


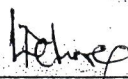




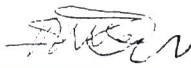

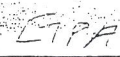

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
SIMON LUTUREN ESUTAN	30457605	
JELINTA WAMBURI WAMBURI	26946257	JELINTA
LINA LEDUNGICKICK	31448333	
MARY NYIKARI MUKARA	31245818	
ELIJA KALGAI	28551029	
CHEMONG'WE TUTICK CHEMILIL	5171170	
JAMES MUKURU ATURAKIRU	27896432	
JEREMY LORET LORIAN	7964921	
JOSEPHINE AKIRU	3134792	
EKIRU ELWI FBEI	3280179	
FRANCO LOIKE ENGAN	4350693	
JOHN KASHOLT	4198896	
PURITY CHEMNGETICH KIRCHOLE	29274743	
PATELI NOMARA LECHOE	31223308	
SEENA NYUREI EREGAI	29030965	





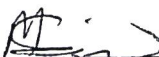





PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE
 OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA
 COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
CATHERINE LETING	22217817	
ANDREW LORINTO	28280113	
GEORGE LOKURUDI	24744789	
REGINA EROPE LORET	22958472	
NANJAIT YOKIYO	13046649	
JOSEPH ERELAI	31144053	
JOSEPHINE AKIRO	31134792	
MARY WATHIGA GACHAGA	13531444	
SAMUEL TELEJA CHEPTI	10316488	
NALOTWESHA LELEHE	31260390	
IBRAHIM EDUNI EDAPAL	26170668	
LUKANO LELEHE	32340331	
STEPHEN WARUI GICHAMBO	10245703	
CECILIA WANGECHI MATHENGE	32575839	
MARGARET EMODJEN LUKWALE	31223399	


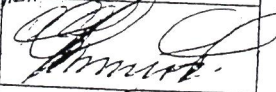


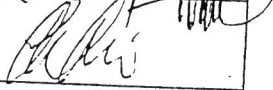

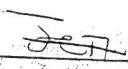



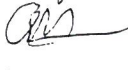
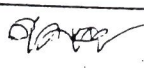
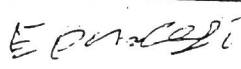
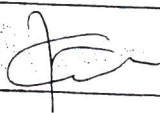

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
AGES AGUMAH	9052344	
JOSEPH LOBOSITZ	31077691	
CECILIA NUTUKAI	2052347	
MICHAEL EKAI EKENO	28835173	
THOMAS E. ALUNYEL	2237788	
TERESA NIAPAKIRO HELIO	9052787	
NATROK LENGIES	21138396	
AIWA MUSHO	22785994	
PETER EPOKOR EMMATHA	23108421	
FRANCIS ENGORUA LOBUEON	28078097	
SUSAN AKI GELAT LAKAT	30419580/R NO S no 2374092971	
JULIUS ARING LOTINI	ID SERIAL NO 2346828403 - 2014	
BENSON LOTIM LOKITOG	SERIAL NO: 228740121 DATE - 12-10-2011	
JACKSON EKENO ETIPA	SERIAL NO - 2386192742 DATE - 15-8-2015	
JAMES KENLU NAIROYON	SERIAL - 2374095040 DATE - 25-4-2015	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
SIMON ALEGE LOKULUNYEI	14561493	
SAMUEL LOSHOP LOCITOM	28189427	
JOSEPH LOKINDARI LOKITERA	23401303	
PAUL LOCHAYO ETHURUAN	26113281	
MARY SAMNABA	9532142	
IBEYO LOKITALA	3047360	
JANE MAMMANIKO	23848072	
ESTHER ADENLIM	20553209	
ALINCS EUR	40561179	
LEDA E RUKTA	595386	LEDAN
ETIINS LOCHWA	4198785	

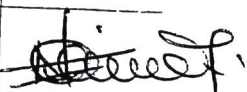





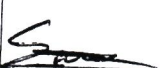
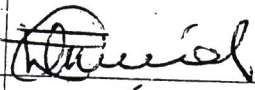


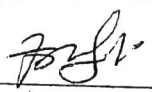



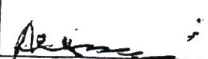
PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
PETER LOSU	24656827	
ERNEST E. JUYU LUCHUMU	4342540	
MARSHON A. GABRIEL	13044031	
JOSEPH K. EPUYO	9854396	
STEPHEN-L. EDUWC	16561197	
PAULINE NAPUTH GILARAN	23842512	
JUSTIFFOR EDIKE LUNGIDO	31941065	
Pauline Napeijo lotiten	31518242	
Elizabeth Kamais	3137412	
JOSEPH L. ENYIA	25378479	
LODOPUNWA ELOTO	21526732	
Alakoret N. Ukalala	20680021 208	
DAVID EPURU LONJANGA	2221 5960798	
EVANS LONGAR	26437578	
AKITALA ALORTIT	0292584	





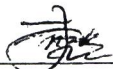


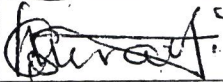


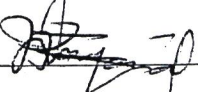
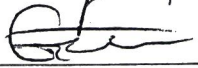


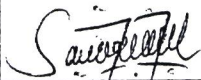
PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
1. MARGARET ^{KIAMA} NARUNYE	28271787	Signature
2. MONICAH BANRAM	21091344	Signature
3. MART NASUSUI EBENTO	21788626	Signature
4. LOPEYOK ^{Clm lin}	21772433	Signature
Signature Signature	3033654949	Signature
Signature Signature	6536465	Signature
MCELAE EKITON	4196252	Signature
NAMEJU ATANYARIA	4207671	Signature
LOKORO ^{ETAPAH} LOTANYANGORIA	4206494	Signature
MARCRETE NATELENG	26431597	Signature
AKIONA ^{AKATEU}	4207569	Signature
THAUT AMENE	4207959	Signature
LODIO ALPER	9532771	Signature
EBURUN ERITH	20101581	Signature
Signature Signature	1756373	Signature

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY



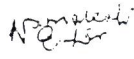


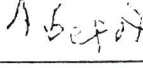
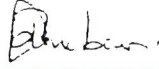
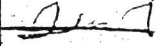

Name	ID. No./Reference No.	Signature
DAVID NGIMAI LOMURIA	27193773	
SIMON TOPOT EKWAN	27562075	
James Adangi Esungu	20128179	
PETER ERENG	27238499	
SIMON MOKORO	28968786	
PETER EKAI	24308727	
JOSEPH ERIPON EKENO	31337885	
EMMANUEL EKOROR LOCHAROR	11418853	
JAMES ANARA EYANAR	27330283	
LIMAI LOMITO	25553772	
THOMAS LOPUROT	20429397	
SAMSON MARTI	2340056	
JULIUS NG'OLE	26466112	
LAMUNA JOHN	28136413	
AVANQAI LOKIDONGOT	0874995	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
PAULINE ERUPE	28 96 77 80	
Alice MUGURE EKATO	233771665 2771549	
NORECH. GATUMWA RUKURUJA RUKURUJA GATUMWA RUKURUJA	33239555	
FAITH KAIRAT LOKENYI	24678910	
JANIS M. NAIKISI	13531125	
JOSEPH ERUPE LOKOLONYA	12935004	
JOSEPH ADONG NAKASHI	26840698	
STEPHEN CHELELI MURARE	20182298	
KAVIALAZE ALENYO	9744029	
ESTHER ALENYO LODAN	4356759	
PETER EDUNG	13531672	
GLADYS AKENU	31123030	
ELIZABETH -A. EYANAE	25550345	
JANE AKIRU	22129454	
EPUR SAMUEL EIRIA	31858595	

Peter Later 9844185 Peter



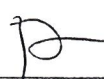
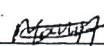



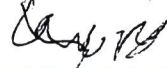

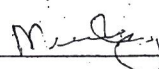
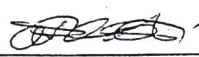




PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
SAMUEL LOPEYOCK BETHAN	30792047	
AGNES ENGROS KADOKI	13132837	AGNES
CHARITY LOKITANO KERIO	30104369	
CHRISTINE ALTI EROKA	32120608	
ESTHER NAMAKAT	31697295	
JOHN NUKET LEMENTA	30228166	
JAMES LOOBY ELIMLIN	31214810	
FRANCIS EDUWA LOKUWE	28943404	
DORIS AKURERE	29726567	
JOSEPH LORIM KARELI	31459343	
SAMUEL LOKWANGI EROT	30482384	
ABEYOT EDAL	1357650	
MUBARAK KIPROTICH BARUT	28991171	
HANNAH WALIETHI MUNGAI	13132745	
EUNICE WALJIRU MACHARI	29115684	

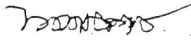




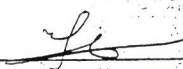

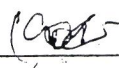

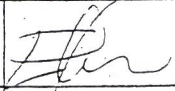
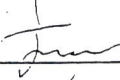




PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE
OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA
COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
Susan Achuka John Achuka Nadulcan	25242323	
JAMES EKURU	22619026	
JOSEPH LOPURUDI	10512543	
JOHN NGIUNO	10.11314659	
DAVID LOBUN	11121451	
JOHN NAKENY	11507317	JOHN
JOHN NAKENY	30389186	
SARA NAKAI	28927526	S
LOCHUCH AKONYA SHWEL	25033326	
Emuran Lengunya	22338140	
Joseph Aruato	0288360	
LOKITAE NABALY	0858851	LOKITAE
GREGORY ELWET	13868141	
JOHN BOSCO ERUA	7964669	
JAMES LOWASA	9855996	




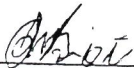
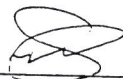
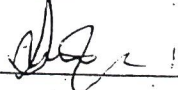
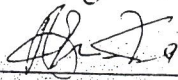



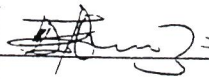




PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
Lukas Ekiru Ewoi	31374702	
Peter Kone Mitika	26748224	
Peter Londung Lotome	23847056	
MARY ALIX	9452428	
Francis Ekiru Erongar	30389179	
John Itwoki Ekiru	30389189	
John Nuru Leakie	28278587	
Joshua Ewoi homuna	27854728	
RICHARD LONDUNGA EPRUI	28532834	
MARGARET AKIRU	3381297	
Moses Kamusia Alolki	26665061	
Joseph Amphry Lobacha	23433714	
Mary Akwyi	26333173 2617333	
Peter Eluoto Orongar	29029347	
LONGOLE EMOJO	7158448	






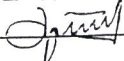


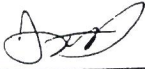
PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
Lopayok Letukurye	7964391	
Ismael Apolo Leongor	25745862	
Lopezok E Tom	30520205	
Lochirego INGirio	4356701	
Grace Arurye	13151198	
Francis Ekale	30716315	
PETER ECHUKAT Mjprgn	21595656	
Francis Oyengon	20182719	
MOSES EKALE	32324390	
EKIBU Lillwezi	13449194	
Joseph Nakurka	14561470	
Francis Pihati	29333458	
DAVID Lokuranc	24454512	
Simon Londeng Likono	21245043	
ANNA KAMAI	25-999888	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
Francis Nalung Kopur	28403368	
Losinyoni Ewoni	20988529	
Simon Greggae	30064269	
Ali Wario Lotunyena	5501689	
Simon AKOTA	31989700	
JOHN EADUNG ERENG	21000357	
Joseph Dehika Buall	9744496	
MARY TOPOS ESEKON	31145808	
MONICCH MOITE	33121280	
Aka. Eronget Akothwani	22024403	
David Eriem Loewang	12875212	
Joseph Muita Lechan	28897144	
Joseph Nayeran	27538849	
Peter Erang	28533134	
Paul Athekon	25238866	

PUBLIC PETITION ON VETTING AND DISCRIMINATION IN THE ISSUANCE OF NATIONAL IDENTITY CARDS FOR MEMBERS OF THE TURKANA COMMUNITY IN LAIKIPIA COUNTY

Name	ID. No./Reference No.	Signature
PETER EMEKWI	30129152	
Robbat KURE LORDO	26998788	
Josphat Muron	26208848	
JANE LUKWA	25737114	
Margaret Kale Awike	30064134	
Lumuna Juma John	20136403	
DANIEL EKADERI	3104846	
JAMES ERUPE	26402914	
JOSPHAT LOKAMBI	24221873	

APPENDIX III

COMMITTEE MINUTES

MINUTES OF THE 5TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON TUESDAY, 7TH FEBRUARY, 2017 IN COMMITTEE ROOM, 4TH FLOOR, CONTINENTAL HOUSE PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

1. The Hon. Asman Kamama, MGH, OGW, MP - Chairperson
2. The Hon. Alois Lentoimaga, MP - Vice Chairperson
3. The Hon. Dr. Makali Mulu, MP
4. The Hon. Protus Akuja Ewesit, MP
5. The Hon. Charles Nyamai, MP
6. The Hon. Alice Wahome, MP
7. The Hon. George Theuri, MP
8. The Hon. Wanjiku Muhia, MP
9. The Hon. Zakayo Cheruiyot, MP
10. The Hon. Samuel Moroto, MP
11. The Hon. Shaaban Ali Isaack, MP
12. The Hon. Francis Mwangangi, MP

APOLOGIES

1. The Hon. Joseph Ndiege, MP
2. The Hon. James Bett, MP
3. The Hon. Ibrahim Abdi Saney, MP
4. The Hon. Patrick Ole Ntutu, MP
5. The Hon. Dr. Humphrey Njuguna, MP
6. The Hon. Joseph Kahangara, MP
7. The Hon. Mohamed Shidiye, MP
8. The Hon. Joseph Lekuton, MP
9. The Hon. Grace Kiptui, MP
10. The Hon. Benard Shinali, MP
11. The Hon. Fatuma Ibrahim Ali, MP
12. The Hon. Rashid Bedzimba, MP
13. The Hon. Jane Machira, MP
14. The Hon. Timothy Wetangula, MP
15. The Hon. David Gikaria, MP
16. The Hon. Peter Kaluma, MP
17. The Hon. Opiyo Wandayi, MP

IN ATTENDANCE -COMMITTEE SECRETARIAT

1. Mr. Leonard Machira - Clerk Assistant I
2. Ms. Rose Wanjohi - Clerk Assistant II
3. Ms. Hellen Lokwang - Clerk Assistant III
4. Ms. Fiona Musili - Research Officer III

MIN.NO.020/ANS/2017 - PRELIMINARIES

The Chairperson called the meeting to order at 10.30 a.m.A prayer was said. Thereafter, he conveyed apologies from the Cabinet Secretary Ministry of Interior and Coordination of National Government who was unable attend the meeting as scheduled.

MIN.NO.021/ANS/2017 - CONFIRMATION OF MINUTES

The agenda was deferred to the next meeting.

MIN.NO.022/ANS/2017 - RESPONSES SUBMITTED BY THE CABINET SECRETARY, MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT ON PETITIONS PENDING BEFORE THE COMMITTEE

The Committee proceeded to consider written responses submitted by the Cabinet Secretary, Ministry of Interior and Coordination of National Government regarding various petitions pending before the Committee.

- i. **Response to a public petition by Hon. Abbass Sheikh, MP on behalf of residents of Wajir East Constituency on the right to acquire National Identification Cards.**

The Cabinet Secretary stated as follows:-

- That Article 12(1) of the Constitution provides that every Kenyan citizen is entitled to the rights, privileges and benefits of citizenship, subject to the limits provided by the Constitution specifically right to acquire a Kenyan passport and any document of registration by the State to citizens. The national Registration Bureau has been carrying o registration and issuance of identity cards in line with the provisions of the Constitution;
- The government was committed to ensure that all applicants for national identity cards are processed within the shortest time possible to enable all eligible persons to exercise and enjoy their rights;
- There were no delays in the issuance of identity cards at the moment;
- The government is not aware of hindrances and tedious processes that have violated and denied citizens the right to freedom as outlined in the Constitution;

- That the processes involved in issuance of National Identification Cards were not complex and unnecessary. The need to have parents avail themselves for finger prints when their children apply for National Identification Cards is not mandatory as it is an administrative measure aimed at creating family links in the database;
- The government was further aware that in as much as the necessity of parents availing themselves for thumb printing when their children apply for identification cards had noble intention, the nomadic lifestyle of the residents of Wajir County and other areas have made this requirement difficult to implement despite the requirement being not made mandatory.

The Committee noted that:-

- i. The issuance of identity cards was slow due to technical problems experienced in the applications processing;
- ii. Many identity cards remain uncollected from National Registration Bureau and Chief's offices countrywide;
- iii. The delay in the processing and issuance of identity cards mainly affected the youth.

The Committee resolved that the National Registration Bureau should fast track the processing of identity cards and should use an effective mode to distribute the identity card to far flung Counties. The Committee also recommended that the National Registration Bureau should develop an SMS platform to alert applicants to collect their identity cards.

- ii. **Response to a public petition by Hon. Peter Kaluma, MP on behalf of Mr. Fredrick Ojwanda, next of kin to the student regarding accidental shooting of a student of St. Albert's Ulanda Girls' High School by a prison warder.**

The Cabinet Secretary stated that investigations on the commenced immediately after the incident. The prison warden who shot the student had been interdicted and his firearm had been withdrawn and forwarded for ballistics examination. However the Cabinet Secretary regretted that the Ministry had no expenditure vote to cater for the compensation of the victim.

The Committee resolved to request the Ministry of Health to assist the victim in footing the medical bills for the eye transplant and also advised the victim to seek Court redress in compensation of the victim.

- iii. **Response to a public petition by Hon. Christopher Doye Nakuleu, MP on behalf of Laikipia Council of Elders regarding alleged discrimination of members of the Turkana community in the issuance of National Identity cards in Laikipia County.**

The Cabinet Secretary stated that:-

- The Constitution of Kenya Article 12(1) (b) confers on Kenyan citizens the right 'to a Kenyan passport and any document of registration issued by the State to citizens.' To actualize this right and other provisions of Chapter 3, the Constitution in 18 (g) gives Parliament the power to enact legislation generally giving effect to the provisions of the Chapter.
- The Ministry was not aware of any form of discrimination against members of the Turkana community in the issuance of IDs. Other communities subjected to vetting during the application of national identity cards in Laikipia County include the Maasais, Somalis, Boranas, Luos and Luhyas.
- The vetting of applicants is necessitated by the fact that they hail from border areas and vetting is carried out to identify eligible applicants in their places of origin.
- Ministry was not aware of any delays in the issuance of identity cards since there is no backlog at the card production centre.
- There were no inordinate delays in the processing and issuance of national cards to Turkana youths in Laikipia County as all applications are processed as soon as they are received.

The Committee noted that the issuance of national identification cards should not be discriminatory and the processing of the same should be prompt. However, the Committee recommended that the vetting exercise should continue in view of the current terrorism threat to prevent the possibility of aliens acquiring Kenyan identity cards.

MIN.NO.023 /ANS/2017

- ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 12.40 p.m. and the next meeting will be held on Thursday, 9th February 2017 at 10.00 a.m.

Signed.....



(Chairperson)

Date.....

21/03/2017

MINUTES OF THE 10TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY SITTING HELD ON SATURDAY 18TH FEBRUARY 2017 IN WHITESANDS HOTEL MOMBASA AT 10:00AM.

PRESENT

1. Hon. Asman Kamama, MP - Chairperson
2. Hon. Timothy Wanyonyi, MP
3. Hon. Benard Shinali, MP
4. Hon. Joseph Lekuton, MP
5. Hon. Joseph Ndiege, MP
6. Hon. Charles Nyamai, MP
7. Hon. Protus Akuja, MP
8. Hon. Alice Wahome, MP
9. Hon. Fatuma Ali Ibrahim, MP
10. Hon. Dr. Makali Mulu, MP
11. Hon. Mohamed Shidiye, MP
12. Hon. Rashid Bedzimba, MP
13. Hon. Francis Mwangangi, MP
14. Hon. George Theuri, MP
15. Hon. Samuel Moroto, MP

APOLOGIES

1. Hon. Alois Lentoimaga, MP - Vice Chairperson
2. Hon. Wanjiku Muhia, MP
3. Hon. Ibrahim Sancy, MP
4. Hon. Grace Kiptui, MP
5. Hon. David Gikaria, MP

7. Hon. Patrick Ole Ntutu, MP
8. Hon. Jane Machira, MP
9. Hon. Shaaban Isaack Ali, MP
10. Hon. Peter Kaluma, MP
11. Hon. Opiyo Wandayi, MP
12. Hon. Joseph Kahangara, MP
13. Hon. Zakayo Cheruiyot, MP
14. Hon. James Bett, MP

COMMITTEE SECRETARIAT

- | | | |
|---------------------------|---|-----------------------------|
| 1. Mr. Nicholas Emejien | - | Principal Clerk Assistant I |
| 2. Mr. Leonard Machira | - | First Clerk Assistant I |
| 2. Ms. Rose Wanjohi | - | Clerk Assistant II |
| 3. Ms. Hellen Lokwang | - | Clerk Assistant II |
| 4. Ms. Christine Odhiambo | - | Legal Counsel II |
| 5. Ms. Fiona Musili | - | Researcher III |

MIN. 044 NO./ANS/2017 - PRELIMINARIES

The chairperson called the meeting to order at 10.20 am. A prayer was said.

MIN. NO.045/ANS/2017 - CONFIRMATION OF MINUTES

The agenda was deferred to the next meeting.

MIN.NO.046/ANS/2017 ADPOTION OF A REPORT ON THE CONSIDERATION OF A PETITION BY LAIKIPIA TURKANA COUNCIL OF ELDERS REGARDING ALLEGED DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY IN THE ISSUANCE OF NATIONAL IDENTITY CARDS -

Committee unanimously adopted the report with the following recommendations:-

1. The National Registration Bureau should expeditiously process and issue national identification cards to the Turkana community in Laikipia and all eligible persons in the

Country by streamlining the production processes and acquisition of modern production technology.

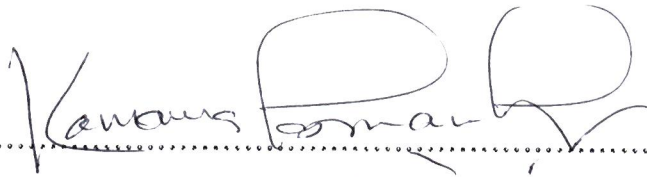
2. The Government should allocate sufficient funds to the Registration Bureau to facilitate the purchase of motor vehicles and recruitment of staff to expedite the registration and issuance of national identification cards to all eligible persons in the Country.
3. The Ministry of Interior and Coordination of National Government should review the regulations and policy on issuance of identification documents so as to provide for specific timeliness, standardization of processes in all parts of the Country and ensure justice and fairness in the issuance and distribution of the national identification documents so that no Kenyan feels discriminated in the exercise.
4. The National Registration Bureau should exempt Kenyans with valid birth certificates who are born in non - border Counties such as Laikipia from undergoing vetting before being issued with national identity cards.
5. The Ministry of Interior and Coordination of National Government should engage local elders and chiefs in the verification of citizenship before issuance of national identification documents.
6. The Ministry of Interior and Coordination of National Government should ensure that vetting when used as a security and control mechanism for citizenship is applied to all citizens without bias.

MIN.NO.047/ANS/2017

- ADJOURNMENT

There being no other business the meeting was adjourned at 12.15p.m. and next meeting will be called by notice.

Signed



(Chairperson)

Date

21/03/2017



1

MINUTES OF THE 65TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON THURSDAY, 29TH SEPTEMBER 2016 IN NGARE NYIRO COMMUNITY HALL IN LAIKIPIA COUNTY AT 1.30 P.M.

PRESENT

1. The Hon. Dr. Makali Mulu, MP - Chairing
2. The Hon. James Bett, MP
3. The Hon. (Maj. Rtd.) John K. Waluke, MP
4. The Hon. Jane Machira, MP
5. The Hon. Protus Akuja, MP
6. The Hon. Grace Kiptui, MP

IN-ATTENDANCE

NATIONAL ASSEMBLY

The Hon. Christopher Nakuleu, MP

LAIKIPIA WEST SUB - COUNTY SECURITY INTELLIGENCE

1. Mr. Joseph Koech D/OCPD
2. Mr. Ali Nakasepan NIS
3. Mr. Geoffrey Nyamari DCI
4. Ms. Joyce Kimani Sub County Registrar of Persons
5. Mr. J. F. Macharia Assistant County Commissioner
6. Mr. A. Daudi KWS
7. Mr. Michael Koskei Prisons
8. Mr. SAMUEL Kiarie Assistant County Commissioner

TURKANA COUNCIL OF ELDERS

1. Mr. Wilson Remoi - Chairperson of Elders
2. Mr. Ernest Epupu - V/Chair of Elders
3. Mr. Peter Loris - Chairperson
4. Mr. Moses Elim - Elder
5. Mr. Salim Edung - Former Councilor
6. Mr. Jeremiah Nanei - Member
7. Ms. Sarah Areman - Member
8. Mr. Peter Lokwamor - Youth Chairperson – Segera Ward
9. Mr. Marchollo Alexander - Youth Representative
10. Mr. James Erupe - Member
11. Mr. James Lowasa - Member

COMMITTEE SECRETARIAT

- | | | |
|------------------------|---|------------------------|
| 1. Mr. Leonard Machira | - | First Clerk Assistant |
| 2. Ms. Rose Wanjohi | - | Second Clerk Assistant |
| 3. Ms. Hellen Lokwang | - | Third Clerk Assistant |
| 4. Mr. Nickson Mutai | - | Audio Officer |

MIN.NO.298/ANS/2016

- **PRELIMINARIES**

The Chairperson called the meeting to order at 1.10 p.m. A prayer was said.

MIN.NO.299/ANS/2016 - MEETING WITH RESIDENTS OF RUMURUTI ON A PETITION BY TURKANA COUNCIL OF ELDERS REGARDING DELAYED ISSUANCE ON NATIONAL IDENTITY CARDS

The residents informed the Committee as follows, that:-

- i. The Turkana Community settled in Laikipia in 1900s as workers in the colonial settlers ranches. After independence there remained in the County as squatters or continued working in the ranches.
- ii. Members of the Turkana Community started being vetted in 2009
- iii. The vetting process was elaborate and slow with referrals taking more than six months to be considered. The issuance of national identity cards was also discriminatory as the delay only affected Turkana residents while applicants from others communities reportedly received identity cards on time;
- iv. Cases of issuance of Identity cards of with mismatched photos, incorrect names were rampant;
- v. Applicants with waiting cards waited for a long period of time to acquire national identity cards. Some applicants were reported to hold of waiting cards dating back to 2010;
- vi. Cases of corruption were rampant in the Laikipia Registration of Persons office with the residents reportedly paying Kshs. 300 as bribes during the vetting exercise.
- vii. Voter registration among the Turkana community in Laikipia West Sub - County was low due to delayed issuance of national identity cards. Therefore limiting access to political rights;
- viii. Member of the vetting panels in the Sub County do not speak Turkana language and cannot therefore communicate effectively with elderly persons from the community seeking national identity cards ;
- ix. The vetting process had no legal basis as the government had not availed the circular authorizing the vetting of members of the Turkana Community before they are issued with national identity cards;

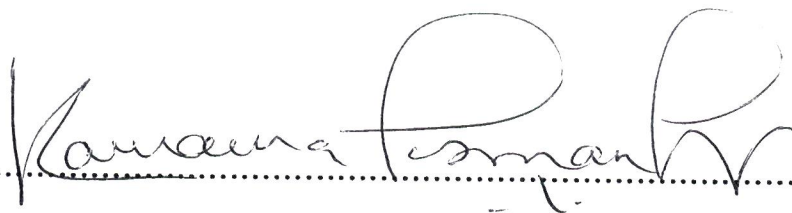
- x. Lack of national identity card had perpetuated poverty among successive generations of members of the Turkana Community in Laikipia as they continued to work in the white own ranchers and could not access employment outside the County.
- xi. Member of the Turkana Community faced challenges in succession of deceased persons estate particularly shares in land buying companies due to lack of identification documents. Leading to loss of inheritance.
- xii. The Turkana youth experienced enormous challenges due to lack of identity cards that included inability to access employment opportunities, opening of bank accounts, access university education ownership of property, access loans from the Higher Education Loans Board, access bursaries from the County, register for Mpesa services, opportunities to study abroad .

MIN.NO.300/ANS/2016

- ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 4.30 pm.

Signed.....



(Chairperson)

Date.....

22 Nov 2016

MINUTES OF THE 64TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON WEDNESDAY, 28TH SEPTEMBER 2016 IN NGARE NYIRO COMMUNITY HALL IN LAIKIPIA COUNTY AT 1.30 P.M.

PRESENT

1. The Hon. Dr. MakaliMulu, MP - Chairing
2. The Hon. James Bett, MP
3. The Hon. (Maj. Rtd.) John K. Waluke, MP
4. The Hon. Jane Machira, MP
5. The Hon. Protus Akuja, MP
6. The Hon. Grace Kiptui, MP

IN-ATTENDANCE

NATIONAL ASSEMBLY

The Hon. Christopher Nakuleu, MP

LAIKIPIA COUNTY SECURITY INTELLIGENCE COMMITTEE

1. Mr. Chege Mwangi - Laikipia County Commissioner
2. Mr. Joseph Kungu - County Registrar Officer
3. Mr. Joseph Osike - Deputy CIC Laikipia
4. Mr. Angelus Karuru - NPS Coordinator
5. Mr. Wilfred Kati - OC Nanyuki Prison
6. Mr. Isaac M. Musyoki - County CID Commander
7. Mr. Daud Mohamed - County AP Commander
8. Mr. Paul R. Ouko - NIS Laikipia County
9. Lt. Gideon M. Mutunga - KDF Laikipia Airbase
10. Mr. Alexander M. Mwangi - Sub County Administrator Laikipia East

TURKANA COUNCIL OF ELDERS

1. Mr. Wilson Remoi - Chairperson of Elders
2. Mr. Ernest Epupu - V/Chair of Elders
3. Mr. Peter Loris - Chairperson
4. Mr. Moses Elim - Elder
5. Mr. Salim Edung - Former Councilor
6. Mr. Jeremiah Nanei - Member
7. Ms. Sarah Areman - Member

- | | | |
|----------------------------|---|-----------------------------------|
| 8. Mr. Peter Lokwamor | - | Youth Chairperson – Segera Ward |
| 9. Mr. Marchollo Alexander | - | Youth Representative |
| 10. Mr. James Erupe | - | Member |
| 11. Mr. James Lowasa | - | Member |
| 12. Mr. Amos Ekal | - | Member |
| 13. Mr. Ernest Loochimoi | - | Member |
| 14. Mr. James Elain | - | Member |
| 15. Mr. WarioHalakhe | - | Elder Laini Moja |
| 16. Mzee Ekitela | - | Elder/Member of Vetting Committee |
| 17. Mr. Salim Edung | - | Youth |
| 18. Mr. EbongonNgawosa | - | Elder |
| 19. Mr. A. Akaale | - | MCA Laikipia County |

COMMITTEE SECRETARIAT

- | | | |
|------------------------|---|------------------------|
| 1. Mr. Leonard Machira | - | First Clerk Assistant |
| 2. Ms. Rose Wanjohi | - | Second Clerk Assistant |
| 3. Ms. Hellen Lokwang | - | Third Clerk Assistant |
| 4. Mr. Nickson Mutai | - | Audio Officer |

MIN.NO.295/ANS/2016 - PRELIMINARIES

The Chairperson called the meeting to order at 1.10 p.m. A prayer was said.

MIN.NO.296/ANS/2016 - MEETING WITH RESIDENTS OF NGARE NYIRO ON A PETITION BY TURKANA COUNCIL OF ELDERS REGARDING DELAYED ISSUANCE ON NATIONAL IDENTITY CARDS

The residents informed the Committee as follows, that:-

- i. The Turkana Community settled in Laikipia in the early 1900s and most of the community members worked for colonial settlers at the time. After independence they continued to reside in Laikipia County. Some members of the community have bought land while others remained as squatters in the ranches;
- ii. Members of the Community were subjected to a stringent vetting process in order to acquire national identity cards;
- iii. The vetting process was elaborate and slow with referrals taking more than six months to be considered. The issuance of national identity cards was also discriminatory as the delay only affected Turkana residents while applicants from others communities reportedly received identity cards on time;
- iv. Cases of issuance of Identity cards of with mismatched photos, incorrect names were rampant;

- v. Applicants with waiting cards waited for a long period of time to acquire national identity cards. Some applicants were reported to hold of waiting cards dating back to 2010;
- vi. Cases of corruption were rampant in the Laikipia Registration of Persons office with the residents reportedly paying Kshs. 300 as bribes during the vetting exercise.
- vii. The Turkana youth experienced enormous challenges due to lack of identity cards that included inability to access employment opportunities, opening of bank accounts, ownership of property, access loans from the Higher Education Loans Board, access bursaries from the County, register for Mpesa services, opportunities to study abroad.

Committee recommendations

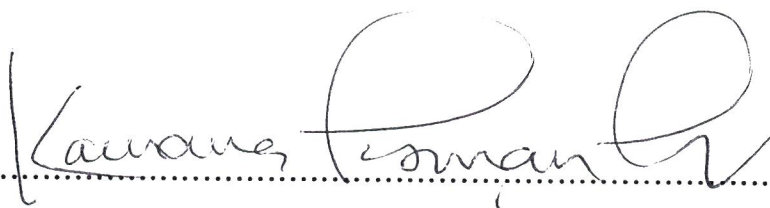
- (i) The Chairperson of Turkana Council of Elders was asked to provide the Committee with a list of national identity card applicants who had been issued with waiting cards, cases of referrals, residents without identity cards and those issued with identity cards with mismatched photos ;
- (ii) The Members requested the County Government of Laikipia to initiate dialogue with the ranches owners to address the issue of exploitation of Turkana squatters employed in the ranches;
- (iii) The residents were advised to report bribery cases to the County Commissioner's office and other relevant government. bodies

MIN.NO.297/ANS/2016

- ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 4.30 pm.

Signed.....



(Chairperson)

Date.....

MINUTES OF THE 63RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON WEDNESDAY, 28TH SEPTEMBER 2016 IN THE LAIKIPIA COUNTY COMMISSIONER'S BOARDROOM 10.00 A.M.

PRESENT

1. The Hon. Dr. Makali Mulu, MP - Chairing
2. The Hon. James Bett, MP
3. The Hon. (Maj. Rtd.) John K. Waluke, MP
4. The Hon. Jane Machira, MP
5. The Hon. Protus Akuja, MP
6. The Hon. Grace Kiptui, MP

IN-ATTENDANCE

NATIONAL ASSEMBLY

The Hon. Christopher Nakuleu, MP

LAIKIPIA COUNTY SECURITY INTELLIGENCE COMMITTEE

1. Mr. Chege Mwangi - County Commissioner
2. Mr. Joseph Kungu - County Registrar Officer
3. Mr. Joseph Osike - Deputy County Intelligence Coordinator
4. Mr. Angelus Karuru - County Police Coordinator
5. Mr. Wilfred Kati - In – charge Nanyuki Prison
6. Mr. Isaac M. Musyoki - County CID Commander
7. Mr. Daudi Mohamed - County AP Commander
8. Mr. Paul R. Ouko - NIS Laikipia County
9. Lt. Gideon M. Mutunga - KDF Laikipia Airbase
10. Mr. Alexander M. Mwangi - Deputy County Commissioner Laikipia East

COMMITTEE SECRETARIAT

1. Mr. Leonard Machira - Clerk Assistant I
2. Ms. Rose Wanjohi - Clerk Assistant II
3. Ms. Hellen Lokwang - Clerk Assistant III
4. Mr. Nickson Mutai - Audio Officer - Intern

MIN.NO/292./ANS/2016 - PRELIMINARIES

The Chairperson called the meeting to order at half past ten o'clock. A prayer was said.

MIN.NO.293/ANS/2016 - MEETING WITH LAIKIPIA COUNTY SECURITY INTELLIGENCE COMMITTEE ON A PETITION BY LAIKIPIA TURKANA COUNCIL OF ELDERS ON ALLEGED DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY IN ISSUANCE OF NATIONAL IDENTIFICATION CARDS IN LAIKIPIA COUNTY

The Hon. Christopher Nakuleu, MP informed the meeting that subjecting members of the Turkana community living in Laikipia County to rigorous vetting before issuing them with national identity cards was discriminatory and had contributed to many youth being unable to access their economic, political and social rights. He added that the youth would not be able to apply for loans from the youth Fund, the Women Enterprise Fund. The affected youth would also not register as voters and therefore were unable to exercise their political rights through seeking elective positions or electing representatives of their choice. He argued that the situation was tantamount to economic sabotage. He concluded that there was no valid justification for the vetting of applicants from the Turkana Community since the community was only found in Kenya and there were no foreigners of Turkana descent who would fraudulently acquire Kenyan national identity cards.

The County Commissioner explained that the vetting of applicants seeking national identity cards was anchored in law and the exercise is guided by a circular from the Cabinet Secretary Ministry of Interior. He stated that the Registration of Persons Act Cap 107 allows the Director of National Registration to set up identification committees where necessary. The composition, mandate and conduct of the vetting committees are regulated through rules issued by the cabinet secretary from time to time with the latest rules issued in June 2014. He added that applicants from the Turkana community seeking national identity cards are vetted in all Counties in Kenya and therefore Laikipia County was not an exception.

The County Registration Officer stated that the decisions of the vetting committees are classified into three categories:-

- (i) Approvals – such candidates are registered forthwith and usually make the largest proportion of the output of vetting committees.
- (ii) Deferrals – such candidates are usually required to present themselves again during the following vetting meeting, this is mostly when some aspects of the information they provide is not immediately verifiable. They might for example be required to present a letter from their assistant chief verifying the claims. They are typically approved or referred during the next vetting meeting unless they fail to present themselves.
- (iii) Referrals – such candidates are referred to another County/Sub-County for proper identification. This will typically be unknown persons who have no ties whatsoever to Laikipia and are either passing through or visiting. The elders are unable to identify them.

He informed the Committee that in the past four years only 98 applications and been referred by the vetting committees. Only 41 of the referred applications were from applicants of Turkana origin. Further the office of the County Registrar of person had also approved the issuance of a total of 5872 national identity cards through the vetting exercise over the past four year. 2351 of the approved applications were from applicants from the Turkana Community.

The Officer further stated that:-

- (i) Identification (vetting) committees were constitutional and anchored in law;
- (ii) Applicants from the Turkana are not only vetted in Laikipia but countrywide. The standards are set centrally and are equally applied nationwide;
- (iii) The vetting exercise was not a lengthy process unless there were gaps in information provided, the committee makes its determination on the spot and where cases are deferred, the cases are usually prioritized during the next vetting meeting unless the concerned individuals fails to turn up;
- (iv) Vetting/ identification committees play a facilitative role and assist the Registration Officer to determine the merits of applications;
- (v) There is no evidence of disenfranchisement of Turkana youth due to lack of identity cards. Registration of Turkana youth for new identity cards had increased from 331 in 2013 to 1052 as at September, 2016. Further the registration had been initiated by the office of the County Registrar of Persons through mobile registration; and
- (vi) That there is no delay in issuance of national identity cards to Turkanas. Anyunfortunate delays are usually at the production centre and the delay affected all applicants in the Country.

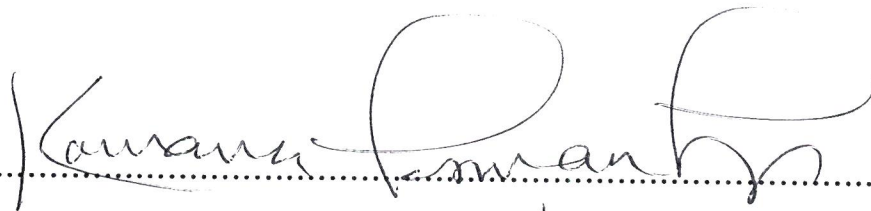
The Committee resolved to hold a meeting with the Cabinet Secretary for Interior and Coordination of National Government to consider the issues raised by the petitioners-

MIN.NO.294/ANS/2016

- ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 12.00 noon.

Signed.....



(Chairperson)

Date.....

**MINUTES OF THE 61ST SITTING OF DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY HELD ON WEDNESDAY 14TH
SEPTEMBER, 2016 IN THE BAOBAB CONFERENCE ROOM, SERENA BEACH
HOTEL AT 10:00 AM**

PRESENT:

- | | |
|--|----------------------------|
| 1. The Hon. Asman Kamama, MGH, OGW, MP- | Chairperson |
| 2. The Hon. Alois M. Lentiomaga, MP | - Vice- Chairperson |
| 3. The Hon. Alice Wahome, MP | |
| 4. The Hon. David Gikaria, MP | |
| 5. The Hon. Zakayo K. Cheruiyot, MP | |
| 6. The Hon. George Theuri, MP | |
| 7. The Hon. Charles Nyamai, MP | |
| 8. The Hon. Akuja Protus Ewesit, MP | |
| 9. The Hon. James Bett, MP MP | |
| 10. The Hon. Timothy W. Wetangula, MP | |
| 11. The Hon. (Dr.) Makali Mulu, MP | |
| 12. The Hon. Francis K. Mwangangi, MP | |
| 13. The Hon. (Dr.) Humphrey Njuguna, MP | |
| 14. The Hon. (Maj. Rtd) John K. Waluke, MP | |
| 15. The Hon. Grace Kiptui, MP | |
| 16. The Hon. Bernard Shinali, MP | |
| 17. The Hon. Fatuma Ibrahim Ali, MP | |
| 18. The Hon. Joseph Lekuton, MP | |

APOLOGIES

1. The Hon. Ababu Namwamba, EGH, MP
2. The Hon. Joseph O. Ndiege, MP
3. The Hon. Joseph Kahangara, MP
4. The Hon. Patrick Ole Ntutu, MP
5. The Hon. Wanjiku Muhia, MP
6. The Hon. Mohamed Shidiye, MP
7. The Hon. Shabaan Ali Isaack, MP
8. The Hon. Jane Machira,
9. The Hon. Samuel Moroto, MP
10. The Hon. Rashid J. Bedzimba, MP
11. The Hon. Ibrahim Abdi Saney, MP

IN ATTENDANCE - NATIONAL ASSEMBLY

- | | | |
|---------------------------|---|---------------------|
| 1. Mr. Leonard Machira | - | Clerk Assistant I |
| 2. Ms. Rose Wanjohi | - | Clerk Assistant II |
| 3. Ms. Hellen Lokwang | - | Clerk Assistant III |
| 4. Ms. Christine Odhiambo | - | Legal Counsel II |

MIN.NO.280/ANS/2016: PRELIMINARIES

The Chairperson called the meeting to order at half past ten o'clock. A prayer was said.

MIN.NO. /ANS/2016: CONFIRMATION OF MINUTES

Confirmation of minutes was deferred to the next sitting.

MIN.NO.281 /ANS/2016: ADOPTION OF REPORT ON A PETITION BY HON. SUNJEEV K. BIRDI, MP ON BEHALF OF CONCERNED IMMIGRANTS RESIDING IN KENYA REGARDING THE DELAYED ISSUANCE OF CITIZENSHIP

The Committee unanimously adopted the report on a petition by Hon. Sunjeev K. Birdi, MP on behalf of concerned immigrants residing in Kenya regarding the delayed issuance of citizenship as proposed by Hon. Alice Wahome, MP and seconded by Hon. (Dr.) MakaliMulu, MP.

Committee Observation

The Committee observed that the determination of applications for citizenship should be digitized to reduce avenues of corruption and delays.

Committee Recommendations

The Committee recommended that:-

1. The Ministry of Interior and Interior and Coordination of National Government should digitize the processing of acquisition of citizenship applications to enable applicants track the status of their applications and reduce systemic corruption.
2. The Ministry of Interior and Coordination of National Government should amend the Kenya Citizenship and Immigration Regulations, 2012 to provide for transparency, accountability and a timeframe for determination of applications for citizenship.
3. The Ministry of Interior and Coordination of National Government should within sixty days submit a comprehensive response on the status of the applications for Kenyan citizenship of 45 applicants as contained in a list submitted to the Committee by the petitioners and forwarded to the Cabinet Secretary.

MIN. NO.282ANS/2016: ADOPTION OF A REPORT ON A PETITION BY HON. KIMANI ICHUNG'WAH, MP ON BEHALF OF RESIDENTS OF KIKUYU CONSTITUENCY REGARDING THE ALLEGED RE-EMERGENCE OF MILITIA AND MUNGIKI IN KIAMBU COUNTY

The Committee after reviewing evidence submitted and the report of the security meeting between the Cabinet Secretary for Interior and the elected leaders from Kiambu County held on 27th July, 2016, observed that :-

1. It appears that the matter of insecurity and emergence of militia in the County was not strongly presented or articulated to the Cabinet secretary by the elected leaders;
2. The issues relating to the unrest at Madaraka market were pending before the High Court in Petition No. 529 of 2015, Petition No. 569 of 2015 and Petition No. 42 of 2015. The issue that a militia group attacked two Members of Parliament who were proceeding to Ndumberi, stoning their cars and attempted to draw guns at the in the presence of Administration police officers was also pending in court in criminal case No. 1079/16. Therefore provisions of Standing Order 89 on the sub judice rule apply.
3. Although the government and residents of Kiambu County had invested resources in the construction of police stations and posts, police officers were engaged in other subsidiary duties during day time such as cash escort. Thus adversely affecting provision of security to the residents.
4. The reported re - emergence of militia groups in the Country, particularly in Kiambu, Nakuru and Nairobi Counties would compromise security. Therefore there is need for security agencies to contain the situation to ensure public safety.
5. Kibichoi police station in Githunguri Sub – County which also services parts of Juja Sub – County had no police vehicle.

In response to the prayers by the petitioners, the Committee recommended that:-

1. The issues relating to the unrest at Madaraka market in Thika town are pending before the High Court in petition No. 529 of 2015, petition No. 569 of 2015 and petition No. 42 of 2015. Therefore the provisions of Standing Order 89 on the sub judice rule apply.
2. The Government should urgently investigate the re - emergence of militia groups in the Country, particularly in Kiambu, Nakuru and Nairobi Counties with a view to dealing with the issue firmly and conclusively.
3. The Government should urgently establish a police station in Kagwe, Lari Sub County and upgrade Juja farm, Kalamaini, Mungai inn and Theta (Ha Mundia) police posts into police stations. It should also establish police posts in Kimuchu, Athi Zone T and Ma-arce.
4. The National Police Service urgently should deploy more officers to Nazareth and Redhill Administration Police posts in Kiambu County.
5. The Directorate of Criminal Investigations should ensure that leaders found culpable of funding illegal gangs should be investigated and prosecuted to ensure that peace prevailed in the County particularly during the 2017 general elections period.
6. The National Police Service should ensure that police officers are engaged in their core function of protecting citizens and maintaining law and order by limiting engagement in other subsidiary duties such as cash escort and guarding private business.
7. The Government should allocate a police vehicle to Kibichoi police station in Githunguri Sub – County.

The Committee unanimously adopted the report as proposed by Hon. Francis Mwangangi, MP and seconded by Hon. Charles Nyamai, MP.

MIN.NO. 283ANS/2016: CONSIDERATION AND ADOPTION OF A DRAFT REPORT OF THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILL NO. 4 OF 2014)

The Committee noted that the Parliamentary Budget Office in its evaluation of the Office of the County Printer Bill (Senate Bill No. 4 of 2014) indicated that both the National and County Governments pay for their documents to be printed by the Government Printer, the proceeds of which are deposited in the Government Printer Fund. Further the Government Printer is allocated funds from the exchequer. Establishment of the Office of the County Printer will lead to loss of business to the Government Printer. Therefore the proposal to establish these offices also involve an additional function to the County Government and since resources follow functions counties may require additional functions which will lead to a charge against nationally raised revenue.

The Committee was also informed that following the assessment of the key provisions of the Bill, the Parliamentary Budget Office advised that the Office of the County Printer (Senate Bill No.4 of 2014) is a “Money Bill”.

Committee Observation

The Committee observed that the Office of the County Printer (Senate Bill No. 4 of 2014) is a “Money Bill” as envisaged by Article 114 of the Constitution and is thus un-procedurally before the Committee for consideration.

Committee Recommendation

The Committee recommends that the National Assembly does not proceed with the process of concurrence on the Bill since constitutional questions may arise if the process continues.

The Committee unanimously adopted the report as proposed by Hon. (Dr.) Humphrey Njuguna, MP and seconded by Hon. Fatuma Ibrahim Ali, MP.

MIN NO.284 ANS/2016: CONSIDERATION OF THE COUNTY HALL OF FAME BILL, 2014(SENATE NO. 33 OF 2014)

The Committee was noted that the Parliamentary Budget Office in its evaluation of the legislative proposal observed that the proposal wishes to establish a County Hall of Fame in each county as an avenue through which the County Governments shall bestow honor on individuals within their respective counties acclaimed as being outstanding, exceptional or illustrious in any profession or activity.

The Parliamentary Budget Office further observed that the 47 county governments may erect a plaque or collect memorabilia in honour of the honorees. It is also clear in the Bill that the governor may choose to designate a permanent public site or public building or a part of it according to his choice. Either way it may not have a significant implication to the national budget save for marginal allocation to facilitate such arrangements which might be borne or occasioned within the budget of the relevant county departments such as culture and heritage

or as may be decided. This could also mean prioritization of activities with planned expenditure, in which the department can accommodate the same within the current budget levels.

Clause 22 (2) and (3) provide for the establishment of a fund which shall consist of monies raised through such gifts, grants or donations as may be given or Such monies as may, in the future, be provided by the National Assembly for defraying the expenses incurred in the implementation of this Bill and such other monies that may lawfully accrue in the discharge of the functions under this Bill, not being monies accruing pursuant to Article 114 of the Constitution.

In this context 'gifts, grants or donations' may be implied to mean gift, grants or donations given to county governments but at the same time it `therefore open to various interpretations because of its silence on the unspecified gifts, grants or donations. Further, the Bill states that the National Assembly shall in future provide for defraying the expenses incurred in the implementation of the Bill. The Bill therefore does constitute a charge on the public fund according to Article 114 of the Constitution.

After evaluation of the key provisions of the amendment Bill, the Parliamentary Budget Office stated that the Bill is 'Money Bill'

Committee Observation

The Committee observed that the County Hall Bill, 2014 Fame (Senate Bill No. 33 of 2014) is a "Money Bill" as envisaged by Article 114 of the Constitution and is thus un-procedurally before the Committee for consideration.

Committee Recommendation

The Committee recommended that the National Assembly does not proceed with the process of concurrence on the County Hall Bill, 2014 Fame (Senate Bill No. 33 of 2014) since constitutional questions may arise if the process continues.

MIN.NO. 285ANS/2016: ANY OTHER BUSINESS

The Chairman informed the Committee that a sub-committee had been formed to undertake a site visit to Laikipia County from Tuesday 27th September, 2016 to Friday 30th September, 2016 to consider a petition by Hon. Christopher Doye Nakuleu MP on behalf of Laikipia Turkana Council of Elders on alleged discrimination of members of the Turkana community in issuance of National Identification cards in Laikipia County. The following members were nominated to form the sub - committee:-

1. The Hon. (Dr.) Makali Mulu, MP- Delegation Chairman
2. The Hon. Alice Wahome, MP
3. The Hon. Charles Nyamai, MP
4. The Hon. James Bett, MP MP
5. The Hon. Francis K. Mwangangi, MP
6. The Hon.(Dr.) Humphrey Njuguna, MP
7. The Hon. Jane Machira, MP
8. The Hon. Grace Kiptui, MP
9. The Hon. Bernard Shinali, MP

10. The Hon. Fatuma Ibrahim Ali, MP

MIN.NO. 286ANS/2016: ADJOURNMENT

There being no other business, the meeting was adjourned half past twelve o'clock until Tuesday 20th September, 2016 at 10:00am.

SIGNED: _____

(CHAIRPERSON)

DATE: _____

16/11/2016

MINUTES OF THE 55TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON TUESDAY, 16TH AUGUST 2016 IN COMMITTEE ROOM, 4TH FLOOR, CONTINENTAL HOUSE PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

1. The Hon. Alois Lentoimaga, MP - **Vice Chairperson**
2. The Hon. Francis Mwangangi, MP
3. The Hon. James Bett, MP
4. The Hon. Joseph Ndiege, MP
5. The Hon. Zakayo Cheruiyot, MP
6. The Hon. Rashid Bedziimba, MP
7. The Hon. Grace Kiptui, MP
8. The Hon. Joseph Lekuton, MP
9. The Hon. Protus Akuja Ewesit, MP
10. The Hon. Fatuma Ibrahim Ali, MP
11. The Hon. Dr. Humphrey Njuguna, MP
12. The Hon. Ibrahim Abdi Saney, MP
13. The Hon. Mohamed Shidiye, MP
14. The Hon. Wanjiku Muhia, MP

APOLOGIES

1. The Hon. Asman Kamama, MGH, OGW, MP - **Chairperson**
2. The Hon. Dr. Makali Mulu, MP
3. The Hon. George Theuri, MP
4. The Hon. Samuel Moroto, MP
5. The Hon. Joseph Kahangara, MP
6. The Hon. (Maj. Rtd.) John K. Waluke, MP
7. The Hon. Alice Wahome, MP
8. The Hon. Shaaban Ali Isaack, MP
9. The Hon. Benard Shinali, MP
10. The Hon. Jane Machira, MP
11. The Hon. Timothy Wetangula, MP
12. The Hon. David Gikaria, MP
13. The Hon. Patrick Ole Ntutu, MP
14. The Hon. Charles Nyamai, MP
15. The Hon. Ababu Namwamba, MP

IN ATTENDANCE - COMMITTEE SECRETARIAT

- | | | |
|---------------------------|---|---------------------|
| 1. Mr. Leonard Machira | - | Clerk Assistant I |
| 2. Ms. Rose Wanjohi | - | Clerk Assistant II |
| 3. Ms. Hellen Lokwang | - | Clerk Assistant III |
| 4. Ms. Christine Odhiambo | - | Legal Counsel II |

MIN.NO.255/ANS/2016 - PRELIMINARIES

The Chairperson called the meeting to order at 10.30 am. A prayer was said.

MIN.NO.256/ANS/2016 - CONFIRMATION OF MINUTES

Confirmation of minutes was deferred to the next sitting.

MIN.NO.257/ANS/2016 - CONSIDERATION OF THE COUNTY HALL OF FAME BILL, 2014 (SENATE BILL NO. 33 OF 2014)

The Committee was informed that the Bill seeks to provide a framework for the recognition of persons who have made significant contributions to the county or country, as well as to provide a framework for the preservation of the history, heritage and culture of the county. Its purpose shall be to honour the achievements of persons who have made contributions to the county or country, to educate members of the public and to preserve historical documents on the history, heritage and culture of the county.

The Members observed that the Bill seemed to duplicate the functions of the national government with those of the county governments and recommended that the criteria and mode of recommendation of persons to the Hall of Fame should be limited and anchored on the national values and principles of governance as stipulated in Article 10 of the Constitution. These includes:-

- (a) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- (b) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
- (c) Good governance, integrity, transparency and accountability; and
- (d) Sustainable development.

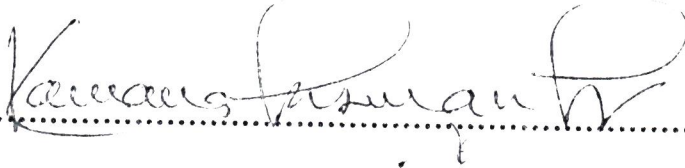
The Committee also recommended that the County Hall of Fame Selection Committee provided for in the Bill should recommend persons from the county level to national level for consideration to receive the awards.

MIN.NO.258/ANS/2016

ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 12.40 pm and the next meeting will be held on Thursday, 18th August, 2016 at 10.00 a.m.

Signed.....



(Chairperson)

Date.....

MINUTES OF THE 43RD SITTING OF DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY HELD ON THURSDAY 16TH
JUNE, 2016 IN THE MEDIA CENTRE, MAIN PARLIAMENT BUILDINGS AT 10:00
AM

PRESENT:

1. The Hon. Asman Kamama, MGH,OGW,MP - **Chairperson**
2. The Hon. Ababu Namwamba, EGH, MP
3. The Hon. Patrick Ole Ntutu, MP
4. The Hon. Joseph Lekuton, MP
5. The Hon. Samuel Moroto, MP
6. The Hon. Zakayo K. Cheruiyot, MP
7. The Hon. Bernard Shinali, MP
8. The Hon. Humphrey Njuguna, MP
9. The Hon. Grace Kiptui, MP
10. The Hon. James Bett, MP
11. The Hon. Akuja Protus Ewesit, MP
12. The Hon. (Maj. Rtd.) John K. Waluke, MP
13. The Hon. Jane Machira, MP
14. The Hon. David Gikaria, MP
15. The Hon. George Theuri, MP
16. The Hon. Timothy W. Wetangula, MP
17. The Hon. Joseph O. Ndiege, MP
18. The Hon. (Dr.) MakaliMulu, MP
19. The Hon. Shabaan Ali Isaack, MP
20. The Hon. Fatuma Ibrahim Ali, MP
21. The Hon. Charles Nyamai, MP

APOLOGIES

1. The Hon. Alois M. Lentiomaga, MP - **Vice- Chairperson**
2. The Hon. Alice Wahome, MP
3. The Hon. Francis K. Mwangangi, MP

ABSENT

1. The Hon. Joseph Kahangara, MP
2. The Hon. Rashid J. Bedzimba, MP
3. The Hon. Wanjiku Muhia, MP
4. The Hon. Mohamed Shidiye, MP
5. The Hon. Ibrahim Abdi Saney, MP

IN ATTENDANCE

NATIONAL ASSEMBLY

1. The Hon. Ferdinand Wanyonyi, MP
2. The Hon. Christopher Naluleu, MP

COMMITTEE SECRETARIAT

- | | | |
|---------------------------|---|---------------------|
| 1. Mr. Leonard Machira | - | Clerk Assistant I |
| 2. Ms. Rose Wanjohi | - | Clerk Assistant II |
| 3. Ms. Hellen Lokwang | - | Clerk Assistant III |
| 4. Ms. Christine Odhiambo | - | Legal Counsel II |

MIN.NO. 200/ANS/2016: PRELIMINARIES

The Chairperson called the meeting to order at half past ten o'clock. A prayer was said.

MIN.NO. 201/ANS/2016: CONFIRMATION OF MINUTES

The Minutes of the 28th Sitting were confirmed as true records of the proceedings as proposed by the Hon. James Bett, MP and seconded by the Hon. Joseph O. Ndiege, MP.

The Minutes of the 29th Sitting were confirmed as true records of the proceedings as proposed by the Hon. Protus Ewesit Akuja, MP and seconded by the Hon. Davis Gikaria, MP.

The Minutes of the 30th Sitting were confirmed as true records of the proceedings as proposed by The Hon. Patrick Ole Ntutu, MP and seconded by the Hon. Zakayo K. Cheruiyot, MP.

The Minutes of the 31st Sitting were confirmed as true records of the proceedings as proposed by The Hon. Joseph Lekuton, MP and seconded by the Hon. Bernard Shinali, MP.

The Minutes of the 32nd Sitting were confirmed as true records of the proceedings as proposed by The Hon. Timothy Wetangula, MP and seconded by the Hon. Charles Nyamai, MP.

The Minutes of the 33rd Sitting were confirmed as true records of the proceedings as proposed by The Hon. James Bett, MP and seconded by the Hon. Protus Ewesit Akuja, MP.

The Minutes of the 34th Sitting were confirmed as true records of the proceedings as proposed by The Hon. (Maj. Rtd.) John Waluke, MP and seconded by the Hon. Charles Nyamai, MP.

MIN.NO.202 /ANS/2016: SUBMISSION BY HON. FERDINAND WANYONYI, MP ON THE PROPOSED PREVENTION, PROTECTION AND ASSISTANCE TO INTERNALLY DISPLACED PERSONS AND AFFECTED COMMUNITIES (AMENDMENT) BILL, 2016

The Hon. Ferdinand Wanyonyi, the sponsor of the Legislative Proposal, informed the Committee that the principal object of the proposed amendment was to allow the Fund established by the principal Act to assist persons internally displaced from the year 1990

onwards and not just the victims of the post-election violence of 2007/2008 as the Act currently provided.

The Committee was further informed that during the 1992 ethnic clashes 52 families were evicted from the Mango Mt. Elgon region. They were squatting in the farm in the process of acquiring it when they were displaced. They are not able to return back to the land because it was currently occupied. There also had documents to support their claims to the land. They were currently staying in a small parcel of land which was purchased for them in Bosnia, Chechnya and Rwanda in Kwanza Constituency They have no source of income and many of them are old. The government was unable to resettle the families as the Prevention, Protection and Assistance to internally displaced persons and affected communities Act 2012 in its current form only allows for compensation to those persons and communities affected by the Post-election 2007/2008 violence.

The Honorable Member further stated that victims of ethnic conflict in the South Rift region faced the same fate and urged the Committee to recommend that the Legislative Proposal be published to remedy the situation.

The Committee recommended that the Government should compile a comprehensive list of all Internally Displaced Persons in Kenya and verifies its authenticity.

MIN. NO.203 ANS/2016: SUBMISSION BY HON. CHRISTOPHER DOYE NAKULEU, MP ON THE PETITION BY THE LAIKIPIA TURKANA COUNCIL OF ELDERS REGARDING ALLEGED DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY IN THE ISSUANCE OF NATIONAL IDENTITY CARDS IN LAIKIPIA COUNTY

The Hon. Christopher Doye Nakuleu MP informed the Committee, on behalf of Laikipia Turkana Council of Elders, the petitioners, that:-

- i. Article 12 of the Constitution entitles every citizen to equal rights and privileges and benefits of citizenship any document of registration or identification issued by the state;
- ii. Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person's birth, either the father or mother of the person is a citizen;
- iii. in spite of the members of Turkana Community in Laikipia County being citizens by birth, the National Government delays issuance of national identification cards through a biased vetting process, contrary to Article 27 of the Constitution that prohibits all forms of discrimination;
- iv. The delayed issuance of national identity cards had denied the Turkana youth access to government services, employment as well as access to socio-economic opportunities like Youth Enterprises Fund, Uwezo Fund and the Women Enterprises Fund;
- v. The lengthy vetting process had also disenfranchised the affected citizens and deprived them the enjoyment of rights and fundamental freedoms enshrined in the bill of rights, particularly Article 38 of the Constitution on political rights;
- vi. Inordinately delaying the processing and issuance of national identification cards to Turkana youth in Laikipia County was breeding unemployment, marginalization and anti-

social behavior among the disillusioned youth who cannot access means of economic empowerment;

- vii. The lengthy vetting process had also disenfranchised the affected members of the Turkana community in Laikipia County and deprived them of their right to full enjoyment of the rights and fundamental freedoms as contained in the bill of rights, particularly political rights enshrined in Article 38 of the Constitution;
- viii. Controlling registration and inordinately delaying the processing and release of national identification cards belonging to Turkana youth in Laikipia County was breeding unemployment, marginalization and anti-social behavior among the disillusioned Turkana youth who cannot access means of economic empowerment;
- ix. The efforts by the community to seek redress from relevant offices on the matter have been in vain;
- x. The issues raised in the petition were not pending in any Court of Law, Constitutional or legal body.

The petitioners prayed that the National Assembly, through the Departmental Committee on Administration and National Security:-

- i. Investigates the circumstances and reasons for the inordinate delay and protracted vetting process of members of the Turkana community living in Laikipia County before issuance of national identification cards;
- ii. Intervenes with the Cabinet Secretary, Ministry of Interior and Coordination of National Government to forthwith revoke any order(s) authorizing/directing the tedious vetting of the members of the Turkana Community in Laikipia County by the offices responsible for registration of the persons in the County; and
- iii. Ensures that the Directorate of Registration of Persons expeditiously processes and releases all national identification cards belonging to youths of Turkana origin that have been pending for the last three years, and immediately commences mass registration and issuance of national identification cards to all eligible Persons of Turkana ethnicity resident in Laikipia County;
- iv. Makes any other order(s) deemed fit in mitigating the plight of the petitioners.

The Honourable Member also informed the Committee that the long vetting process before the issuance of identification cards to the Turkana Community in Laikipia County was unnecessary since the County did not border another country. Further the Turkana community in Laikipia are third or fourth generation and as such may not have links to the Turkana Community in other parts of the Country.

Committee Observations

The Committee observed that:-

- i. Members Turkana Community residing in Laikipia County were not a security threat to the country therefore it was not necessary for them to undergo an elaborate vetting process before being issued with national identification cards.

- ii. The perceived political threat posed by the Turkana Community in Laikipia County who were being viewed as challenging the political establishment of the County. Therefore the delay in the issuance of national identification cards would have been used by the political establishment in the area to contain the perceived threat.
- iii. The delay in the registration and issuance of identification cards was a systemic problem which affected many citizens in the country.

The Committee resolved to:-

- i. Undertake a field visit to Laikipia County to meet with the petitioners and familiarize itself with the situation on the ground in relation to matters raised in the said petition.
- ii. Invite the Cabinet Secretary, Ministry of Interior and Coordination of National Security to attend a meeting to deliberate on the petition.

MIN.NO. 204ANS/2016: ANY OTHER BUSINESS

There was no other business before the Committee.

MIN.NO. 205ANS/2016: ADJOURNMENT

There being no other business, the meeting was adjourned at fifteen minutes to one o'clock until Tuesday 21st June, 2016 at 10:00am.

SIGNED: _____

(CHAIRPERSON)

DATE: _____

1st September 2016



**MINUTES OF THE 42ND SITTING OF THE DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY HELD ON TUESDAY, 14TH JUNE
2016 AT THE MEDIA CENTRE, MAIN PARLIAMENT BUILDINGS AT 10.00 A.M.**

PRESENT

1. The Hon. Asman Kamama, MGH, OGW, MP - Chairperson
2. The Hon. Alois Lentoimaga, MP - Vice Chairperson
3. The Hon. Zakayo Cheruiyot, MP
4. The Hon. (Maj. Rtd.) John K. Waluke, MP
5. The Hon. Ababu Namwamba, MP
6. The Hon. Fatuma Ibrahim Ali, MP
7. The Hon. Protus Akuja Ewesit, MP
8. The Hon. Dr. Humphrey Njuguna, MP
9. The Hon. George Theuri, MP
10. The Hon. Charles Nyamai, MP
11. The Hon. Joseph Lekuton, MP
12. The Hon. Samuel Moroto, MP
13. The Hon. Patrick Ole Ntutu, MP
14. The Hon. Mohamed Shidiye, MP

ABSENT WITH APOLOGIES

1. The Hon. Grace Kiptui, MP
2. The Hon. Alice Wahome, MP
3. The Hon. Benard Shinali, MP
4. The Hon. James Bett, MP
5. The Hon. Joseph Ndiege, MP
6. The Hon. Ibrahim Abdi Saney, MP
7. The Hon. Joseph Kahangara, MP
8. The Hon. Shaaban Ali Isaack, MP
9. The Hon. Francis Mwangangi, MP
10. The Hon. Rashid Bedzimba, MP
11. The Hon. Dr. MakaliMulu, MP
12. The Hon. Jane Machira, MP
13. The Hon. WanjikuMuhia, MP
14. The Hon. Timothy Wetangula, MP
15. The Hon. David Gikaria, MP

IN ATTENDANCE - COMMITTEE SECRETARIAT

1. Mr. Leonard Machira	-	First Clerk Assistant
2. Ms. Rose Wanjohi	-	Second Clerk Assistant
3. Ms. Hellen Lokwang	-	Third Clerk Assistant
4. Ms. Christine Odhiambo	-	Legal Counsel II
5. Ms. Maureen Mwendu	-	Intern

MIN.NO.195 /ANS/2016 - PRELIMINARIES

The Chairperson called the meeting to order at 10.30 am. A prayer was said.

MIN.NO.196 /ANS/2016 - CONFIRMATION OF MINUTES

Confirmation of minutes was deferred to the next meeting.

MIN.NO.197 /ANS/2016 - CONSIDERATION OF A PETITION BY HON. CHRISTOPHER DOYE NAKULEU, MP ON BEHALF OF LAIKIPIA COUNCIL OF ELDERS REGARDING ALLEGED DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY IN THE ISSUANCE OF NATIONAL IDENTITY CARDS IN LAIKIPIA COUNTY.

The apologies of Hon. Nakuleu were conveyed citing the ongoing meeting of equalization fund which was concurrently conducted by the Budget and Appropriations Committee. He was rescheduled to brief the Committee on Thursday, 16th June 2016.

The Members were brief on the issues raised in the petition and made the following comments:-

- (i) The Committee acknowledged that the concerns raised by the petitioners regarding the issuance of national identity cards affected many Kenyans;
- (ii) The issuance of national identity cards had been politicized in various regions depending on the dominant ethnic community in a given area resulting in the marginalization of the subsidiary communities. The most affected Counties included Laikipia, Marsabit, Samburu, Isiolo and Turkana.
- (iii) Lack of national identity cards had made many youths to be susceptible to radicalization. They had also been rendered stateless and would not access employment opportunities, enrollment in higher learning institutions and access to government services etc.
- (iv) The issues of national identity cards is prone to corruption given that cards are issued to non-locals who bribe government officers leaving the deserving locals desperate as they lack of resources to give bribes.
- (v) The locals residing in areas hosting refugees had been forced to enter into the refugees' database as an alternative of hiding their frustrations.

- (vi) The Committee proposed that the issuance of national identity cards should be decentralized to the Counties and appropriate mechanisms be instituted to vet applicants and promptly issue the cards to genuine Kenyans.

MIN.NO.198 /ANS/2016 - ANY OTHER BUSINESS

The Committee was informed that the delegation scheduled to accompany the Independent Policing Oversight Authority on a benchmarking visit to South Africa would depart for Johannesburg on Saturday, 18th June 2016. The delegation comprised the following:-

- (i) Hon. Alois Lentoimaga, MP – Vice Chairperson and Head of delegation
- (ii) Hon. James Bett, MP
- (iii) Hon. Timothy Wetangula, MP
- (iv) Hon. Joseph Kahangara, MP

MIN.NO.199/ANS/2016 - ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 11.30 am and the next meeting will be held on Thursday, 16th June 2016 at 10.00 am.

Signed.....

(Chairperson)

Date..... 1st September 2016




APPENDIX IV

SUBMISSION BY PETITIONERS

LAIKIPIA COUNTY APPLICANTS WITH WAITING CARDS

NO	NAME	SERIAL NUMBER	DATE OF ISSUE	PLACE OF RESIDENCE
1.	LUKAS FROTI EKENO	2287313244	22/9/2010	NYAHURURU DIVISION
2.	MARY APOO LOKORIO	2309088695	12/6/2012	NYAHURURU DIVISION
3.	PAULINA H APEYONON	23874116221	7/10/2011	NYAHURURU DIVISION
4.	JOSEPH KAMUNYA MAPLOR	2309082851	3/5/2012	NYAHURURU DIVISION
5.	JULUIS LOKUTAN EKITELA	2309088196	12/6/2012	NYAHURURU DIVISION
6.	EKUNOIT LOPEYOK	2287313165	22/9/2010	NYAHURURU DIVISION
7.	MARY NAANJI	2287411707	7/10/2011	NYAHURURU DIVISION
8.	LONGORI KENO EWATON	2287312167	22/9/2010	NYAHURURU DIVISION
9.	PETER KOKUL LOKARON	2309085021	24/5/2012	NYAHURURU DIVISION
10.	ESTHER OME BEYIAN	2383967942	16/02/2015	RUMURUTI DIVISION
11.	SUSAN ETUR RABATA	2386196845	14/04/2015	RUMURUTI DIVISION
12.	PAULINA ALIMLIM WAUGONJI	242638697	27/07/2016	RUMURUTI DIVISION
13.	JOHN HKIRU ESOKONI	2426386697	27/07/2016	RUMURUTI DIVISION
14.	ALICE EMATHE ESOKON	2426386751	27/07/2016	RUMURUTI DIVISION
15.	PAUL LOKUWAM LONGOR	2426383136	27/07/2016	RUMURUTI DIVISION
16.	MOSES JOMBA BUKIO	2346828312	06/02/2014	RUMURUTI DIVISION
17.	DAVID LOKAKA LOTIO	2287462922	03/11/2011	RUMURUTI DIVISION
18.	VERONICA ASINGELA EKOMWA	2386197423	14/04/2016	RUMURUTI DIVISION

 Confirmed
 5/10/2016

NGARUA DIVISION OVER 18 YEARS APPLICANTS WITHOUT IDENTIFICATION CARDS

NO	NAME	NGARUA DIVISION		
1.	JOHN LOSIKE DIDA	NGARUA DIVISION		
2.	KILEMEN ANIITA EKAI	NGARUA DIVISION		
3.	DANIEL ANOMAT MELO	NGARUA DIVISION		
4.	JOHN M. LOPUTIR MELO	NGARUA DIVISION	1107467	LOST
5.	MARGRET LOKIDPOI MELO	NGARUA DIVISION		LOST
6.	JOHN MELO ANOMAT	NGARUA DIVISION		
7.	NICHOLAS G. SALESIO	NGARUA DIVISION		
8.	JOHN ETHEKON SALESIO	NGARUA DIVISION		
9.	AGNES KAREMI SALESIO	NGARUA DIVISION		
10.	STEPHEN LOTOME ATHEKON	NGARUA DIVISION		
11.	JOHN N. ELIMLIM	NGARUA DIVISION		
12.	JOHN NGILIMO ATHEKON	NGARUA DIVISION		
13.	PETER LOCHODA ATHEKON	NGARUA DIVISION		
14.	PETER KAMAI LOWOTON	NGARUA DIVISION		
15.	SUSAN NAKAMURI	NGARUA DIVISION		LOST
16.	STEPHEN ADOME EREGAE	NGARUA DIVISION		
17.	LEA AKAI EREGAE	NGARUA DIVISION		
18.	MARY NAKIDONGOI EKAI	NGARUA DIVISION		
19.	PATRICK LOKARACH NGASIKE	NGARUA DIVISION		
20.	FAITH W.LOKORIO	NGARUA DIVISION		
21.	ANN NATODOK EKIRU	NGARUA DIVISION		
22.	SIMON KALIO NANGIRO	NGARUA DIVISION		
23.	MONICA AWOI EKAI	NGARUA DIVISION		
24.	JOHN ERUPE ELOSI	NGARUA DIVISION		

No.	Name s	Waiting card serial No.	Date of registration
1.	Margaret Akai	2415297096	28/04/2016
2.	Jacinta Akwam Ejotan	2374095787	20/04/2016
3.	Susan Akitemi Akai	2374092971	14/10/2014
4.	Julius Arieng Lotin	2346828443	18/02/2014
5.	Benson Loracl Lokatoc	228741121	18/10/2011
6.	Abdour Jilo Adan	2374094773	10/02/2013
7.	Hussain Adan Jilo	2346826063	17/07/2013
8.	Stanly Ekeno Ekaran	2426383863	26/07/2016
9.	Marteen Kimat Lotin	2426383522	
10.	Maxwel Akai Ekaran	2426383872	26/07/2016
11.	Janu Nigmat Lodaan	2426386277	25/07/2016
12.	James Ekwan Ikimati	2426383084	30/05/2016
13.	Samuel Ekiru	2425251053	28/07/2016
14.	Rebecca Kale Lotin	2403719035	24/03/2016
15.	Agnes Nawkopi Ebona	2426833385	07/05/2016
16.	Moses Jombo Bukio	2345828312	06/02/2014
17.	Ekwan Kapua	2412097352	
18.	Jaka Ekinela Eanyen	2426383102	
19.	Joyce Akai Eanyen	2426383177	
20.	Jacinta Namerna Ernata	2426386785	
21.	Teresta Akai Lopyok	2426386853	
22.	Beatrice Awra Elin	2394863212	28/01/2016
23.	Francis Kabua Lokitoc	2426386785	
24.	Ruth Natome Kapua	2426386742	
25.	Stephen Segret Moding	2426386837	
26.	Samuel Lomaria Ekai	2426386733	
27.	John Laidoo Ekai	2426386873	
28.	Anthony Nakari Lodaan	2426383197	30/05/2016
29.	Emtee Arupe Akandeh	2426386904	25/07/2016

43.	LUCY TIKOL LOKENO	NYAHURURU DIVISION	
44.	VERONICAH ARUNYE INGOLE	NYAHURURU DIVISION	
45.	EDOKE A LOTIENO	NYAHURURU DIVISION	
46.	ESTHER EKINOIT EWOI	NYAHURURU DIVISION	
47.	LUCAS KIMATI EMEKWO	NYAHURURU DIVISION	
46.	JAMES MELEYO MERKUT	NYAHURURU DIVISION	
47.	FRANCIS AMANA NAKURON	NYAHURURU DIVISION	
48.	GABRIEL YUNO EPEYO	NYAHURURU DIVISION	
49.	MARGRET ALIMLIM KANAPKURU	NYAHURURU DIVISION	
50.	GRACE JINYEI KIKALU	NYAHURURU DIVISION	
51.	MARY EMANIKOR LOKWAWI	NYAHURURU DIVISION	
52.	STEPHENE KAMATE EKWAT	NYAHURURU DIVISION	
53.	EUNICE KUKUI ACHAKAN	NYAHURURU DIVISION	
54.	TERESIA NARUNYEI KIHARA	NYAHURURU DIVISION	
55.	LUCY AKTAR LUTAK	NYAHURURU DIVISION	
56.	SUSAN ETITATHNAKORI	NYAHURURU DIVISION	
57.	BEATRICE AMANA NAMERION	NYAHURURU DIVISION	
58.	GRACE NYANGAI NAMERION	NYAHURURU DIVISION	
59.	SOFIA AKAI EKIMAR	NYAHURURU DIVISION	
60.	TERESIAH AMEJEN EWOI	NYAHURURU DIVISION	
61.	MARY ATABU APIOTA	NYAHURURU DIVISION	
62.	NATHUTHUNUI IGAT	NYAHURURU DIVISION	
63.	PAUL ELIMLIM ALICH	NYAHURURU DIVISION	
64.	NICHOLAS ANDOME EKENO	NYAHURURU DIVISION	
65.	JOYCE AKENO IOPUAI	NYAHURURU DIVISION	
66.	JECINTA NAIBACH LOKITARI	NYAHURURU DIVISION	
67.	JAMES LOPETAO AUMA	NYAHURURU DIVISION	
68.	HELLEN NALITHAI LUKOMOE	NYAHURURU DIVISION	
69.	GRACE ALOTI LOTIN	NYAHURURU DIVISION	
70.	JANE AMBENYO LOKOBONYO	NYAHURURU DIVISION	
71.	SUSAN ADAPAN LOPEYO	NYAHURURU DIVISION	
72.	JANE BUTHUKI EDAPAL	NYAHURURU DIVISION	
73.	ELIZA AKAI EWASIA	NYAHURURU DIVISION	
74.	MARIA LORONGOI LOMITIR	NYAHURURU DIVISION	
75.	FRANCIS LOBEI LOKIRIDI	NYAHURURU DIVISION	
76.	JANE AKAI NGASIKE	NYAHURURU DIVISION	
77.	BETH LORU NGASIKE	NYAHURURU DIVISION	
78.	JOHN APUSH LOPEYOK	NYAHURURU DIVISION	
79.	SUSAN ANDIKAI LONGATUNYO	NYAHURURU DIVISION	
80.	ELIZABETH AMURIA ADIKA	NYAHURURU DIVISION	
81.	JANE AKENO APETET	NYAHURURU DIVISION	
82.	JOHN AKALE MUTUINGA	NYAHURURU DIVISION	
83.	JOSEPHINE ARUPE	NYAHURURU DIVISION	
84.	WILSON LOMUNYAKE	NYAHURURU DIVISION	
85.	JAMES ATOIYA LOKARAECH	NYAHURURU DIVISION	
86.	PAUL KIYONGA EUMWA	NYAHURURU DIVISION	
87.	PETEREWOI LOKARACH	NYAHURURU DIVISION	
88.	JULIUS NANA LOKARACH	NYAHURURU DIVISION	
89.	ESTHER LONGOROT	NYAHURURU DIVISION	

90.	CHRISTINE NGIDUKAN	NYAHURURU DIVISION	
91.	MONICAH NACHOMIN KINUKI	NYAHURURU DIVISION	
92.	SAMUEL KUYA LOMANAKOR	NYAHURURU DIVISION	
93.	JANET KASUKOU KATENG	NYAHURURU DIVISION	
94.	DAMARIS APUR	NYAHURURU DIVISION	
95.	JOSEPH LOWATH MUTUNGA	NYAHURURU DIVISION	
96.	MARGRET AKOMWA LOPEIYOK	NYAHURURU DIVISION	
97.	EKAI LOLENI EKAMUTO	NYAHURURU DIVISION	
98.	VERONICAH AKIRU NGATHIKE	NYAHURURU DIVISION	
99.	KOKIRU BETH LORU	NYAHURURU DIVISION	
100.	NATAPA ALNYA ILKWEL	NYAHURURU DIVISION	
101.	CAROLINE LOJORE ACHIRIKENO	NYAHURURU DIVISION	
102.	LILIAN NARUMU LOPUR	NYAHURURU DIVISION	
103.	JAMES GOMODO LONTONGIN	NYAHURURU DIVISION	
104.	FRANCIS ELAINI KATOROBO	NYAHURURU DIVISION	
105.	JOSEPH AREA AIYAPAN	NYAHURURU DIVISION	
106.	ALICE AKIRU EUTAN	NYAHURURU DIVISION	
107.	CHRISTINE MUSIMBI RUVISIA	NYAHURURU DIVISION	
108.	SIMON EKAI MURATA	NYAHURURU DIVISION	
109.	ARETA GURIRAI WILARI	NYAHURURU DIVISION	
110.	PENNINAH NAPEYOK EKIRU	NYAHURURU DIVISION	
111.	ROSE ARIANG EKAI	NYAHURURU DIVISION	
112.	JANE AWOI NAKENYA	NYAHURURU DIVISION	
113.	JOSEPH LOKELE EKAMUTO	NYAHURURU DIVISION	
114.	SIMON EKAI MLEF	NYAHURURU DIVISION	
115.	FRANCIS LOMONI EROT	NYAHURURU DIVISION	
116.	DERRICK MAGU KAPUS	NYAHURURU DIVISION	
117.	ESTHER NATHUTHUJ BUKEI ESTHER NABARU LESIRE	NYAHURURU DIVISION	
118.	PAUL LODENGOR AMATUN	NYAHURURU DIVISION	
119.	SAMUEL LOLUPE EROTO	NYAHURURU DIVISION	
220.	ANNAH KONE LOKUBO	NYAHURURU DIVISION	
221.	JECINTA KIAPA LOKUSU	NYAHURURU DIVISION	
222.	SELINA LOUA EWOI	NYAHURURU DIVISION	
223.	FELISTA NARUMBU KAMELE	NYAHURURU DIVISION	
224.	APUWA KWAPUSI	NYAHURURU DIVISION	
225.	NANCY WANGECI KIAMA	NYAHURURU DIVISION	
226.	GRACE ASMAI EPUKEY	NYAHURURU DIVISION	
227.	GRACE AMAIL EPUKEY	NYAHURURU DIVISION	
228.	JOSEPH LOYAMA LOTUKOI	NYAHURURU DIVISION	
229.	MARY NABOR LONDOKETA	NYAHURURU DIVISION	
230.	ELIZABETH NGONDONDI LOAKAT	NYAHURURU DIVISION	
231.	LEKWAWI DANIEL ACHAU	NYAHURURU DIVISION	
232.	LEKWAWI DANIEL ACHAU	NYAHURURU DIVISION	
233.	SUSAN UREIEN LOKUR	NYAHURURU DIVISION	
234.	MARGRET AWETHIT KAPUS	NYAHURURU DIVISION	
235.	MARY ASIMITI ELIMLIM	NYAHURURU DIVISION	
236.	JANE WAIRIMU MWANGI	NYAHURURU DIVISION	
237.	LOISENANOK AKULA	NYAHURURU DIVISION	

238.	AGNES NANYOLE EMERI	NYAHURURU DIVISION	
239.	SUSAN WAMBUI AMERI	NYAHURURU DIVISION	
240.	GLADYS IDAP LUKUMBWA	NYAHURURU DIVISION	
241.	SIMON EKENO LUKUBWA	NYAHURURU DIVISION	
242.	MARGRET ENGITI LOKUBWA	NYAHURURU DIVISION	
243.	JANE MOITE EDONGA	NYAHURURU DIVISION	
244.	ROSE AKENO NORMAN	NYAHURURU DIVISION	
245.	PETER EKWUOM LOKIRINDI	NYAHURURU DIVISION	
246.	JOHN AKALAL MUTUNGA	NYAHURURU DIVISION	
247.	LODAN AKALALE ABOTO	NYAHURURU DIVISION	
248.	SIMON ABASH ELIMLIM	NYAHURURU DIVISION	
249.	AKINHYI DODOIA DODOU	NYAHURURU DIVISION	
250.	PETER ENDUNG LOUYAI	NYAHURURU DIVISION	
251.	SIMON KABURU EKIRU	NYAHURURU DIVISION	
252.	BRIAN RISA MASIA	NYAHURURU DIVISION	
253.	LUCY NARISIAN LOKUMBE	NYAHURURU DIVISION	
254.	JANE ANDONGA MURU	NYAHURURU DIVISION	
255.	PETER APOLOSTA MURU	NYAHURURU DIVISION	
256.	JOHN NGIGE KINYAJUI	NYAHURURU DIVISION	
257.	PURITIY NORAA NOMANYI	NYAHURURU DIVISION	
258.	FRANCIS LUBEI LOKIRIDI	NYAHURURU DIVISION	
259.	SIMON MATHERO	NYAHURURU DIVISION	
260.	KOKIRO BETH LORU	NYAHURURU DIVISION	
261.	ROSE AKOPENYA LODOPUWA	NYAHURURU DIVISION	
262.	PENINAH NANOK LOTER	NYAHURURU DIVISION	
263.	JOHN EKALALE MUTUNGA	NYAHURURU DIVISION	
264.	MARY NAPEYOK NGARUKA	NYAHURURU DIVISION	
265.	SAMARIS EPUR NAMELOI	NYAHURURU DIVISION	
266.	JANE EKENO APETET	NYAHURURU DIVISION	
267.	AGNES NYAMABRA KAALI	NYAHURURU DIVISION	
268.	SELINA AKIRU LOTER	NYAHURURU DIVISION	
269.	SUSA ERUKON AKAI	NYAHURURU DIVISION	
270.	DAUDI LOIKI LOCHUCHU	NYAHURURU DIVISION	
281.	MARY KOKIRO	NYAHURURU DIVISION	
282.	EUNICE ERUDE MUSIMBI	NYAHURURU DIVISION	
283.	SIMON KOKOO LOPEYOK	NYAHURURU DIVISION	
284.	COLLINS NGOTIK SAPURO	NYAHURURU DIVISION	
285.	DAIEL LOCHOD	NYAHURURU DIVISION	
286.	JOSEPH LOPUKE LOTOMON	NYAHURURU DIVISION	
287.	REBECCA EREGAE TAMOE	NYAHURURU DIVISION	
288.	TRIZZAH CHIESIRE KIMURU EKUDOR WENGITAN	NYAHURURU DIVISION	
289.	MARGRET APOGO MORU	NYAHURURU DIVISION	
290.	LYDIAH NARUMBE CHEGEM	NYAHURURU DIVISION	
291.	MIRIAM CHEPKORIR KASOKOS	NYAHURURU DIVISION	
292.	PETER LOLOGOI CHEKUDAIGA	NYAHURURU DIVISION	
293.	LODLE JOSEPH LUKALEI	NYAHURURU DIVISION	
294.	MNONICAH CHEMTAI	NYAHURURU DIVISION	
295.	JANE WANJIRU	NYAHURURU DIVISION	

344.	SIMON EKAI	NYAHURURU DIVISION	
345.	JOSEPH LELEE	NYAHURURU DIVISION	
346.	ANN AKURON	NYAHURURU DIVISION	
347.	SIMON EKENO	NYAHURURU DIVISION	
348.	JULIUS LOOI	NYAHURURU DIVISION	
349.	JOSPAT ACHUKA	NYAHURURU DIVISION	
350.	JANE EGELAN	NYAHURURU DIVISION	
351.	BEATRICE AKAI	NYAHURURU DIVISION	
352.	SIMON LOKONYA	NYAHURURU DIVISION	
353.	PETER EKUOM	NYAHURURU DIVISION	
354.	MARY ATHIMIT	NYAHURURU DIVISION	
355.	MARGRET ENGITI	NYAHURURU DIVISION	
356.	BEATRICE EKAL	NYAHURURU DIVISION	
358.	MARGRET APAO	NYAHURURU DIVISION	
359.	PAUL LOKOMWA	NYAHURURU DIVISION	
360.	SAMWEL LOLOPE	NYAHURURU DIVISION	
361.	SUSAN ARUKON	NYAHURURU DIVISION	
362.	FRED ETAN LOBAU	NYAHURURU DIVISION	
363.	LOLEM EKAI EKAMUTO	NYAHURURU DIVISION	
364.	LORAN KAMAIS	NYAHURURU DIVISION	
365.	SUSAN ELOTOEKIRU	NYAHURURU DIVISION	
366.	JANE AKAI	NYAHURURU DIVISION	
367.	ANN AMOTT	NYAHURURU DIVISION	
368.	JANE NATHURU	NYAHURURU DIVISION	
369.	ROSE AKOPENYANG	NYAHURURU DIVISION	
367.	ANNAH ATHUNGURU	NYAHURURU DIVISION	
368.	ESTHER KERIO	NYAHURURU DIVISION	
369.	VERONICA AKENO	NYAHURURU DIVISION	
370.	MOSES ETOMO	NYAHURURU DIVISION	
371.	SAMWEL LOJORE	NYAHURURU DIVISION	
372.	MARY KANINI	NYAHURURU DIVISION	
373.	TAIFA LOPATIO LODAN EMURIA	NYAHURURU DIVISION	
374.	STEPHEN KADENGE MUTHEE	NYAHURURU DIVISION	
375.	JOHN NGATUKOI	NYAHURURU DIVISION	
376.	ANGOOKA LOPUON	NYAHURURU DIVISION	
377.	AMHKUI EMENTAE	NYAHURURU DIVISION	
378.	MARY NANYANG	NYAHURURU DIVISION	
379.	MUNTEN IKWANGINYA	NYAHURURU DIVISION	
380.	LAKABURN ATAMA NALIPAN	NYAHURURU DIVISION	
381.	AGNES NAKURUDI ELOSI	NYAHURURU DIVISION	
382.	JOYCE AREGAE LOTUKOI	NYAHURURU DIVISION	
383.	MARY ADUKAN LOKAI	NYAHURURU DIVISION	
384.	JOSEPHAT DEDE EKENO	NYAHURURU DIVISION	
385.	CHRISTINE ECHWA DIDA	NYAHURURU DIVISION	
386.	RUFIL RUATINI EKENO	NYAHURURU DIVISION	LOST(2405408031)

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APPENDIX V

**SUBMISSION BY CABINET SECRETARY, MINISTRY OF INTERIOR
AND COORDINATION OF NATIONAL GOVERNMENT**

PETITION REGARDING ALLEGED DISCRIMINATION OF MEMBERS OF THE TURKANA COMMUNITY IN THE ISSUANCE OF NATIONAL IDENTITY CARDS IN LAIKIPIA COUNTY

Mr. Chairman, Honourable Christopher Nakuleu, on behalf of the Turkana community members residing in Laikipia County has petitioned the Government regarding the alleged discrimination in the issuance of identity cards. The Petitioners have drawn the attention of the House on;

1. That, Article 12 of the Constitution entitles every citizen to equal rights, privileges and benefits of citizenship including any document of registration or identification issued by the State,
2. That, Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person's birth, either the father or mother of the person is a citizen,
3. That, in spite of members of the Turkana Community in Laikipia County being citizens by birth, the National Government delays in issuance of national identification cards, through a biased vetting process, contrary to Article 27 of the Constitution that prohibits all forms of discrimination,
4. That, the delayed issuance of national identity cards has denied the Turkana youth access to government services, employment as well as access to socio-economic opportunities like Youth Enterprise Fund, Uwezo Fund and the Women Enterprise Fund,
5. That, the lengthy vetting process has also disenfranchised the affected citizens and deprived them the enjoyment of rights and fundamental freedoms enshrined in the Bill of Rights, particularly Article 38 of the Constitution on political rights,
6. Further that, inordinately delaying the processing and issuance of national identification cards is breeding unemployment, marginalisation and anti-social behaviour among the disillusioned youth who cannot access means of economic employment.

MAEHIRA
 PLS DEAF
 FA
 15/11/16

Al con
 NATIONAL ASSEMBLY
 RECEIVED
 15 NOV 2016
 CLERK'S OFFICE
 P. O. Box 41842, NAIROBI

Mr. Chairman, I wish to respond as follows:

1. The Constitution of Kenya article 12. (1) (b) confers on Kenyan citizens the right “to a Kenyan passport and any document of registration or identification issued by the State to citizens.” To actualize this right and other provisions of Chapter three, the Constitution in 18. (g) gives Parliament the power to enact legislation generally giving effect to the provisions of the chapter.

2. That it is true that the Article 14 of the Constitution entitles every person to citizenship by birth if on the day of the person’s birth, either the father or mother of the person is a citizen.

3. That I am not aware of any discrimination against members of the Turkana community in the issuance of identity cards in Laikipia County. It is worth noting that Turkanas are only one of the border communities that are subjected to vetting during the application of national identity cards in Laikipia County. Other community members include the Maasais, Somalis, Boranas, luos and luhyas.

Vetting of applicants hailing from these communities is necessitated by the fact that they hail from border areas. It is not prudent to refer them back to their home counties for positive identification before they are registered. Further to this, vetting is carried out to identify eligible applicants in their places of origin.

4. That I am not aware of any delays in the issuance of identity cards at the moment because applications are being processed as they are received. Further, there is no backlog of applications at the card production centre.

5. That the vetting process is not lengthy and has not disenfranchised the affected citizens and deprived them the enjoyment of rights and fundamental freedoms enshrined in the Bill of Rights, particularly Article 38 of the Constitution on political rights. This is based on the fact that the vetting meetings are held on regular basis and are a simple one- stop process for those who are positively identified by the vetting elders.

It is important to point out that the vetting of persons applying for identity cards takes place in all cosmopolitan, settlement and border areas where identification of eligible applicants is hampered by the presence of foreign nationals who have a tendency of posing as Kenyans.

6. That there are no inordinate delays in the processing and issuance of national identification cards to Turkana youths in Laikipia County as all applications are processed as soon as they are received and on the basis of first- in first-out during the peak seasons.

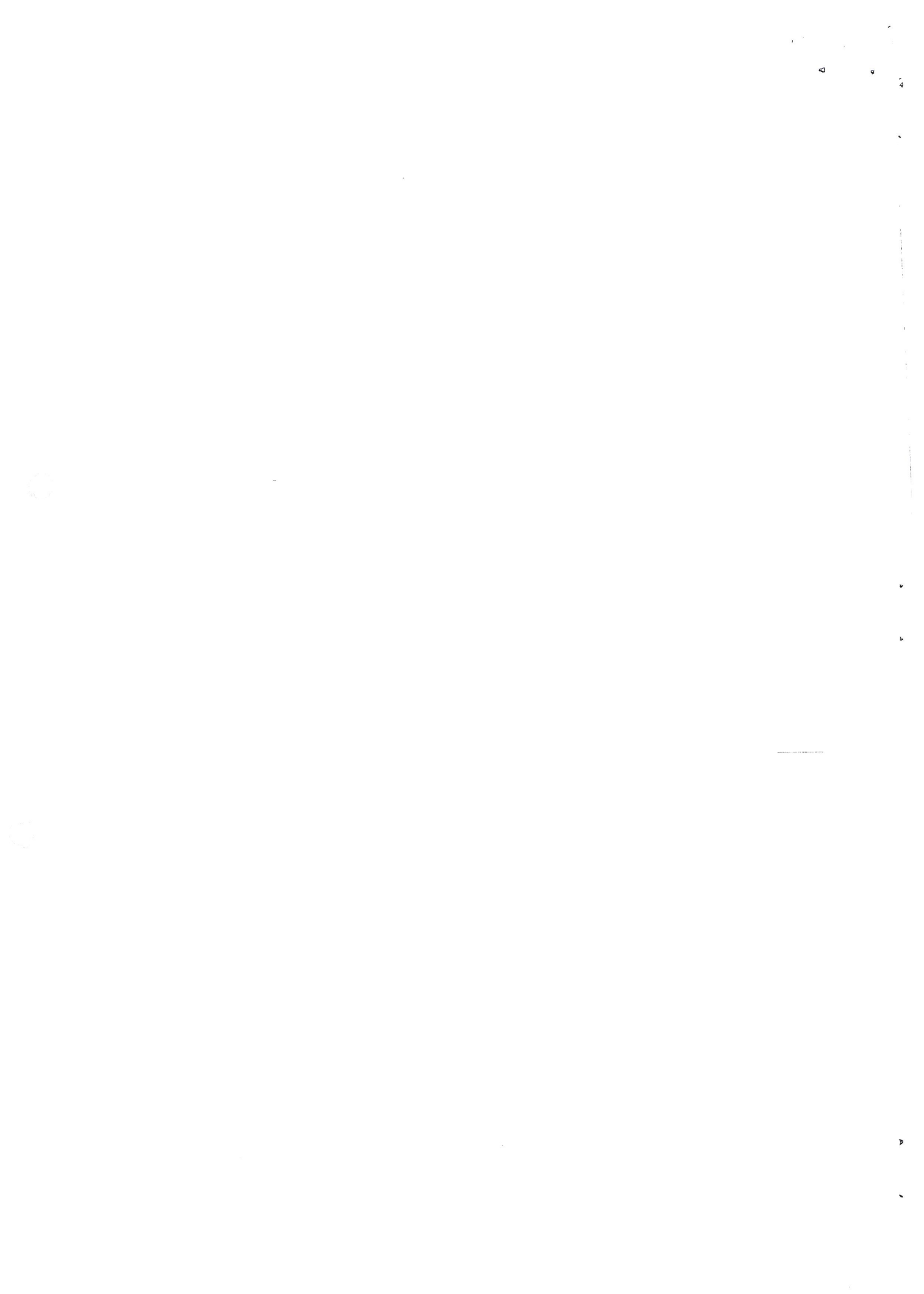
Thank you **Mr. Chairman.**



HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, MGH, CBS
Cabinet Secretary
Ministry of Interior and
Coordination of National Government

3rd October, 2016







**MINISTRY OF INTERIOR AND COORDINATION OF
NATIONAL GOVERNMENT**

LAIKIPIA COUNTY

**REPORT ON ALLEGED DISCRIMINATION OF TURKANAS
IN THE ISSUANCE OF ID CARDS IN THE COUNTY**

TO

**THE PARLIAMENTARY COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY**

THRO'

**THE COUNTY SECURITY AND INTELLIGENCE
COMMITTEE**

BY THE COUNTY REGISTRATION OFFICER

LAIKIPIA

28TH SEPT., 2016

THE REPORT IN SUMMARY

This report provides support for the following summarised facts:

- (i) That Identification (vetting) committees far from being unconstitutional are anchored in law.**
- (ii) That the Turkana are not only vetted in Laikipia but countrywide. Further, it is not the “resident” Registration Officer who decides whom to vet and whom not to. The standards are set centrally and are applied equally nationwide.**
- (iii) That identification committees far from being prohibitive as has been argued are meant to be facilitative. They help the Registration Officer to make calls that would otherwise be too difficult for one individual.**
- (iv) That vetting is not lengthy – unless there are gaps in information provided, the committee makes its determination on the spot and where cases are deferred, they are prioritized during the next vetting meeting unless the individual concerned fails to turn up.**
- (v) That there is no evidence of disenfranchisement of Turkana youth due to lack of ID cards. Registration of Turkana Youth for new ID cards has increased from 331 in 2013 to 1052 so far in 2016. Further, these youths are registered through office driven mobile registration initiatives.**
- (vi) That there is no delay in issuance of ID Cards to Turkana’s. In the unfortunate instances when there are delays, these are usually at the production center and have a national outlook.**

INTRODUCTION

The Constitution of Kenya article 12. (1) (b) confers on Kenyan citizens the right “to a Kenyan passport and any document of registration or identification issued by the State to citizens.” To actualize this right and other provisions of Chapter three, the Constitution in 18. (g) gives Parliament the power to enact legislation generally giving effect to the provisions of the chapter.

In exercise of this power, Parliament has enacted The Registration of Persons Act (CAP 107 Laws of Kenya) to guide and regulate the registration and issuance of ID cards to all persons who are citizens of Kenya and who have attained the age of eighteen years and above. Registration for a Kenyan ID card is therefore limited to Kenyan Citizens above eighteen years of age.

The registration of persons Act 8 (1) gives the Registration Officer power to require of those who seek registration under the Act or rules made thereunder to furnish such documentary or other evidence of the truth of the information they provide as it is within their power. Traditionally therefore Kenyans who seek registration for issuance of ID cards are required to provide:

- 1. Proof of Kenyan Citizenship- usually through a parent’s ID card**
- 2. Proof of age-through an array of alternative documents but preferably by way of birth certificate where available.**

KENYAN CITIZENSHIP- PROOF OF CITIZENSHIP

The Constitution of Kenya article 12. (2) Provides that Kenyan "Citizenship may be acquired by birth or registration." Since the matters before this Parliamentary Committee have to do with one of Kenya's indigenous communities, we shall limit ourselves to Citizenship by birth.

Constitutionally, Kenyans by birth fall into two sub-categories:

- 1. Persons who on the day of their birth, whether or not they were born in Kenya, either the mother or father of the person was a citizen. [Article 14. (1)]**
- 2. By presumption, where a child is found in Kenya who is, or appears to be, less than eight years of age, and whose nationality and parents are not known [article 14. (4)]**

It is imperative to note that Citizenship by birth is not acquired through being born in Kenya but rather through one's biological relationship to a Kenyan parent. To determine whether one is a Kenyan therefore, the Registration Officer is actually looking at the Citizenship of the Parent at the time the person applying for an ID card was born. He/she needs to be satisfied that:

- 1. The (claimed) parent of the person applying for the ID card was a Kenyan when the person was born.**
- 2. The (claimed) parent is the actual BIOLOGICAL parent of the person applying for an ID card.**

While this appears a straightforward enough call to make, it is in practice not so easy and is especially difficult in the following circumstances:

- 1. Among communities living along Kenya's porous border especially given that Kenya due to eco-socio-political stability compared to her neighbours is an attractive destination for illegal migrants, foreigners have sufficient motivation to mislead Registration Officers.**
- 2. The above is compounded where; members of certain ethnic communities spill over Kenyan borders. The Turkana for example are domiciled in Kenya, while the Toposa and Nyangatom, with whom they share a common language are domiciled in neighbouring South Sudan and Ethiopia respectively.**
- 3. The fact that a lot of Kenyan births are undocumented, or are documented late, provides a loophole that has in the past been exploited by foreigners to acquire the Kenyan ID card through mis-representation of parents.**

To address this challenge, the Kenyan parliament has enacted legislation that allows the director of National Registration to set up Identification committees where necessary. Under CAP 107 8 (1A) "The Director may establish identification committees or appoint

persons as identification agents to assist in the authentication of information furnished by a parent or guardian.” These committees are the ones that are commonly referred to as vetting committees. Their composition, mandate and conduct are regulated through rules issued by the minister as per CAP 107 16(F). The rules regulating these committees are reviewed from time to time with the latest issued in June, 2014. It is my understanding that the application of this rules among the Turkana living in Laikipia is the subject of this parliamentary enquiry.

NATIONAL IDENTIFICATION (VETTING) COMMITTEES IN LAIKIPIA COUNTY

Given the foregoing, one could easily assume that Identification Committees only work in Border Counties, this is however not so. For registration purposes, Kenyan Counties are categorised into three:

- 1. Rural Counties-** Usually in Kenya’s interior, their population are homogeneous, identification in such counties is quite easy since typically everybody knows each other. The chief for example will typically know every family in their area of jurisdiction.
- 2. Urban Counties-** Kenya’s main cities and Municipalities. Typically have heterogeneous populations living in rental properties and moving from time to time. In such Counties, estate based Identification committees are necessary to “Vet”

people who might not have the necessary documentation to support direct registration and people whose original domicile is a border county.

- 3. Settlement Counties- These are Counties with huge populations of people who have emigrated from other Counties. Their populations are quite heterogeneous. Laikipia County is a perfect example of a settlement County. In Laikipia youth presenting themselves for registration will typically present parents ID cards indicating their home particulars as the Counties from which they emigrated. In settlement Counties, identification committees are necessary for the categories of people who are “vetted” in urban Counties.**

It is important to note that the Turkanas are only one of the communities that are registered through National Identification Committees in Laikipia. Others include:

- 1. The Maasai**
- 2. The Somali and**
- 3. The Borana**

It is also noteworthy that there are no special sittings for each of these communities. Identification Committees in Laikipia, mandatorily have representatives from each of these communities and hold a common meeting where all applicants are from these communities are registered if passed.

VETTING OF TURKANAS IN LAIKIPIA COUNTY

The question that then arises is why the Turkana go through National Identification Committees in Laikipia County. These include:

- 1. Their original County of domicile is a border County: The unfairness is not in Vetting Turkana's rather it would be unfair if we were to vet the Borana originally from Marsabit, or the Somali originally from Wajir, and leave out a Turkana who is originally from Turkana County, which is a border County. The Turkana also share a common language with the Toposa and Nyangatom of South Sudan and Ethiopia respectively.**
- 2. Lack of supportive documents: Compounding the above is the fact that a lot of the Turkana who present themselves for registration in Laikipia County do not have the documents necessary under the Registration of Persons Act 8 (1) to support their claims. An examination of the vetting minutes in the past five years, will show that a majority of them had their applications supported by an Apparent Age Declaration document. This is an innovation we have applied in Laikipia to help those who might not have the necessary proof of age documents. The document is anchored on clause 2 of The Registration of Persons Act of which states that the Act shall apply to all persons who are citizens of Kenya and who have attained the age of eighteen years or over or where no proof of age exists, are of the apparent age of eighteen years or over.**

3. They are not only vetted in Laikipia County but in Turkana as well as all Urban and other Settlement Counties. The Penal Code (Cap 63)128A. states that “A public officer commits an offence and is liable, upon conviction, to imprisonment for a term of not less than FIFTEEN YEARS where in the course of his or her employment he or she- (d) IRREGULARLY issues identification documents,” as discussed in the introduction, use of identification committees in identification is provided for in CAP 107, the use of these committees to identify applicants from border counties is regulated by rules issued under CAP 107. The registration officer has no discretionary power to determine who is and is not vetted. Doing so would be IRREGULAR and would lead to the penalty stated herein.

CHALLENGES OF VETTING TURKANAS IN LAIKIPIA COUNTY

The main challenge that is raised by those who challenge the vetting of Turkanas in Laikipia County is that the Samburu who are the traditional socio-political rivals (in Laikipia) of the Turkana are not vetted. While it is true that the Samburu are not vetted, it is equally true that they do not fit the criteria that is set for people to be vetted. They neither spill over Kenya’s borders no is their “home” county along the Kenyan border.

It is also wrongly assumed that Identification Committees are meant for people from North Eastern and those of the Muslim faith.

This is not true. This argument has gained traction with the increase in the challenge of terrorism. Typically, you will hear people arguing that they should not be vetted because they are not terrorists. As explained earlier, vetting is meant to help distinguish between Kenyans and non-Kenyans in communities that live along the Kenyan border and is undertaken without discrimination in registration of persons who come from border counties.

Another common argument is that applications that go through the Identification process take too long before they are processed at the headquarters. This argument had some merit in the past but is no longer valid. Most applications which were processed during the month of July-including through vetting- had been received by end of August. When such delays occur, they are National and are not limited to vetting applications.

The petition before this committee also raises the issue of disenfranchisement. This is grossly inaccurate, appended to this brief is a summary of vetting activities since January 2013, right after the general election. It shows clearly the number of people who have appeared before ID committees and the decision reached by the committee. ID committees' decisions are classified into three:

- 1. Approvals- such candidates are registered forthwith and usually make the largest proportion of the output of vetting committees.**

- 2. Deferrals- Such candidates are usually required to present themselves again during the following vetting meeting, this is mostly when some aspects of the information they provide is not immediately verifiable. They might for example be required to present a letter from their assistant chief verifying their claims. They are typically approved or referred during the next vetting meeting unless they fail to present themselves.**

- 3. Referrals- such candidates are referred to another County/ Sub-County for proper identification. This will typically be unknown persons who have no ties whatsoever to Laikipia and are either passing through or visiting. The elders are unable to identify them.**

The vetting summary (appendix 1) shows that between January 2013 and August 2016, 5,872 persons have been approved by Identification committees in Laikipia County, of these Turkanas at 2,351 are the second highest to have been approved compared to Maasais at 2,910. This I belief reflects the proportion of these communities in Laikipia County. Only 41 Turkanas, representing about 1.7% of those who have presented themselves for vetting since 2013 have been referred. If there are eligible Turkana voters who are as yet not issued with ID cards, it is because they have not presented themselves for registration.

CONCLUSION

The issue of issuance of ID cards to Turkanas has been discussed in parliament in the past. On wed. 18th Oct., 2000 for example, Hon. John Munyes sought to know whether the minister was aware that the people of Turkana were unable to meet the conditions necessary for issuance of ID cards. In response then assistant minister in the office of the President, Hon. Samoei replied: "we have made provisions because we understand that we have a committee of elders who help in vetting to determine true Kenyans. To a great extent, we have seen success of that effort."

As far as I can tell, the factors that informed the policy of vetting of Turkanas back then have not changed. It is however important to underscore that should the regulations/laws change as is within the power of parliament to do, the vetting of Turkanas would be discontinued. It is for this committee and parliament to assess the issues raised in this report, weigh them against the concerns raised in the petition and chart a way forward.

APPENDIX 1

LAIKIPIA COUNTY ID CARDS VETTING SUMMARY [JAN 2013-SEPT 2016]

YEAR	SUB-COUNTY	ETHNICITY																		TOTAL								
		MAASAI						TURKANA						BORANA						SOMALI						OTHERS		
		APPRO	DEFF	REFE	APPRO	DEFF	REFE	APPRO	DEFF	REFE	APPRO	DEFF	REFE	APPRO	DEFF	REFE	APPRO	DEFF	REFE	APPRO	DEFF	REFE	APPRO	DEFF	REFE			
2013	LAIKIPIA EAST	69	0	0	70	0	0	22	0	0	39	0	0	1	0	0	201	0	0	0	0	0	232	1	0			
	LAIKIPIA NORTH	225	1	0	7	0	0	0	0	0	0	0	0	0	0	0	258	10	8	0	0	0	12	0	0			
	LAIKIPIA WEST	0	0	0	221	5	7	0	0	0	37	5	1	0	0	0	40	7	3	0	0	0	743	18	11			
	LAIKIPIA CENT.	0	0	0	2	0	0	4	0	0	6	0	0	0	0	0	191	26	7	0	0	0	2	0	0			
	NYAHURURU	0	0	0	31	6	1	9	1	2	0	0	0	0	0	0	191	26	7	0	0	0	2	0	0			
	TOTALS	294	1	0	331	11	8	35	1	2	82	5	1	1	0	0	743	18	11	0	0	0	743	18	11			
2014	LAIKIPIA EAST	157	0	1	182	4	2	53	1	0	71	16	17	9	0	0	472	21	20	0	0	0	351	3	0			
	LAIKIPIA NORTH	350	3	0	0	0	0	0	0	0	0	0	1	0	0	0	417	29	2	0	0	0	2	0	0			
	LAIKIPIA WEST	0	0	0	397	26	1	4	0	0	16	3	1	0	0	0	191	26	7	0	0	0	2	0	0			
	LAIKIPIA CENT.	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	191	26	7	0	0	0	2	0	0			
	NYAHURURU	1	0	0	131	15	6	16	2	1	9	3	0	34	6	0	191	26	7	0	0	0	2	0	0			
	TOTALS	508	3	1	710	45	9	75	3	1	96	22	18	44	6	0	1433	79	29	0	1	1	1433	79	29			
2015	LAIKIPIA EAST	104	12	5	123	9	0	29	0	2	86	8	19	4	2	1	346	31	27	0	0	0	682	0	0			
	LAIKIPIA NORTH	680	0	0	2	0	0	0	0	0	0	0	0	0	0	0	80	52	0	0	0	0	0	0	0			
	LAIKIPIA WEST	0	0	0	67	49	0	0	0	0	13	3	0	0	0	0	0	0	0	0	0	0	0	0	0			
	LAIKIPIA CENT.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	NYAHURURU	0	0	0	66	28	2	12	5	0	0	0	0	17	15	0	95	48	2	0	0	0	95	48	2			
	TOTALS	784	12	5	258	86	2	41	5	2	99	11	19	21	17	1	1203	131	29	0	1	1	1203	131	29			
2016	LAIKIPIA EAST	328	4	0	254	10	2	14	4	0	18	4	2	9	0	0	623	22	4	0	0	0	986	0	0			
	LAIKIPIA NORTH	986	0	0	0	0	0	0	0	0	0	0	0	0	0	0	565	13	14	0	0	0	0	0	0			
	LAIKIPIA WEST	0	0	0	548	13	14	0	0	0	17	0	0	0	0	0	69	4	11	0	0	0	250	41	0			
	LAIKIPIA CENT.	7	0	0	42	4	6	20	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	NYAHURURU	3	3	0	208	29	0	27	5	0	0	0	0	12	4	0	250	41	0	0	0	0	250	41	0			
	TOTALS	1324	7	0	1052	56	22	61	9	5	35	4	2	21	4	0	2493	80	29	0	0	0	2493	80	29			
GRAND TOTAL		2910	23	6	2351	198	41	212	18	10	312	42	40	87	27	1	5872	308	98	1	1	1	5872	308	98			