

REPUBLIC OF KENYA



TWELFTH PARLIAMENT- (FOURTH SESSION)

THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 07 of 2020)

**REGARDING HISTORICAL LAND INJUSTICES COMMITTED AGAINST
INDIGENOUS PEOPLE OF VIPINGO COMMUNITY**

Approved,
BWA
SNA
12/3/2020

PARLIAMENT OF KENYA
LIBRARY

I, the **UNDERSIGNED**, on behalf of the indigenous people of Vipingo Community in Kilifi County;

DRAW the attention of the House to the following: -

1. **THAT**, Vipingo Community Lands in Kilifi County is home to many indigenous residents as their known ancestral land;
2. **THAT**, since 1913, indigenous people of Vipingo Community Lands have been squatters on their own land following compulsory acquisition of their land by British Colonial Government purportedly for public use;
3. **THAT**, the Vipingo Community was forcefully moved out of the ancestral land but was neither compensated nor resettled, thereby rendering them vagrants and squatters on their own land;
4. **THAT**, upon attainment of independence in 1963, various communities across the country that had been dislocated from or dispossessed of their ancestral land by the British Colonial Government were resettled and henceforth benefitted from restoration and retribution policies of the post-independence Government;
5. **THAT**, on the contrary, the Vipingo Community never regained its ancestral land, and instead lost the land to private entities on leasehold obtained under irregular circumstances, with subsequent governments failing to address the community's plight to-date;
6. **THAT**, most of the leases under private hands recently expired but have subsequently been renewed and the land subdivided and sold off once again to private individuals and companies instead of reverting back to the Community;

PUBLIC PETITION

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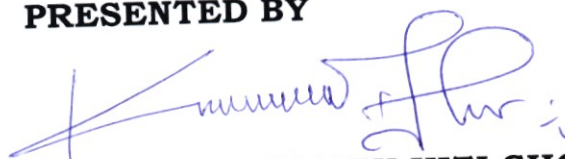
7. **THAT**, the marginalization of the indigenous Vipingo Community with regard to ownership of their ancestral land has taken its toll on members of the community, most of whom live in abject poverty due to lack of access to land for direct utilization or as collateral to secure credit facilities to uplift their livelihoods;
8. **THAT**, efforts to address this matter with relevant authorities including writing formally to the Principal Secretary in the State Department for Lands as well as the National Land Commission have not borne much fruit;
9. **THAT**, the matter in respect of which this Petition is made is not pending before any Court of Law or Constitutional body.

THEREFORE, your humble Petitioners pray that the National Assembly through the Departmental Committee on Lands:

- (a) Inquires into circumstances that led to irregular dispossession of Vipingo Community land from its indigenous owners by private entities, with a view to reverting ownership of the said land to the indigenous people of Vipingo in Kilifi County;
- (b) Makes any other recommendations it deems appropriate in the circumstances of the Petition.

And your **PETITIONERS** will ever pray.

PRESENTED BY



HON. RICHARD KEN KITI CHONGA, MP
MEMBER FOR KILIFI SOUTH CONSTITUENCY

DATE: 12/3/2020

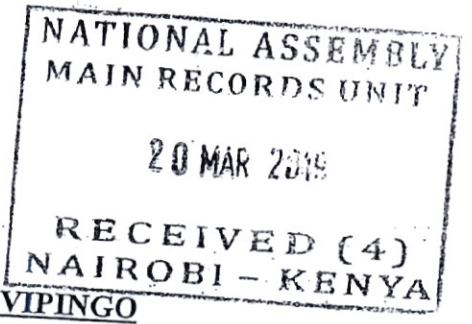
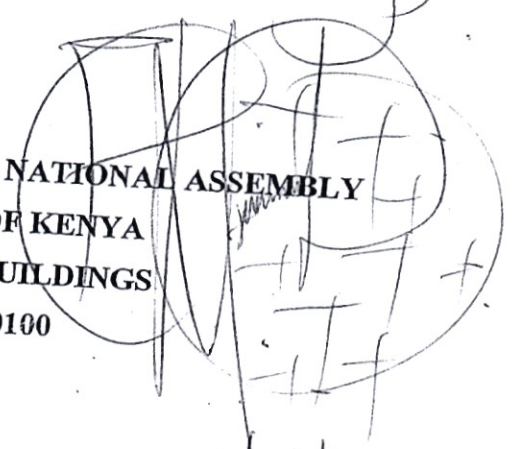
Received in the Petitions Office
on Thursday
17th October 2019
from Mumba Riziki
(P.A. to Hon. Ken Kiti Changa)

REPUBLIC OF KENYA
THE HUMBLE PETITION



VIPINGO COMMUNITY LANDS
P.O BOX 189-80119
VIPINGO
TEL: 0731 600 858/0701 810 097
19TH March, 2019

THE CLERK OF NATIONAL ASSEMBLY
PARLIAMENT OF KENYA
PARLIAMENT BUILDINGS
P.O BOX 41842-00100
NAIROBI.



Dear Sir,

FINLAY 17/OCT/19
MURIUKI

RE: HUMBLE PETITION OF THE INDIGENOUS PEOPLE OF VIPINGO
COMMUNITY LANDS ON HISTORICAL LAND INJUSTICES

We, the undersigned on behalf of the people of VIPINGO COMMUNITY LANDS in KILIFI COUNTY have been squatters on our lands which were compulsory acquired by the colonial government way 1913.

(N.B. All the parcels of land we refer to in this petition are enumerated in schedule I)

In 1913 the colonial government acquired our lands to allegedly use it for public purpose without resettling and compensating us. We were forcefully moved out rendering us squatters on our own lands.

This was during the colonial era and collectively as Kenyans we fought of the settlers and colonialists who gave us back our land when we gained independence.

Independence came with a promise to get our human dignity. Infact independence meant that, that which had been divested from us was restored. Other parts of the Country enjoyed this restoration and retribution. We never got our ancestral land back and suddenly and comptly the land was available for the private persons other than ourselves, the Vipingo Community lands instead, the land was given to other persons. We became colonized by our fellow Kenyans and the Independence government all the subsequent government to date.

HUMBLE PETITION OF THE INDIGENOUS PEOPLE OF VIPINGO COMMUNITY LANDS ON HISTORICAL INJUSTICES

In the recent past, most of the leases expired and we hoped that priority will be given in settling us but as usual and expected of those in the government; the lands were subdivided and sold once again to other private people and companies. We think enough is enough.

We were met by betrayals, intimidation, discrimination and outright theft of our lands. Other part of this country got their land back, the land was subdivided and residents got their respective title documents.

The issue of marginalization at the Coast has been dominant to all government and we have been mistreated. We have never felt as being part of this Country. Our counterparts can access loans, can exploit their land while we remain poorer and dominated by other communities. This has happened since independence to date. We think the peace enjoyed in the Country is only because we have not sought our rights over our lands. We disrupted peace during colonial government and we heard by them. We thought we had independent and therefore our African government will hear us and be responsible to our land issue, the very reason we shed blood to gain independence. Nothing has changed. The agony of loss of land has been ever present and persistent since then to date.

We therefore wish to state as follows:

1. **THAT** every successive government has only colluded with the rich and the mighty to continue selling our lands instead of resettling us.
2. **THAT** we have always complained about this historical land injustice and until the same is resolved amicably, we shall continue agitating for our rights. We hope that word 'amicably' will not be replaced.
3. **THAT** sometime in **SEPTEMBER 2006**, we wrote a letter inform of memorandum to the head of state, which letter was received by the Principal Secretary, State Department of Lands, but with no response. We expect the president as others did, to bury his head in the sand. He hates us.
4. **THAT** we have lodged complaints in 2013 with the **NATIONAL LANDS COMMISSION** to investigate this matter and received no solution all. This is because, NLC is part of the government which is demeaning us, hates us and exploiting us because of our ethnicity. We feel that the three arms of the government will easily collude against us due to the powerful personalities involved. We are poor but we **WILL NEVER GIVE UP**.
5. **THAT** this matter is **NOT** pending before any court or tribunal or this matter has not been previously dispensed with by any court or tribunal

**HUMBLE PETITION OF THE INDIGENOUS PEOPLE OF VIPINGO COMMUNITY
LANDS ON HISTORICAL INJUSTICE**

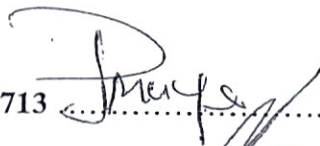
**WE THE INDIGENOUS PEOPLE OF VIPINGO COMMUNITY LANDS PRAY AS
FOLLOWS:**

1. **THAT** the National Assembly through the departmental committee on lands to investigate the circumstances upon which the land was and has been divested from our hands as rightful owners to private persons.
2. **THAT** the said departmental committee on land to investigate the historical injustices attended to and in respect of land hereof with a view to restore the rights of the indigenous people of Vipingo their land.
3. **THAT** the land illegally divested from the petitioners be restored in toto.
4. **THAT** the National Assembly to order the **NATIONAL LAND COMMISSION** to urgently return all expired leases and revoke all those titles which were acquired fraudulently.

AND we will always continue to pray, your humble petitioners, on behalf of all others.

PIRY JOHNSTONE MUYE

ID NO. 2137713



CHAIRMAN

DAVID CHOME MUNGA MWADENDE ID NO. 8463168



SECRETARY

**HUMBLE PETITION OF THE INDIGENOUS PEOPLE OF VIPINGO COMMUNITY
LANDS ON HISTORICAL INJUSTICES**

NO	NAME	ID NO.	TEL NO.	SIGNATURE
1	JAMES KALENGA MUGANGA	5012765	0704 537 907	<i>[Signature]</i>
2	DAVID CHOME MUNGA	8463168	0731 600 858	<i>[Signature]</i>
3	DASTO KITI NYALE	2126285	0701 810 097	<i>[Signature]</i>
4	PIRY MUYE JAMES	2137713	0704 721 412	<i>[Signature]</i>
5	JACKSON KATANA BAYA		0724 971 376	<i>[Signature]</i>
6	TITUS MWANGORI	11496643	0716 046 556	<i>[Signature]</i>
7	MOHAMOUD HAJI		0722 432 937	<i>[Signature]</i>
8	JOSEPH IHA	8527029	0726 010 305	<i>[Signature]</i>
9	DOMINIC NGALA NYENYO	22561020	0724 512 583	<i>[Signature]</i>
10	SAID LEWA RONALD			<i>[Signature]</i>
11	DOREEN ANZAZI LEWA	20293322	0724 269 413	<i>[Signature]</i>
12	TOMOTHY KOMBE NZAI	04654003		<i>[Signature]</i>
13	WILLIAM CHIRIBA CHIRAO	2146165		<i>[Signature]</i>
14	LAWRENCE LEWA GOGO	0306207		<i>[Signature]</i>
15	JOSPHINE KANG'OME FONDO	21923170		<i>[Signature]</i>
16	NELSON SHEBE CHIRUME	3902044		<i>[Signature]</i>
17	STEPHEN MWANGOMBE TOYA	3903449		<i>[Signature]</i>
18	JONATHAN ZAWADI KAZUNGU	2155529		<i>[Signature]</i>
19	CHRISTOPHER KAINGU NYALE	2151866		<i>[Signature]</i>
20	MWAGAMBO BINGO RIMBA	5024695		<i>[Signature]</i>
21	SILVESTER JUMA NGAO	11876803		<i>[Signature]</i>
22	FESTUS KASHINDO RIMBA	2147562		<i>[Signature]</i>
23	ALEX CHAI MUNGA	11763434		<i>[Signature]</i>
24	MAXON MWATELA MASHOMBO	3889124		<i>[Signature]</i>
25	MLANDA NUNGA CHIRAO	3903465		<i>[Signature]</i>
26	RAYMOND TSANGI MUNGA	10092321		<i>[Signature]</i>
27	MULONGO WASHE GURO	1376016		<i>[Signature]</i>
28	DICKSON NYAMAWI MWAIKIZA	11496475		<i>[Signature]</i>
29	KENNEDY MUINDU CHIBO	22189504	0718 457 575	<i>[Signature]</i>
30	WILLIAM NYAMAWI GAMBO	2146172	0773 941 510	<i>[Signature]</i>
31	JESCA DENNIS TSUMA	20687782		<i>[Signature]</i>
32	GASPIN KAI HARO	31479001	0703 640 888	<i>[Signature]</i>
33	LUCAS NZAI KOMBE	3902061	0700 615 085	<i>[Signature]</i>
34	NINGALA MWAMU MBAGA	20736066	0725 572 165	<i>[Signature]</i>
35	NATHANIEL MWANGUDZA KAI	1377418	0725 125 615	<i>[Signature]</i>
36	JESLINE MUYE		0720 636 028	<i>[Signature]</i>
37	EDSON HARO MBAGA	0689822	0723 669 087	<i>[Signature]</i>
38	EDSON MAJALIWA MBURA	3162260	0729 759 562	<i>[Signature]</i>
39	NATHANIEL LEWA SIRYA	2250470	0712 756 021	<i>[Signature]</i>

**HUMBLE PETITION OF THE INDIGENOUS PEOPLE OF VIPINGO COMMUNITY
LANDS ON HISTORICAL INJUSTICES**

40	JONATHAN NGUJO MUYE	13849598	0729 596 414	<i>Ngajo</i>
41	REUBEN TEMBOH BINGO	11376005	0713 176 281	<i>Reuben</i>
42	LEWA KAI BINGO	4584338	0727 040 223	<i>Lewa</i>
43	JUMBALE JANJI CHIBO	11765605	0712 333 680	<i>Janji</i>
44	JOSPHINE MBUCHE NZAO	9204310	0704 089 809	<i>Josphine</i>
45	JUMA CHARO BOZO	23247085	0727 480 553	<i>Juma</i>
46	FELSON BAYA TOYA	22127348	0789 150 753	<i>Felson</i>
47	MACDENTON GAMBO MWAGAMBO	12728543	0722 115 611	<i>Mwagambo</i>
48	MOSES GAMBO NYAMAWI			
49	MUYE GAMBO MUYE		0728 930 430	<i>Deche</i>
50	MAURINE KADZO DECHE	21384698	0712 833 617	<i>Kalama</i>
51	ALEX KALAMA MRANGA	9207006	0708 409 209	<i>Alex</i>
52	GLARICE CHINEDU MBAGA	13140987	0720 404 232	<i>Glalice</i>
53	MARTIN M. SHUME	21935200	0725 841 408	<i>Martin</i>
54	NELSON GAMBO MZUNGU	5024484	0711 392 904	<i>Nelson</i>
55	ALBERT KAHINDI KAZUNGU	10832244		<i>Albert</i>
56	ALICE PENDO JOHN	13849870	0710 436 988	<i>Alice</i>
57	JUMAA NYINGE BARANA	9964713		<i>Juma</i>
58	RICHARD MUNGA MUNDU	5456974	0703 291 477	<i>Richard</i>
59	KAHINDI JEFWA		0714 275 081	<i>Jefwa</i>
60	ELINA JOHANA MUNGA	8455597	0799 330 678	<i>Elina</i>