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The National Assembly

Report of the Parliamentary Select Committee to investigate Ethnic Clashes in Western and Other Parts of Kenya 1992

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PREFACE

Mr. Speaker,

On 13th May 1992, the National Assembly appointed the following to be Members of the Parliamentary Select Committee to Investigate Ethnic clashes in Western and other parts of Kenya:-

The Hon. Joseph K. Kiliku, M.P. - Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. P.P.L. Angelei, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. J. Muruthi Mureithi, M.P.
The Hon. F.T. Lagat, M.P.
The Hon. Mrs. Agnes M. Ndetei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. G.K. Parsaoti, M.P.
The Hon. J.J. Falana, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike Ndombi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.

The Select Committee commenced its work on 14th May, 1992 and has been sitting since.

The Committee's work has been long and time consuming, involving travelling long distances and long sittings usually in the clash areas.

The Committee received oral and written evidence both in Nairobi and outside. They received co-operation and assistance from many quarters. The Committee would particularly wish to thank wananchi who turned up in large numbers, sometimes waiting for long hours, wherever the Committee visited.

The Committee would further like to thank the staff of the National Assembly who made the work of the Committee so much easier.

As Chairman, I would like to thank members of the Committee for their patience and hard work, despite their having so many matters to attend to in their constituencies in a politically busy year. The Committee's work was considerably difficult as will be seen from the report. It was therefore after much deliberation that conclusions and recommendations were arrived at.

The report has addressed itself to the clashes in chapters arranged in the following order:-

Introduction:	Interpretation & Modalities
Chapter One:	Prelude to the Ethnic Clashes
Chapter Two:	Nakuru District (Molo and Olenguruone)
Chapter Three:	Bungoma, Trans-Nzoia and West Pokot Ethnic Clashes Belt
Chapter Four:	Kakamega/Kisumu/Kericho/Nandi/Uasin Gishu Ethnic Clashes Belt
Chapter Five:	Kisii/Nyamira/Bomet/Narok Ethnic Clashes Belt
Chapter Six:	Eastern/North Eastern, Coast and Part of Rift Valley Provinces.
Chapter Seven:	General Matters and Issues
Chapter Eight:	Conclusions and Recommendations
Appendix I:	Data and Statistics (Deaths, Destroyed Property, Arrests, etc)
Appendix II:	List of witnesses
Minutes:	

The Committee presents its report to the House and looks forward to its adoption.

The HON. J.K. KILIKU, M.P.
CHAIRMAN

We, members of the Parliamentary Select Committee do hereby affix our signatures to confirm the correctness of this Report.

NAME	SIGNATURE
The Hon. Joseph K. Kiliku, M.P.	
The Hon. Bahati M. Semo, M.P.	
The Hon. P.P.L. Angelei, M.P.	
The Hon. Mwacharo Kubo, M.P.	
The Hon. J. Muruthi Mureithi, M.P.	
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The Hon. G.K. Parsaoti, M.P.	
The Hon. J.J. Falana, M.P.	
The Hon. Zedekiah M. Magara, M.P.	
The Hon. Wasike Ndombi, M.P.	
The Hon. Mohamed Sheikh Aden, M.P.	

Signed on this 4th day of September, 1992.

INTRODUCTION

1. Resolution of the National Assembly

On Wednesday 29th April 1992, the National Assembly passed the following resolution:-

> "THAT, while appreciating the Government's efforts to stop tribal clashes in western and other parts of Kenya, and in view of the continued fighting in the region despite these efforts, and considering the repercussions this has on our Government locally and internationally; this House resolves to appoint a Select Committee to probe the root causes of the fighting and to make recommendations with a view to averting such incidents in future".

On 13th, May 1992 the National Assembly appointed the following to be Members of the Select Committee:-

The Hon. Joseph K. Kiliku, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. P.P.L. Angelei, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. J. Muruthi Mureithi, M.P.
The Hon. F.T. Lagat, M.P.
The Hon. Mrs. Agnes M. Ndetei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. G.K. Parsaoti, M.P.
The Hon. J.J. Falana, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike Ndombi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.

At its first sitting on 14th May, 1992, the Committee elected the Hon. J.K. Kiliku, M.P. as Chairman.

2. **Interpretation and Modalities**

The Committee, at its second sitting on 19th May 1992, set out the modalities and scope of its mandate and agreed that it was required under the Resolution to:-

(a) investigate the root causes of the recent ethnic clashes that have raged since September 1991;

(b) identify person or persons, if any that may have perpetrated the clashes.

In this respect, the Committee set out to examine the roles of the following:-

(i) politicians and political parties;

(ii) organized groups such as churches and other religious organizations, voluntary and professional organizations;

(iii) the general public including individuals;

(iv) the Provincial Administration and the security personnel;

(v) local and international mass media;

c) make recommendations that would avert recurrence of similar clashes in the future.

3. The Committee was to be investigative and fact finding and all proceedings were to be recorded and to be confidential in keeping with the Procedure of the House and the National Assembly (Powers and Privileges) Act (Cap 6). It was agreed that the name

of the Committee should be "Parliamentary Select Committee to Investigate Ethnic Clashes in Western and other parts of Kenya", hereinafter referred to as "the Committee".

4. On 20th May 1992, the Committee, through advertisements in the mass media called on all members of the public, religious organizations, public and private bodies, trade unions, orofessional bodies, lobby groups or affected persons, who may:-

(i) have in their possession any evidence which may be useful to the Committee; and

(ii) have any information which could assist the Committee in its investigation;

to write or contact the Secretary to the Parliamentary Select Committee on Ethnic Clashes, Parliament Buildings, P.O. Box 41842, Nairobi.

5. The Committee received both oral and written evidence and information. The Committee held 48 sittings both at Parliament Buildings and in the affected areas between 14th May and 5th September, 1992. For over a four-week period the Committee visited clash affected areas as follows:-

LEG I	5th to 13th June 1992	Nakuru,Trans Nzoia, Bungoma, Kakamega, and Uasin Gishu districts.
LEG II	2nd to 16th July 1992	Uasin Gishu, Nandi, Kisumu, Kericho, Kisii, Nyamira, Kisii and Narok districts.
LEG III	29th to 30th July 1992	The committee split into three sub-committees each visiting:-

(i) Molo and Ndoinet in Nakuru district;

(ii) Londiani and Soy divisions in Kericho and Uasin-Gishu district respectively; and

(iii) Saboti division and Mt. Elgon sub district in Trans-Nzoia and Bungoma.

6. In addition to the formal sittings, the Committee visited the scenes of clashes, camps of displaced persons, took photographs, collected an assortment of weapons purportedly used during the clashes, visited alleged training camp sites and collected data available at Provincial Administration and the Police on deaths, injuries, prosecutions, stolen or destroyed property.

7. The Committee received hundreds of written memoranda and interviewed 836 witnesses, including leaders of political parties, administrators, religious organisations and wananchi.

8. The Committee devised the most efficient and time-saving ways of collecting evidence, taking care not to compromise confidentially with economy of time. Accordingly, witnesses who appeared to have a common interest were interviewed together, with their concurrence.

CHAPTER ONE:

PRELUDE TO THE ETHNIC CLASHES

1.0 MULTIPARTY AND MAJIMBO DEBATES

1.1 The Multi-party debate

1.1.1 Kenya became independent on December 12, 1963, after nearly seventy years of British Colonial rule. The independence constitution had a multi-party political set-up on which the pre-independence general elections of May, 1963, were contested by the three leading political parties - namely the Kenya African National Union - KANU, the Kenya African Democratic Union - KADU and the African Peoples Party - A.P.P.

1.1.2 At independence KANU formed the government under the late Mzee Jomo Kenyatta, first as Prime Minister and from December 12, 1964, as President. A **de facto** one party state, was achieved following the voluntary dissolution of KADU and A.P.P, and their merger with KANU prior to declaration of the Republic. Initially, in 1960 when the colonial government had lifted the ban on the formation of national political parties by Africans, the move was to form one party-the Kenya African National Union. Indeed KANU was formed in June, 1960 by a cross section of multi-ethnic Kenyan nationalists and elites. Since its formation, KANU has pursued a political philosophy favouring unitary set up of government with central executive authority in one head of government and state, a national legislature, national judiciary and all other institutions with a national apex. This approach to management of national affairs raised sizeable fears among certain ethnic groups. It soon became clear that, KANU was totally dominated by the Kikuyu and Luo ethnic groups that at the time were the largest and second largest single ethnic groups. The smaller ethnic groups saw that joining KANU would have led to their perpetual domination by the two. They sought to counter this by forming their own national party - the Kenya African Democratic Union - KADU.

1.1.3 From its inception KADU pursued a political philosophy of regionalism that sought to create a government in which the semi-autonomous regions "majimbo", would have substantial say over many matters affecting them. The central government would have its role and authority carefully defined and regulated by ceding most of its power to the regions.

1.1.4 The independence constitution had a strong dose of the frame-work and structures that fulfilled the desires of the "majimbo" architects. In order to forestall any possible domination of one ethnic group by another, the architects of "majimbo" ensured that the provincial boundaries were drawn along ethnic divide lines. The outcome was that, a conglomeration of one ethnic group, say the Kikuyu, Abaluhyia, Kalenjin, etc. were grouped together in one province, in effect the "majimbo". The "majimbo" framework thus ensured that Kenyans exuding many similarities were grouped together to enable them dictate their common future as best suited them.

1.1.5 However following Independence, and with the cultivation of a definite national outlook by the KANU government, coupled with an overwhelming national desire to promulgate a republican constitution on the first anniversary of independence, the fears of the leaders of KADU were sufficiently allayed to make a merger with KANU possible. Hence following extensive and intensive negotiations and bargaining, KADU leaders agreed to effect a voluntary dissolution and subsequent merger with KANU.

1.1.6 The **de facto** one-party status lasted till March, 1966, when the then Vice-President Jaramogi Oginga Odinga resigned his portfolio and renounced KANU membership during the heated Limuru Annual Delegates Conference of KANU.

1.1.7 In April, 1966, Mr. Oginga Odinga with others, launched an opposition party-the Kenya Peoples Union - KPU. Following more defections from KANU, a "mini-general" election was held in June, 1966, and thus K.P.U. became a Parliamentary opposition party. This was shortlived as in August 1969 following disturbances in Kisumu during a visit by the late President Mzee Kenyatta, KPU was proscribed. A

de facto one party status was to exist till June, 1982, when Parliament enacted section 2A of the constitution to make Kenya a **de jure** one party state.

1.1.8 During a New Year's sermon at the PCEA St. Andrews church in Nairobi on 1st January 1990, the Rev. Dr. Timothy Njoya urged an end to the one party system in Kenya in view of what was happening in Eastern Europe. His remarks drew heavy criticism from many KANU leaders. In the debate on the Presidential Address at the State Opening of Parliament, several honourable Members in their contributions opposed the idea of introducing the multi-party system in Kenya on the grounds that the Kenyan situation was totally different to what had existed in Eastern Europe.

1.1.9 In April of that year, Bishop Henry Okullu of the Maseno South CPK diocese called for a constitutional change and suggested a two five- year term limit for future Presidents in Kenya. Soon thereafter, Messrs Charles W. Rubia and Kenneth S.N. Matiba who had fallen out of favour with the Government, called for a national referendum to decide the country's political future. Parliament mounted a strong counter attack against them.

1.1.10 In June 1990 a KANU Review Committee led by H.E. the Hon. Professor Saitoti, EGH, M.P. - the Vice-President and Minister for Finance, was established by the KANU National Governing Council to hear wananchi's views on the country's political future.

1.1.11 In July 1990 Messrs Rubia and Matiba were detained just before he 'Saba Saba' riots of 7th July which left over 20 people dead and over 60 injured around Nairobi. On 23rd November 1990, Mr. Oginga Odinga announced his intention to launch a new political party (the National Democratic Party), which could not be registered in view of the existing Constitutional provisions.

1.1.12 In August 1991, Messrs Oginga Odinga, Martin Shikuku, the late Masinde Muliro, George Nthenge, Philip Gachoka and Ahmed Bamahriz announced the formation of the Forum for Restoration of Democracy (FORD) as a pressure group.

1.1.13 On 8th and 21st September 1991 respectively, a number of Rift Valley leaders at two rallies at Kapsabet and Kapkatet vehemently attacked advocates of multipartyism and proposed Majimboism as an alternative. There followed three other rallies in Narok on 28th September, Machakos on 7th October and Mombasa on 17th October 1991 which appeared to have softened in tone as time went by.

1.1.14 On 16th October 1991 the FORD attempted to hold a meeting at Kamukunji grounds in Nairobi which was, however, dispersed by the police as it was not licensed. Thereafter on 19th October 1991, Parliament passed a Motion condemning the involvement of the United States Ambassador to Kenya, Mr. Smith Hempstone, in the organisation of an illegal gathering and demanded his recall. On 3rd December, 1991 a KANU Special Delegates' Conference recommended repeal of Section 2A of the constitution. Thereafter, on 10th December 1991, Parliament repealed section 2A of the constitution reverting Kenya to a multiparty state.

1.2 THE "MAJIMBO' DEBATE AND RALLIES

1.2.1 The two "Majimbo" rallies which were often quoted by witnesses as having fanned ethnic antagonism, were respectively held at Kapsabet in Nandi and Kapkatet in Kericho districts both in Rift Valley Province.

These rallies were preceded by a statement by the Hon. Dr. J.K. Misoi, Member of Parliament for Eldoret South, at a press conference in Eldoret, declaring that he had drafted a 'Majimbo' constitution which he would table before the House if proponents of multi-partism continued their crusade.

1.2.2 According to evidence received and press reports which have since not been denied by the those mentioned, the following transpired at the meeting held at Kapsabet on 8th September 1991:-

The meeting was chaired by Mr. Henry Kosgey Chairman of KANU Nandi branch. It was attended, among others, by Ministers John Cheruiyot, Timothy Mibei, Assistant

Ministers Kipkalia Kones, Eric Bomett, Willy Kamuren, M.P.s Paul Chepkok, Benjamin Kositany, Ezekiel Barng'etuny and 34 councilors from Nandi Kericho/Bomet and Nakuru districts. Members of Parliament present supported the introduction of a "Majimbo" constitution which they said they intended to table in parliament when the House resumed. Under the constitution, they said, outsiders in Rift Valley would be required to go back to their "motherland".

1.2.3 The Kapsabet meeting resolved:-

(a) to take action against FORD members;

(b) to fight anti-establishment figures using all means at their disposal so as to protect the government and the ruling party KANU; and

(c) to ban Mr. Paul Muite (who was strongly advocating multi-partism), from setting foot in Rift Valley Province.

1.2.4 The Kapkatet rally held on 21st September, 1991 was attended by the folowing leaders from Rift Valley: Ministers K.N.K. Biwott, John Cheruiyot, Assistant Ministers Kipkalia Kones, Francis Mutwol, Willy Kamuren, William Kikwai, John Terer, Lawi Kiplagat, Christopher Lomada, Peter Nangole and Members of Parliament Ayub Chepkwony, Robert Kipkorir and Samson ole Tuya. It was chaired by Minister Timothy Mibei.

The Members "banned" advocates of multi-partyism from setting foot in Rift-Valley Province and reportedly ordered the late Mr. Masinde Muliro, a founder Member of FORD, to move out of Trans Nzoia district.

1.2.5 They further condemned Nairobi leaders for offering safe haven to the opposition and decided that a motion be tabled in parliament to proscribe the Law Society of Kenya. Hon. Biwott said that FORD members would be "crushed" and added that KANU youthwingers and wananchi were ready to fight to the last person to protect the

Government of President Moi. He said that Kalenjins were not cowards and that they were ready to counter attempts to relegate them from leadership. Hon. Mibei instructed wananchi in the province to visit beer - halls and 'crush' any government critic and later make reports to the police that they had finished them, while Hon. Kamuren said that the Kalenjin were ready to protect the government using any weapons at their disposal. Another Member said that FORD members would be "crushed" to serve as a lesson to other would-be dissenters. Hon. Chepkok urged wananchi to arm themselves with pangas, rungus, bows and arrows to destroy any FORD member on sight.

1.2.6 These two rallies, according to the evidence of several witnesses before the Committee alarmed Kenyans especially the non-Kalenjin living in the Rift Valley.

CHAPTER TWO:

NAKURU DISTRICT

2.1 HISTORICAL BACKGROUND

2.1.1 Of all the "ethnic clash" areas in the country, the Molo and Olenguruone divisions comprise the largest single area. The two divisions cover a wide area west of Nakuru district neighbouring Narok and Kericho districs to the West, and Uasin Gishu and Baringo districts to the North. Most of Nakuru district was part of the colonial settlers 'White Highlands'. Molo is comprised of Keringet, Ndoinet, Kerisoi and Molo South locations which cover a vast area. Located on the West Mau highlands, Molo with its undulating hills and cool climate was one of the bastions of the white settler community in Kenya. On the advent of independence in 1963, many indigenous Kenyans moved in to acquire farms left by the departing European settlers, through co-operatives societies, or outright purchase by individuals. However, a big proportion of the land was purchased by the government under the Settlement Fund Trustees or the Agricultural Development Corporation. The process of settling people in Settlement Fund Trustees or ADC operated farms spanned over many years and was continuing even in the late eighties. Concomitant with this, selling and buying of land on individual basis has continued over the years. The result is that Molo division is a cosmopolitan society, the majority of the population being Kikuyu, Kalenjin and Abagusii with a good representation of most other Kenyan communities.

2.1.2 Olenguruone is markedly different, no doubt due to its distant location and poor accessibility. Situated on the highlands of South West Mau Plateau, it was part of the Maasai land unit. However, 34,700 acres were purchased by the colonial government in 1941 in order to settle over 4000 Kikuyu squatters orginally displaced by white settlers in Central Province.

The displaced squatters had been turned into ready cheap labour on the white highlands. As time went by, the squatters started to flee the white highlands and settle in Il Melili and Nairage Ngare in North Narok. In their new habitation, the squatters carried out lucrative cultivation which attracted more squatters from the white highlands. The white settlers in Nakuru started getting alarmed that the settlement in Narok would attract more squatters from their farms thereby denying them a ready labour supply. Consequently it was decided to move them to far-off Olenguruone, where discontented Kikuyu could be 'abandoned' without the danger of spreading squatter discontent.

The first squatters were moved there in 1941. Unlike their counterparts who had been moved to Lari in Kiambu, the Olenguruone settlers were not given any rights to the land. Further, new rules of land use began to be enforced. There was open defiance of the administration whereupon the government decided to evict the squatters. By early 1950 most of the squatters had already been evicted, their houses and crops destroyed. They were removed to Yatta B in Machakos. The resistance of these squatters and their open defiance of the colonial government had a major impact on the subsequent Mau Mau movement.

The resettlement of people in Olenguruone resumed after independence when in the 1970's the government settled Kikuyus, Kalenjin and the Dorobo living in the Ndoinet forest. These diverse groups of people have been living harmoniously over the years, until the ethnic clashes erupted in March 1992.

2.2 TIME SPAN OF THE ETHNIC CLASHES

Evidence and information available to the Committee indicated that the time span of the Clashes in Molo and Olenguruone covered the period Mid-February to August 1992. Since the initial clashes started in Meteitei farm in Nandi district in late October 1991, tension and suspicion in Molo had increased. The first incidents of house burning was reported on 15th March 1992 in Nguirubi farm. The clashes

spread to Olenguruone from Kamwaura. A Mr. Chepkilach is alleged to have died at the hands of the Kikuyu whereby the Kalenjin attacked to revenge his death.

2.3 EVIDENCE

2.3.1 The Committee set out to gather evidence by first calling on the Nakuru District Commissioner Mr. Ishmael Chelanga, who gave an overview of the situation in the affected areas of Molo and Olenguruone. For the next three days, the Committee took evidence at Kamwaura, Kerisoi (two days) and Saosa Primary School in Olenguruone.

2.3.2 Evidence was received from the representatives of different ethnic groups, namely the Kikuyu, the Kalenjin, the Dorobo, Abaluhya and Abagusii communities, on the first day, Friday 5th June, 1992, at Kamwaura shopping centre in Molo South location, where 22 persons were appointed by the crowd to represent their views. Later the same day, the Committee travelled to Kerisoi Health Centre where there was a large gathering. As the sitting went on into the night, the meeting had to be rescheduled to the following Sunday so as to complete the task.

On 6th June, the Committee visited Olenguruone which is over 75 kilometers from Molo. The journey was made more arduous by the state of the roads and prevalent rain at the time. Twenty one witnesses appeared on behalf of a large group of residents, who turned up to give evidence. Each ethnic group's views were presented by representatives freely chosen by all.

2.3.3. For procedural convenience, each group appeared in turn before the committee and gave their side of the story. Generally, in Molo and Olenguruone, the clashes pitted the Kalenjin (mainly Kipsigis) on the one hand, and non-Kalenjins (mainly Kikuyu, Abagusii, Abaluhya, Luo and others) on the other.

2.3.4 The evidence given at Kamwaura related to the ethnic clashes in Sitoito, Nguirubi, Boron, Lagwenda, Temyotta, Muchorwi, Chemanel, Ikumbi, Sakiatim, Geticha,

Keringet, Tebere and other nearby farms. There were witnesses also from Mau Summit and Turi areas which are outside Molo South. The Dorobos sent representatives from nearby Ndoinet Forest.

Witnesses were agreed that the burning of houses started on the night of 15th March 1992. Prior to that, the Kalenjin claimed that two houses had been burnt by the Kikuyu on 15th February 1992 after which there was an address by the District Officer, Molo, at a public meeting at Sitoito centre, whereupon the two groups promised to keep the peace. The Kikuyu alleged that they found anonymous leaflets which were telling non-Kalenjins to leave, as Molo South was a 'Kalenjin area'. There was then a lull.

2.3.5 On March, 14, 1992 at about 10 p.m., a house belonging to a Maina Wakahiu in Nguirubi farm was burnt. Mayhem thereafter ensued and the burning of houses and the killing and maiming took a swift turn. The weapons used by the Kalenjin were bows and arrows and spears, while the Kikuyu used rungus and pangas. The non-Kalenjin stated that the Kalenjin appeared to be well organised and that there were 'warriors', whose faces were smeared with clay, who appeared to be well co-ordinated and trained. It was alleged that they had the support of the administration as, at one stage, at the Highland Grass Research Station, Molo, a helicopter carrying administration and security personnel landed in their midst and no action was taken to disarm the Kalenjin 'warriors'. Further, they claimed that those non-Kalenjin from Molo and other towns coming to assist in the fighting were themselves disarmed on the way and ordered to go back by the police.

By 20th April 1992, most of the area around Kamwaura inhabitated by the non-Kalenjin had been deserted. The Kalenjin had similarly deserted farms nearer Molo town, where they were less in number. Hundreds of houses had been razed to the ground. At the time of the Committee's visit in early June, 1992, many farms were still deserted and people were now living in nearby towns and markets or in camps.

2.3.6 Witnesses at Kerisoi Health Centre (Kerisoi Trading Centre) were drawn from the Kipsigis, Kikuyu, Kisii and others, of Tachasis, Set Kotes, Bochege, Central, Temyotta, Mwaraganiq, Kamuingi, Murinduko, Haraka, Mawingo and surrounding farms. Accusations were traded between the Kalenjin on the one hand, and the non-Kalenjin, on the other.

2.3.7 Evidence given by Mr. Kiprono arap Chumo, a representatives of the Kalenjin, pointed to utterances by the local Member of Parliament, Hon. John Njenga Mungai, as one of the reasons for the clashes. According to him, these utterances were directed to the Kikuyu community and tended to incite them against the Kalenjin. Another reason given was the lack of understanding of the newly introduced multipartyism. The Kalenjin believed that anybody who was anti-KANU was against them and must therefore be resisted at all costs. The recently registered FORD was recruiting members from the non-Kalenjin communities. Mr. Chumo claimed to have seen about 400 Kikuyu youth burning houses in Tachasis farm. The youth also allegedly killed Mr. Samuel Sambu, the headmaster of Lagwenda Primary School. He identified a number of youth who were involved in the burning of houses. The Kikuyu and Abagusii representatives alleged that clashes were instigated by the Kalenjin as evidenced by leaflets requiring non-Kalenjin to leave Molo South, as it was 'Kipsigis land', that started circulating in early March. This was followed by the burning of houses on 24th April 1992.

2.3.8 Mr. Njoroge of Haraka farm claimed to have seen two army helicopters on 24th April 1992, which to him indicated that the government was involved in the clashes. He claimed that he saw Kalenjin 'warriors' in T-shirts and shorts, their faces adorned with clay, who were following the police, who were chasing away the Kikuyu, to pave way for the burning of houses. He maintained that the Kalenjin were the attackers and that non-Kalenjin only rose in self-defence after these attacks.

Mr. Francis Makori of Central Farmers Company alleged that the clashes may have been sparked off by statements made by various Kalenjin leaders. One Mr. Kiplangat arap Cherubo of Bochege farm is said to have threatened stern action against those

who would attempt to introduce FORD or DP in Kerisoi area, during a meeting on 16th March 1992 at Kamuingi farm. According to Mr. Makori, Mr. arap Cherubo repeated the sentiments at two other meetings, one chaired by the local Assistant Chief Mr. Elijah Tanui. Mr. Peter Kinuthia of Central Farmers recalled that at a public meeting in April 1992 attended by the Nakuru D.C. Mr. John Abduba, nominated Member of Parliament Hon. Wilson Leitich stated that if residents of Kerisoi remained in KANU, 'there would be no fire' while if they didn't, there would be fire. Mr. Isaac Wachira of Kamuingi alleged that Kiptoror Forest was the training ground for the 'warriors' who were later transported by tractor-trailer. A total of 8 people were killed in Kamuingi, Murinduko and Central Farms while 306 houses were burnt. Six Kalenjin youths were killed by the General Service Unit who had alighted from a helicopter at Kipkewa Farm to quell the clashes.

2.3.9 The Committee took about four hours to cover the 75 kilometres to Saosa Primary School in Olenguruone division on Saturday 6th June 1992. The roads are in very poor condition, and there was heavy rain in the area at the time. Evidence was taken separately from the Kalenjin/Dorobo, Kikuyu and Abagusii/Kamba, respectively. Sixteen witnesses gave evidence on behalf of a huge gathering of residents of the area. The residents are mainly Kipsigis, Dorobo, Kikuyu and Abagusii who had been living together in Saosa, Kiptaragoi, Amalo, Chigamba, Chepakundi and Gorofa schemes.

2.3.10 According to Mr Kiprotich arap Tanui of Kiptaragoi, relationships between the Kikuyu and Kalenjin which had been cordial, started to cool off with the advent of multipartyism. As related by Susan Chepkemoi of Amalo centre, during a church service on 29th March 1992 at St. Kizito Catholic church Olenguruone, Father Moses Mahuho, of the Catholic Church, Mr Richard Kamunge and Mr. Josephat Kigo, headmaster of Olenguruone Secondary School engaged in anti-KANU utterances. Mr Kigo read a pastoral letter after which he made disparaging remarks against KANU and its leaders . She later informed the local D.O Mr. Cheruiyot who picked up Mr. Kigo and Father Mahugu from the Church, later the same day. Thereafter there was tension and inter-ethnic relations deteriorated. The clashes started immediately after

the death of Kiplangat arap Chepkilach at Amalo centre on 25th April 1992, allegedly at the hands of the Kikuyu. Reports of fighting in Kamwaura earlier on appeared to have aggravated the situation.

2.3.11 As related by Mr Karanja Muhoro together with seven others on behalf of the Kikuyu in the area, the D.O of Olenguruone had in anticipation of fighting escalating from Molo South, formed a leaders' committee of twelve, six Kalenjin and six Kikuyu to maintain the peace, with Mr Muhoro as Chairman. The Kalenjin withdrew from the Committee and formed their own under the chairmanship of Mr Joshua Ng'eno. He alleged that a group of Kalenjin 'warriors' were brought from Chemanel in Molo South to avenge the death of Kiplangat arap Chepkilach, on 25th April 1992. The fighting erupted on that day and the burning of houses continued. It was alleged that on 28th April 1992, at Saosa, an Administration Police Officer gave his gun to a Mr. Richard Rono, a former Kenya Air Force personnel and now a teacher at Kaptambui Primary School who shot dead a Mr. Kinyanjui. Mr. James Gichere Mwaniki of Amalo centre claimed to have witnessed four vehicles, among them a Peugeot 504 pick-up driven by Mrs. Mary Leitich, wife of Hon. Leitich full of 'warriors' ferrying them to Chepakundi on 25th April 1992. He identified a number of people who attacked him and the registration numbers of vehicles used to ferry the warriors.

2.3.12 The clashes stopped with the visit of the Rift valley P.C Mr. Yusuf Haji on 29th April 1992 by which time the non-Kalenjin population had virtually left Olenguruone.

The non-Kalenjin had travelled from as far as Elburgon and other areas to give evidence before the Committee. The Committee visited some of these people on the morning of Sunday 7th June in Elburgon town and witnessed the pathetic condition that the men, women and children were living in a go-down in the town.

2.4. VISIT OF THE SUB-COMMITTEE TO MOLO AND OLENGURUENE DIVISIONS

In the evidence and information received at Kamwaura centre in Molo division of Nakuru district, allegations were made to the effect that homesteads and farms of

certain prominent persons, as well as Ndoinet forest in the area were used as hideouts, sanctuaries and retreat havens for Kalenjin warriors during the ethnic clashes. The sanctuaries were allegedly located in homesteads and farms belonging to the Hon. Prof. George Saitoti, EGH, MP, Vice President and Minister for Finance, at Nyota, the Hon Prof. Jonathan K. Ng'eno EGH, MP, Speaker of the National Assembly, the Hon. Wilson Leitich, M.P., at Muchorwi settlement scheme, Mr. Benjamin K. Kipkulei, Permanent Secretary, Ministry of Education (Gatatha farm) and Kipng'eno arap Ng'eny, Managing Director, Kenya Posts and Telecommunications, at Nyota.

A sub-committee of the Committee, visited these homesteads and farms and Ndoinet Forest between July 29 and 30, 1992. The sub-committee interviewed Hon. and Mrs Mary Leitich; J. arap Rotich, Manager of Gatatha farm; the Manager of Prof. Ng'eno's farm; Joseph Barngetuny, (Manager of Mr. Ng'eny's farm); Mrs. Hannah Nyambura Kipusi, sister to Prof. G Saitoti and manager of the farm and a number of Dorobo residents of Ndoinet forest.

The Committee has reviewed the findings of the sub-committee and finds no visible evidence to lend credence to allegations that there were sanctuaries in these places.

During their visit, the sub-committee paid a courtesy call on the D.C. Mr. Ishamael Chelanga who informed them that the situation in Molo and Olenguruone was back to normal. However, when the sub-committee visited Molo South, they found the people vacating houses towards Molo and Elburgon towns as there was a rumour that they would be attacked again on 1st and 8th August, 1992, when schools closed.

2.5 CAUSES OF THE ETHNIC CLASHES

From the evidence and information as given by witnesses in Molo and Olenguruone, the causes of the clashes may be summarised as follows:-

(a) rivalry over the distribution of administrative posts;

(b) the "Majimbo" rallies of September 1991 which were held in Nandi and Kericho districts, which propagated the theory that Rift Valley was for the Kalenjin and those espousing political parties other than KANU should leave the province;

(c) utterances by leaders as exemplified by Hon. Leitich and Councillor Maiywo at Kerisoi where they spoke vehemently against opposition parties; Hon. Njenga Mungai at Sondu River farm where he tended to address one section of his constituents (the Kikuyu), ignoring their cosmopolitan nature.

(d) the re-introduction of multi-parties without proper education of wananchi, which was misinterpreted by the Kalenjin as a direct attack on the presidency; and

(e) to a lesser extent rivalry over land ownership as claimed in Kerisoi (in other settlement schemes, land issue was not a factor).

2.6 THE PERPETRATORS/INSTIGATORS/FIGHTERS

From the evidence given, the fighters were organised groups of youth of between 14 and 30 years, who were well armed with bows and arrows, in some cases their faces adorned with clay 'munyu'. The youth were invariably described by the witnesses as 'warriors'. The Kikuyu youth carried pangas, rungus and makeshift wooden or plastic shields as weapons. They were being ferried in lorries and other forms of transport to the clash areas. According to the evidence given, the perpetrators or instigators of the clashes, through public utterances and actions, were among others, the Hon. Wilson Leitich, M.P., the Hon. John Njenga Mungai, M.P. D.O. Cheruiyot (then at Olenguruone), Chief Benjamin Ndegwa of Molo South, Assistant Chief Maritim, Ndoinet, Assistant Chief Kiplangat arap Keino Cherubo of Bochege farm, Father Moses Mahuho of St. Kizito Catholic Church Olenguruone, Mr. Josphat Kigo -

Headmaster of Olenguruone Secondary School, Chief Jonathan Mutai of Amalo location, Mr. Richard Rono, teacher, Kaptambui primary school and Assistant chief Mr. Soi.

2.7 RECOMMENDATIONS

The Committee recommends the following solutions in order to bring lasting peace in this area:-

(i) that the Government should ensure a fair distribution of provincial administrative posts, particulary those of chiefs and assistant chiefs in such cosmopolitan areas;

(ii) that the Government should take firm action to resolve all pending land disputes and cases;

(iii) that the leaders from all shades of political persuasion, including religious leaders, should devise ways and means of educating the public on the position, role and operation of multi-partyism;

(iv) that Mr. Richard Rono of Kaptambui Primary school, Amalo location, Olenguruone, together with an Adaministrative Policeman who was on 25th April, 1992 working under the D.O Olenguruone, and allegedly gave the former his gun which he used to shoot dead Mr. Kinyanjui, should be investigated with a view to prosecuting them in connection with perpetration of crime;

(v) that all public servants should exercise total impartiality in the discharge of their duties;

(vi) that all leaders should exercise restraint in their public utterances;

(vii) that security should be intensified and those willing to return to their farms should be ensured of security as they reconstruct their homes and farms;

(viii) that the myth that an enthnic community can own a province or a district should be dispelled by the Government and that the constitutional provisions with regard to ownership of property anywhere within the Republic should be respected;

(ix) that the Dorobos living in Ndoinet forest be considered for allocation of land for permanent settlement.

CHAPTER THREE

BUNGOMA, TRANS-NZOIA AND WEST POKOT ETHNIC CLASHES BELT

3.0 THE ETHNIC CLASHES BELT

3.1. The Trans-Nzoia, Bungoma and West Pokot Ethnic clashes Belt generally runs around Mt. Elgon enclosing the upper parts of Kwanza and Saboti division of Trans-Nzoia district in Rift Valley Province and Mt. Elgon sub-district in Bungoma district in Western Province. The western boundary of the belt is delineated by the Kenya/Uganda border, which generally traverses Mt. Elgon from north to south. To the north the belt touches the boundary of Trans-Nzoia and West Pokot districts.

3.2. BACKGROUND

3.2.1. Most of Trans-Nzoia was alienated early this century to pave way for European settlers. The Sabaot, who claim to be the original inhabitants of Trans-Nzoia were confined to the upper moorlands of Mt. Elgon, where the Carter Land Commission of 1932 recommended that an area of 40,000 acres on the moorland be alienated as a "Native Reserve" for them. This area was subsequently expanded to 42,500 acres. The Sabaot tribe is a cluster of sub-tribes- the Koony, Book, Sabiiny, Bongom and Somek.

3.2.2 In 1962, the Boundaries' Commission mapped out the Regional boundaries and the Sabaot of Mt. Elgon Sub-district expressed their wish to be administered from Trans-Nzoia and to be included in Rift Valley together with fellow Kalenjin. However, the Bukusu leaders insisted that Trans-Nzoia should be included in Western Province. The colonial government did not accede to this request. The Kenya Government thereafter declared certain former European farms in Trans Nzoia bordering the former North Nyanza district as settlement schemes for settling the landless, which led to the creation of Kamukuywa, Kibisi, Naitiri, Tongaren and Ndalu settlement schemes which were ceded to Western Province. The schemes formed a substantial proportion of land formerly within Trans-Nzoia district. The settlement process continued in Cherangani and Kwanza constituencies even after independence but the Sabaot

community do not appear to have considered it necessary to buy some of the land in the settlement schemes. By historical accident they had become disadvantaged. Those in Bungoma, Kakamega and Narok districts had acquired permanent resident status and title to land ownership, while those in Trans Nzoia expected that some of the former 'White Highlands' would have been set aside exclusively for their settlement.

The Sabaot in Trans-Nzoia and Bungoma have upto to-date been confined to the upper reaches of Mt. Elgon and occupy a belt round the mountain. Mount Elgon constituency, in which the majority live, is in Bungoma district.

3.2.3 Historical records indicate that the Bukusu were living in the lower slopes of Mt. Elgon north of Nzoia River in the 19th century. The British commander Charles William Hobley, who led a military expedition that led to the surrender of Bukusu independence to the British in 1895, gives a detailed account of the military operation where the Sabaot and Wanga joined forces with the British to fight what he called the 'powerful' Bukusu, at Lumboka and Chetambe. The British explorer Joseph Thompson between 1883 - 84 explored the present Bungoma and Trans-Nzoia where he found Bukusu in mud-walled forts. At a higher altitude he found the Sabaot whom he reckoned to be marooned Tugen and Elgeyo in the caves. Sir Frederick Jackson also records that between October 1889 and 1890 travelled between Mumias and Lake Turkana. He encountered Bukusu settlements on his journey. He also encountered the Sabaot at an altitude of 7,000 feet on the southern and south western side of the mountain where they lived in caves. They were subject to Nandi raids but were on less hostile terms with the Bukusu who were nearby.

3.2.4 It is therefore quite evident that the Bukusu and the Sabaot have been living as neighbours for centuries. The onset of the settler community and the alienation of land for settler use in Trans-Nzoia appears to have changed the equilibrium in this area forever. The Sabaots' demand for land has had a major impact on inter-tribal relationship in the area. Indeed since independence, the Sabaot have been pressing as a tribe to be administered from Trans-Nzoia instead of some of them being in

Bungoma while others are in Trans-Nzoia. To them, this would create an enlarged area, leading eventually to their own district.

3.2.5 TIMESPAN AND ORIGIN OF THE CLASHES

From the evidence and information given to the Committee the time span of clashes in this belt covers the period between 26th November 1991 when the first incident of burning of houses was reported, to September 1992. The clashes in Saboti and Kwanza appeared to have intensified around 25th December 1991, spreading quickly around this belt into Mt. Elgon sub-district.

3.3. TRANS-NZOIA

3.3.1. The Committee visited Trans-Nzoia district for two days. On Monday 8th June, the Committee first visited the District Commissioner for Trans-Nzoia, Mr. Wilfred Ndolo. Flanked by his senior officers, Mr. Ndolo gave an account of the clashes that had raged in the district begining late December 1991. Later on in the morning, the committee visited Endebes and viewed Quentin and Mwangi Farms, which had been victim to Sabaot attacks. At Mwangi Farm, the Committee was informed that the Sabaot had occupied farms and houses of those who had ran away from the clashes. At Endebess town, the Committee visited a makeshift camp where there were about 600 families of displaced, mainly Bukusu, who had ran away from clash areas around Endebess. The Committee then proceeded to the Kitale Municipal Hall and received evidence for the remainder of the day. On Tuesday 9th June, the Committee travelled to Saboti Primary School in Saboti division. Prior to the sitting, the Committee visited Kapretwa Farm where they witnessed the destruction caused to homes during the clashes. Kapretwa primary school was completely deserted. The Committee also interviewed some people residing at Kapretwa trading centre.

3.3.2 At Kitale Municipal Hall, the Committee heard evidence from representatives of the Sabaot, Abaluhyia, Kikuyu and Teso respectively, and leading figures of the two opposition parties in the district, the Forum for Restoration of Democracy (FORD) and

the Democratic Party (DP). In all, evidence was received from 39 persons representing residents of Kwanza and Cherangani divisions of the district.

3.3.3 The first group to appear before the Committee were the Sabaot, represented by Messrs Samwel Kisoro Moiben of Kaa Farm, Lorian Ngeiywa of Saboti farm, William Chebusi of Mwangi farm, Simon Psiwa Cheprot of Mwisho farm, Richard Leitich of Motosiet farm among others, who gave a lengthy submissions which is summarised as follows:-

(i) Mr. Samwel K. Moiben stated that leaflets were circulated in December 1991 threatening the Saboat. Thereafter, fighting started on 25th December. He alleged that the police and GSU were partisan and were taking sides with the Bukusu, even to the extent of leading them in the burning of houses. He alleged that despite the recommendation of the 1932 Carter Land Commission that the Saboat be given 80,000 acres and £2,000 (Sterling) per family as compensation for their land, nothing was done and that over 40,000 Sabaot remain landless to date. He claimed that the Bukusu look down upon the Sabaot calling them cattle rustlers. Fighting erupted because FORD followers were saying that if FORD ever came to power, the Sabaot would be forced into Uganda.

He submitted that problems would only end if the Sabaots were settled in some of the Government forests and ADC Farms in Trans Nzoia district. He also suggested that Trans Nzoia should be re-named Mt. Elgon district.

(ii) Mr. Lorian Ngeiwa who works with the Nairobi City Commission and is a resident of Sabaot Farm submitted that the first cause of the clashes is the Constitution of Kenya which allows wananchi to buy land anywhere in the Republic. He strongly felt that the section should be repealed because it favours the big tribes. He said that the whole trouble of clashes was started by the pronouncements at public meetings, e.g. Hon. Joash wa Mango'li who stated on several occasions

that the Sabaot would be fought to extinction; He stated that Hon Mwangale and Hon. Wekesa opposed to the idea of the administration of Mt. Elgon from Trans Nzoia which is the wish of the Sabaot.

He suggested that the constitution be amended to protect the interests of minority tribes, in land and political issues. To avoid more conflicts, he recommended that parliamentary seats in Saboti and Kwanza should be set aside for the Sabaot, and further that as a matter of urgency, Mt. Elgon sub-district in Bungoma district should be transferred to Trans Nzoia and that the Sabaot should be granted their own district to encompass Mt. Elgon sub-district and Trans Nzoia.

(iii) Mr. William Chebus Tummet related how two Co-operative Societies, the Mango Farmers and Namutokholo Farmers Societies respectively, had competed to buy Mr Mwangi Kabure's farm in Endebess. Both societies had members from different ethnic groups, including the Sabaot and Abaluhyia, but were in disagreement as to who should buy the farm. He claimed that the Bukusu from both societies joined together to oust the Sabaot. In the meantime, Sabaot who had been evicted from Kiboror forest joined the Namutokholo society and all entered Mr. Mwangi's farm. He stated that after wrangling between the two groups, tribal clashes started on 25th December 1991 when the Bukusu from Mango farm started burning houses belonging to the Saboat. Fighting continued and the Bukusu deserted the farm leaving the Sabaot on the farm. He suggested that the Sabaot should be allowed to buy the farm.

3.3.4 Evidence was given by the Abaluhyia, Teso and Kikuyu represented by Messers Cleophas Wayongo Wanyonyi of Kimondo farm, Councillor Mathew Wafula of Lunyu Farm, Councillor Richard Wabwire and Mrs. Elina Naswa Simiyu, Chairlady, Endebess location KANU branch.

(i) Mr. Wanyonyi said that the Abaluhyia and Sabaot lived together on farms bought through co-operative societies. In 1979 theft of household goods which would find their way to Sebei in Uganda started. Occasionally killing of people and cattle rustling have been occurring over the years.

He said that burning of houses started in November 1991 after some problems in Mango Co-operative Society Farm. A meeting was held on the farm on 12th November 1991 in which the local D.O. spoke to the people. After he left, houses belonging to the Abaluhyia were burnt. Tension increased in December and houses belonging to the Abaluhyia and other non-Sabaot communities continued to be burned. On 27th December 1991. His father, Wanyonyi Isaac, was killed on his farm. Thereafter people started to seek refuge elsewhere because of insecurity. Elders from the Sabaot and the Abaluhyia were appointed to discuss peace, but houses continued to be burned.

(ii) Councillor Mathew Wafula, who also presented a memorandum blamed the violence on armed Pokot homeguards who he claimed kill people and take away their cattle. The non-Kalenjin had been written letters to quit Trans-Nzoia. He claimed that whenever they held meetings to establish peace, the Sabaot shied away. He submitted that homeguards should be deprived of guns given by authority of the government.

(iii) Mrs Elina Naswa Simiyu of Endebess alleged that arrows were being made at the home of Aramisi King'a of Kimondo in Kaboywa Location. She had made a report to the administration but no action has been taken. She narrated an incident on 26th December, 1991 when her home was attacked

and houses burnt, the arsonists having been led by Aramisi King'a. She said that amongst the attackers were Sebeis from neighbouring Uganda. She did not believe that the multiparty era was the cause of clashes, as she herself was a KANU official while those who were burning houses were shouting "KANU JUU! choma huyo mama KANU"

(iv) Mr. Wafula Nabwera of Chepsiro location blamed the Chief of Chepsiro Mr. Andrew Rotich for the burning of houses on 24th December, 1991. He alleged that Chief Rotich took no action on their reports to him about threats to the Abaluhyia community by the Sabaot. In particular, the chief accused the Abaluhyia of bringing trouble upon themselves because of supporting the opposition FORD. He claimed that the Chief asked the Abaluhyia to send 50 people to his house on 24th December 1991, failing which they should not blame anybody for the consequences. On 24th December when they declined to send people as required by the Chief, burning of houses started. At another meeting on 25th December, 1991 a councillor known as Simeon of Kapsikilai said that whoever joined FORD or DP in Chepsiro location must leave. A youth who was involved in the burning of houses was found in possession of a note from chief Andrew Rotich authorising him to burn houses.

3.3.5 According to the evidence given by interim officials of FORD Messrs Zachariah Shimechero (Chairman), Ezekiel Okul (Secretary) and Enoch Imbuye (Treasurer), and Peter Mburu Kinyanjui (DP Chairman - Trans-Nzoia), the cattle rustling on the West Pokot/Trans Nzoia border had increased. They claimed to have noticed an influx of Sebei from Uganda into Endebess where Chief Geoffrey Kipkut was alleged to be assisting them to obtain Kenyan identity cards to enable them settle in Kenya. They said that Hon. Kisiero has spearheaded a campaign for the Sabaot to get their own

district curved out of Bungoma and Trans Nzoia districts. They claimed that the clashes had pitted the Sabaot against the non-Kalenjin and that some Sabaot homeguards were using their guns to terrorise non-Sabaot neighbours.

3.3.6 Evidence was received at Saboti primary school in Saboati division on 9th June 1992. Witnesses comprised representatives of the Saboat, the Abaluhyia, the Kikuyu, the Teso, the Luo, the Kamba and others in the largely cosmopolitan Saboti division.

3.3.7 The Sabaot were represented, among others, by Messrs. Maurice Checkman Siyoi of Tulwet farm; Lawrence Langat Kipsoi of Saboti, Pius Kauka of Chepkui farm, William Sichei of Sabot, Ben Jipcho of Maliki and Mining Temo representing the Bong'omek from Kanduyi who were camping at Saboti.

Mr. Maurice Checkman Siyei alleged the additional reason for the push by the Sabaot to have their own district, emanated from the leaflets circulated at the time of the clashes which threatened their removal from Saboti if they did not oblige by joining FORD; and the discrimination in the allocation of the recent Rural Enterprise Fund in Trans-Nzoia district. He accused the Provincial administration of harassing the local Sabaot chiefs for no reason during the clashes and cited the case of Assistant Chief Saima of Machewa who he alleged was killed by the General Service Unit for no reason.

Mr. Lawrence Langat Kipsoi of Saboti and a Nominated Councillor in Nzoia County Council alleged that the Bukusu had a binding declaration in 1987, by which they vowed to remove the Sabaot from Trans-Nzoia district and continued to subjugate them; that Government had not yet settled the over 10,000 Sabaot thrown out of Kiborwa forest; that the evidence of the Abaluhyia youths, as shown in the Kenya Times of May 05, 1992, training in Libya, and the continued inflammatory utterances by Abaluhyia leaders, e.g. the Chwele Declaration and at Endebess, were alarming.

Mr. Pius Kauka of Chepkui farm alleged that a Mr. Sitati Maboni of Matisi in Kitale municipality recruited youths for training in Libya. He called for mutual respect between the Sabaot and the Bukusu.

Mr. William Sichei of Saboti alleged that the Abaluhyia leaders, namely Hons. Mwangale, Wekesa and Wabuge were opposed to any deliberation towards the creation of a district for the Sabaot and they (the Sabaot) had decided to fight as a means of driving home their desire.

Mr. Ben Jipcho of Meliki and a Primary School Assistant Inspector of Schools in Trans-Nzoia district alleged that the Sabaot who qualified in interviews for teacher training college places were always replaced by the Abaluhyia candidates. He said that a total of sixteen Sabaot had died in the clashes - six of whom were killed by the security personnel.

Mr. Mining Temoi representing the 6,000 Bong'omek who were displaced from Kanduyi division of Bungoma district, stated that they had to flee their homes as being part of the Sabaot who were waging war against the Bukusu in Mt. Elgon Sub-district, they had become a target for retaliation.

Mr. Kaburungo of Sukwo farm stated that clashes in Trans-Nzoia started in Sukwo farm on December 25, 1991. and that the initial burning of homes was on November 26, 1991 by some Bukusu assisted by Administration Police officers and forest guards.

3.3.8 The evidence and information given by the Abaluhyia, the Kikuyu, the Teso and other non-Sabaot and represented among others by Messrs James Kihia, John Nandasaba Wekesa, Wanyonyi Wefwila, David Kaboya and Maurice Etiang' Eseme had the following additional details that varied or were not in the evidence given at the Kitale Municpal Chambers:-

Mr. James Kihia at Gituamba farm alleged that, 'Majimbo' rallies of 1991 inflamed the clashes. He said that the information they had on the imminent start of clashes

by the Sabaot, was passed on to the local Assistant Chief, the District Commissioner and the Officer Commanding Police Division, who took no preventive measures. During the burning of houses belonging to non-Kalenjin, he alleged that the following assisted to some degree by their carefree attitude and disinterest:-

(i) Senior Superintendent of Police Mr. Raphael Ndala Ndiwa resident of Gituamba;

(ii) Trans-Nzoia O.C.P.D. Mr. Soi;

(iii) Saboti District Officer Mr. Omweno;

(iv) local chief Mr. Christopher Kiraro Saikwa;

(v) Assistant Chief William Kasisi of Kiborwa;

(vi) KANU Chairman of Kiborwa location, Mr. Charles Cheptais; and

(vii) Councillor Toil, who stated that all FORD Members would have to be removed from the area.

Mr. Emmanuel Baraza Milimo of Mukunyuni farm stated that the causes and motives of the clashes should be seen against the background of the 'Majimbo' rallies of 1991. He further said that there were allegations of oathing among the Sabaot.

Mr. John Nandasaba Wekesa of Nasianda farm in Kiborwa location, alleged that an Oathing ceremony attended by the Sabaot had taken place in early December, 1991 at the home of Chief Christopher Kiraro Saikwa, led by Mr. John Ndiema Choto, resident in the late Mr. Andrew Saikwa's farm. He stated that the contents of the oath was a mixture of the blood of dog and sheep - and a binding citation to remove all

non-Sabaot from Saboti division. He alleged that oathing also took place at the late Mr. Andrew Saikwa's farm. Mr. David Kaboya of Gituamba farm alleged that a gun had been found by police at the house of a Mr. Benson Chesiwa, a neighbour of Assistant Chief Mr. William Kasisi.

Mr. Maurice Etiang' Eseme, of Kapretwa farm gave a lengthy submission of the clashes, including the planning, training,and persons involved. The following were the highlights:-

(i) soon after the 'Majimbo' rallies of 1991, Hon. Kisiero held several night meetings with only the Sabaot in Saboti location. He informed Chief Christopher Kiraro Saikwa;

(ii) on December 27, 1991, Kefa Imai was allegedly killed by Wilson Chemosat using panga and axe; Patrick Appollo an empoyee of Mr. Stephen Sisimo was killed by an A.P. on the order of Assistant Chief Solomon Kirui of Saboti sub-location;

(iii) on May 13, 1992, Trans-Nzoia D.C. Wilfred K. Ndolo, held a meeting at Saboti centre. In the evening of the same day, Messrs. John Moss, Chief of Saboti location, Christopher Kiraro Saikwa chief of Kiborwa, Assistant Chief William Kasisi, Ben Jipcho, (A.P.S.I.) and others held their own meeting;

(iv) on May 14, 1992, Mr. Majani's daughter and an old man were killed and 300 cattle stolen. He alleged that among the escorts was Ben Jipcho;

(v) in December 1991, there were meetings at Kapsakwony convened by Hon. Kisiero, at which Sabaot from Saboti division were presented by Mr. Stephen Sisimo, resident of Museng' farm in Kiborwa, who also takes charge of the local organization;

(vi) the training of the Sabaot youth and retired security personnel and planning were carried out in Kiborwa forest. Mr. Stephen Sisimo is a Sebei from Uganda who has been a resident of Saboti since 1966;

(vii) On December 26, 1991, Mr. Joseph Cherogony, the KANU Chairman of Saboti Sub-location, was restrained by Mr. Eseme from burning his house. Mr. Cheogony was accompanied by youths whose faces were adorned with clay.

3.4.0 BUNGOMA DISTRICT

3.4.1 The Committee heard evidence in Bungoma district for two days, at Kapsakwony on 10th June 1992 and at Kimilili the following day.

At Kapsokwony in Mt. Elgon sub-district, the Committee held a four-hour hearing at the NCPB depot. Prior to that, the Committee visited destroyed homes in the neighbourhood, accompanied by the D.C. for Bungoma district, Mr. Rintari. The Sabaot were represented by Mr. Job Kipnus Koboi of Chelabei, Enos Kiberenge of Cheptais, Reuben Samoe Ndara of Kapsokwony and Benjamin Letebe Sirimoi of Cheptais while the clergy were represented by Rev. Daniel Naibei of CPK, Andrew Chemayiek, Member of the CPK synod and Benjamin Mutai of SDA, who gave oral evidence and presented written memoranda.

3.4.2 Mr. Job Kipnus Kiboi of Chelebei, blamed the administrative and political representation manupulation process that ensured the domination of the Sabaot by the Bukusu.

Mr. Enos Kiberenge of Cheptais saw the clashes as the explosion of the long endurance by the Sabaot of the manipulation and chicanery of the Bukusu to entrench their domination of the political and other affairs in the whole district. He produced a map on which he marked out what he saw as the progressive alteration of administrative boundaries to ensure the hegemony of the Bukusu and the frustration

of the growth of Mt. Elgon sub-district by Bukusu leadership. He referred to an Oath 'the Maniandeet', of the dog between the Sabaot and the Bukusu to respect the domain of each other as per boundaries established there.

Mr. Reuben Samoe Ndara, Chairman of Kapsakwony Town Council, cited as possible causes of the recent clashes, the utterance of Councillor Opindu of Nzoia County Council to the effect that all Sabaot should be moved to Uganda as they are aliens. During the clashes, he said the police assisted the Bukusu in burning the homes of the Sabaot. He alleged that Messrs Julius Wandari and Joseph Namayiengo Wekesa were in a convoy that burned the houses of the Sabaot in Kapsakwony location.

Mr. Benjamin Latebo Sirimoi of Cheptais cited as possible causes and motives the reaction of the Sabaot to the persistent frustration of development in Mt. Elgon sub-district by Bukusu leadership - e.g. the transfer of a planned tea factory and Kshs.6m. earmarked for Chepsiro health centre to other parts of the district. He said that the continued membership of KANU by the Bukusu is false as they are 'like wolves in sheeps skin', and that the Sabaot had received little assistance from the government since Independence.

3.4.3 Evidence by the Bukusu, Teso and the Kikuyu, was given as follows:-

Mr. Julius Wandari Nandasaba of Kabutola stated that burning of houses belonging to Bukusu began on December 25, 1991. The motive of the Sabaot fighting the Bukusu and Teso was to chase them out of Mt. Elgon sub-district to facilitate creation of an exclusive Sabaot district. He stated that the area Member of Parliament, Hon. Kisiero had throughout adopted a partisan approach and had made no moves to reconcile the various groups of people in the constituency. At a public meeting convened by the District officer, Councillor Reuben Samoe Ndara allegedly referred contemptuously to the Bukusu and Teso customs.

Joseph Wekesa Namayiengo of Kamasielo felt that the current councillors in the area were not conversant with the political trends in the country and have therefore incited

the Ṣabaot to harass the Bukusu. He alleged that the following had been behind the clashes by masterminding the entire operation from training to equipping (arming) the fighters:-

(i) Reuben Samoe Ndara - Chairman Kapsakwony Town Council;

(ii) Andrew Muneria - Vice Chairman Bungoma County Council;

(iii) Masai Masaranja - Vice Chairman Kapsakwony Town Council;

(iv) Andrew Chamayeik Member, C.P.K. synod, Nambale;

(v) Assistant Chief Reuben Sabet of Kibuku; and

(vi) Ben Jipcho - Assistant Inspector of Primary Schools, in Trans-Nzoia.

He said that these have also brought Sebei armed with guns from Uganda and this information was given to Kimilili Police station on April 13, 1992 He alleged that there are about two to five hundred Sebei training under Sabaot direction in the Chepkitale (Bagdad) forest, where stolen livestock has also kept. The fighters were teenagers of about eighteen years who were dressed in red shorts. The Sabaot have taken on Oath which is made out of blood from strangled cow (chesekut), mixed with that of a dog and then administered by an old woman over seventy-years, which took place in December, 1991 at Namoga sub-location in Koshoki.

Rev. Daniel Naibei of C.P.K. on behalf of the Clergy in Mt. Elgon Sub-district cited the disagreement between the Nambale and Katakwa dioceses over boundaries as another contributory factor to the recent clashes. Even within the church the differences and feelings of domination of the Sabaot by the Bukusu were prevalent.

3.4.4. Prior to visiting Kimilili on 11th June, the Committee called on the District Commissioner Bungoma District, Mr. Kibiti Rintari, who gave a brief background on

the clashes. He also gave some statistics relating to the clashes, as well as samples of weapons used during the fighting.

On the way to Kimilili, the Committee visited a Chwele Friend's church compound housing displaced Bukusu from Mt. Elgon where there were about 200 families living in deplorable conditions. In Kimilili, the Committee heard evidence from representatives of the Bukusu, Kikuyu and Teso. They included officials of KNUT Bungoma Branch, interim officials of the opposition FORD and residents of Kimilili, Sirisia and Mt. Elgon-Sub district.

The highlights of the evidence were:-

(i) that inflammatory remarks were made by Mr. Mark Too, the then Chairman of KANU in Nandi district during a harambee meeting at Kaptama Moi Secondary School on 14th July 1989 when he urged the Sabaot to remove "madoadoa" (spots) from their midst if they expected assistance; the interpretation was that this meant removal of non-Sabaot;

(ii) that during celebrations to mark the inauguration of the Katakwa diocese at Kipchiria on 24th April 1992, a group of Sabaot 'warriors' led by Councillor Andrew Muneria raided the celebrations; some were arrested but later released by the then Bungoma DC Mr. William Changole;

(iii) that Mr. Changole the DC made inciting remarks at a public baraza at Chemoge Market on 16th December, 1991 at which he spoke in the Kalenjin language and urged the Sabaot to remove "Madoadoa" and "chui" (leopard) from the midst of their flock;

(iv) that the clashes were perpetrated by the Sabaot 'warriors' led by some of their army personnel e.g. Mr. Siai Tirot an army officer who was

on leave at the time and who allegedly killed Kimiyu Mushi in early January 1992;. Mr. David Naibei an army officer who allegedly killed a son of Mr. Nicholas Odilo of Nambaoni but the police, who were informed, made no arrest; and Wycliffe Naibei, a Senior Sergeant with the 78 Tank Battalion at Isiolo, who was arrested by wananchi on April 08, 1992, while burning houses belonging to the Bukusu;

(v) that, the local Member of parliament Hon. Kisiero and other leaders, such as Councillors Reuben Samoei Ndara and Andrew Muneria, together with prominent Sabaots were instrumental in bringing ill feeling towards the non-Sabaot and were indeed advocating their removal from Mt. Elgon;

(vi) that Sabaot 'warriors' were being trained in Chepkurkur, 'Bagdad' in Chepkitale forest for the fighting, with the knowledge of the local Assistant Chief Mr.Patrick Cherogony; and

(vii) that policies introduced by the government such as the quota system in education and the District Focus for Rural Development have enhanced tribalism, as has the appointment of administrators who could not rise above tribal considerations.

3.5 VISIT BY THE SUB-COMMITTEE TO TRANS-NZOIA AND BUNGOMA

As a follow-up to the Committee's visit, a sub-committee of three Members was appointed to revisit Trans-Nzoia and Mt. Elgon areas to verify certain evidence presented, between 28th and 30th July 1992.

The sub-committee visited a number of police stations and posts and were able to obtain a lot of valuable information regarding the clashes. The Sub-committee visited various places in Saboti, Kwanza division and Mt. Elgon sub-district, namely Gituamba, Kiborwa Forest, Endebess in Saboti; Chepkurkur (at the periphery of

'Baghdad'); Chebiuk, Amaya and Kipsigon locations in Cheptais division of Mt. Elgon sub-district. The sub-committee also called on the D.C. Bungoma, the D.O. Cheptais and at Kimilili police station.

The sub-committee noted that the displaced persons staying in various camps in Bungoma district had not returned due to Sabaot hostility.

Having reviewed the evidence and information gathered by the sub-committee, the Committee did not find any proof of the existence of training camps for 'warriors' at either Kiborwa forest or Chepkurkur (Bagdad).

3.6 CAUSES OF THE RECENT ETHNIC CLASHES

The causes of the clashes as described by witnesses in Trans Nzoia and Bungoma Districts may be summarised as follows:-

(a) the perennial demand by the Sabaot to have their own district, comprising parts of Kwanza and Saboti divisions of Trans-Nzoia and Mt. Elgon sub-district of Bungoma district;.

(b) the hunger for land by the Sabaot who feel neglected by the Government in that they have not, as a tribe, been considered for settlement schemes like other communities;

(c) influx into Kenya by armed Sebei from across Uganda, who engage in cattle rustling with the support of some of their Sabaot relatives, making it assume a tribal dimension;

(d) the nature of the terrain as Mt. Elgon is on the boundary between Kenya and Uganda and some parts are completely inaccessible to security forces;

(e) uterrances by political and administrative leaders which instead of enhancing peace created more tension; e.g. those of D.C. Changole, Mark Too, the Chwele and Endebess declarations;

(f) rivalry over the distribution of administrative posts;

(g) the distribution of resources such as the rural enterprise fund, rural development funds, facilities, and services through the DDC in districts where there are different ethnic groups;

(h) perceived domination of the Sabaot who feel that they are the 'rightful' residents of the area, by the Bukusu;

(i) the introduction of multi-partyism; and

(j) the "majimbo" rallies of 1991.

3.7 THE PERPETRATORS/ INSTIGATORS

Among the perpetrators and instigators in the area, the following were among those described by witnesses as having contributed to the clashes:-

Mr. William Changole - former D.C. Bungoma District
Mr. Mark Too - former Chairman KANU - Nandi Branch
The Hon. E. Mwangale, M.P. - Kimilili
The Hon. J. wa Mang'oli, M.P. - Webuye
The Hon. N. Wekesa, M.P. - Kwanza
The Hon. W. Kisiero, M.P. - Mt. Elgon
Mr. Andrew Muneria - Vice Chairman, Bungoma Country Council
Mr. Stephen Sisimo - resident of Kiborwa location
Mr. Joseph Cherogony - KANU Chairman - Saboti location
Mr. Solomon Kirui - Assistant Chief - Saboti Sub-location
Mr. Aramisi Kinga - Kimondo location
Mr. Geoffrey Kipkut - Chief, Endebess location

Mr. Samwel K. Moiben - Kaa Farm

Mr. Charles Cheptais - KANU Chairman - Kiborwa location

Councillor Toil - Nzoia County Council

Councillor Opindu - Nzoia Country Council

Mr. Michael Kitio

Mr. Sitati Maboni of Matisi, Kitale municipality

Mr. Ben Jipcho - Assitant Primary School Inspector, Saboti division

Wafula Buke - former University of Nairobi Student leader.

3.8 RECOMMENDATIONS

Having considered the evidence from Trans Nzoia and Bungoma, and being concerned by the continued tribal fighting in this Belt, even at the time of compiling this Report, the committee recommends that the following measures be taken as a matter of urgency in order to bring lasting peace in the area:-

(a) that the Government should ensure equitable distribution of administrative and other government posts to all the communities in the area;

(b) that the Government should establish a commision to investigate the recurring problems in Mt. Elgon area with a view to finding a permanent solution;

(c) that the Government should consider the resettlement of people evicted from Chebiuk/Chepkurkur (Baghdad) in 1989;

(d) that the displaced persons willing to return to their deserted farms should be given adequate security;

(g) that in order to improve security along the Kenya/Uganda border especially Chepkube, Chepkitale Cheskaki and Endebess, adequate security personnel should be deployed and security roads maintained;

(f) that in view of the misuse of guns in the area, the Government should disarm all the home guards as well as all those with illegally acquired guns.

CHAPTER FOUR:

4.0 KAKAMEGA/KISUMU/KERICHO/NANDI/UASIN-GISHU ETHNIC CLASHES BELT

4.1.0 THE ETHNIC CLASHES BELT

4.1.1 The Kakamega-Kisumu-Kericho-Nandi-Uasin-Gishu Ethnic Clashes Belt is a loosely disjointed Belt running roughly along the provincial administrative boundaries between Western and Nyanza Provinces on one side and Rift Valley province on the other. The northern most tip of this Belt is at the convergence of Western and Rift Valley provinces, at the touch point of Lugari and Soy divisions in Kakamega and Uasin Gishu districts, respectively. The southern most tip is at the convergence of Nyanza and Rift Valley provinces, at the touch point of upper Nyakach and Belgut divisions in Kisumu and Kericho districts, respectively.

4.1.2 The principle spots forming this loosely disjointed Belt, and which the Committee visited, held sittings and received evidence and information from wananchi are, starting from the northern most tip - Turbo market, on June 13; Kakamega municipality for the borders of Hamisi, Shinyalu and Malava divisions with Nandi district on June 12; Kamasai centre on July 04; Koru centre on July 06; Sondu market on July 07; and Londiani township on July 09, 1992. A sub-committee of the Committee made follow-up visits to Londiani on July 29 and Turbo on July 30, 1992. In addition several memoranda have been submitted to the Committee.

4.2.0 BRIEF BACKGROUND AND COMPOSITION OF POPULATION

4.2.1 With the exception of the Sondu spot in the southern most tip of this Belt, and parts of Kamasai area, the rest is virtually part of the former "white highlands". In the early decades of this century, the rich and fertile high potential agricultural highlands in the Rift Valley and Central provinces, totalling approximately eleven million acres, were alienated by removal of the indigenous peoples, and set aside for the exlusive

use by white settlers. The remainder was divided into "reserves" for habitation by the various ethnic groups. In the cause of time, most "reserves" became identified as the ancestral home and land of say the Kalenjin, Luo, Abaluhyia or Kikuyu ethnic groups. With the advent of Independence, most of the white highlands were bought by the government of Kenya through a joint Fund set up by the Kenya Government and the departing British Government.

4.2.2. In turn the Government of Kenya vested the bought-out "white highlands' into two state agencies, the Agricultural Development Corporation and Settlement Fund Trustees. Most of the land vested in these agencies was set aside for the settlement of the many squatters who had been on them in the days of the white settlers and other deserving, interested wananchi. This was in the main in form of settlement schemes, in which the squatters and other interested and deserving persons gained allocation through balloting. Some of the other land was sold directly to some wananchi, individually or as land buying co-operatives, societies and companies.

4.2.3 A cursory look at the historical setting of human settlement gives a little more credence to claims of ancestry to this Belt to the Kalenjin peoples (Nandi in the northern part and Kipsigis in the southern part), than to other ethnic groups. Nevertheless at the time, the settlement schemes and land buying co-operative societies and companies were established to buy the former white highlands from the two state agencies, most wananchi deserving to be settled for having been squatters or otherwise and also with interest to buy, were drawn from the Luo, Abaluhyia, Abagusii and Kikuyu. The latter four ethnic groups initially came into this Belt to supply the labour that the Kalenjin could not supply. The Kalenjin being pastoralists who practised scanty agriculture were not pliable to the agricultural set up the white settlers wanted to establish. Thus, the Luo, Abaluhyia, Abagusii and Kikuyu moved in to fill the void; but also partly because the four ethnic groups were facing population explosion in their "reserves".

4.2.4 As a result of the scenario in paragraph 4.2.3 above, most of the population in this Belt is composed of the Kalenjin, Luo, Abaluhyia, Abagusii and Kikuyu, in spite of

the perennial claim to it by the Kalenjin. In addition to the scenario created by colonial settlement, in the early 1970's some of the Kalenjin who got some land in the settlement schemes or society and company farms, started selling off some of it to members of these four communities. The little concern for land shown by the Kalenjin can be said to be also due to the fact that they had not been subject to high population pressure on the land in their "reserves".

4.2.5 Against the foregoing backdrop, the population set-up in the Belt can be described as cosmopolitan, largely due to the inevitable historical factors. Yet, the information available to the Committee indicates that, again, with the exception of the Sondu spot, virtually all political (parliamentary and civic) and administrative positions are held by persons from the Kalenjin community.

4.3.0 THE TIME SPAN AND ORIGIN OF THE ETHNIC CLASHES

4.3.1 The evidence and information available to the Committee indicate that the time span of the Clashes in this Belt roughly covers the period mid-October, 1991 to June, 1992. Meteitei farm in Tinderet division of Nandi district, Rift Valley Province is the acknowledged origin or cradle of the recent Ethnic Clashes. It is widely believed that they sparked off here on the night of October 29, 1991 and spread out to the rest of Tinderet division, lasting till May 1992. The clashes then spilled over to other spots in this Belt as follows - Koru and its environs, November 04 to May, 1992; Chegaiya Settlement Scheme and its environs on November 06 to March 1992; Londiani its and its environs on November 18, to July, 1992; Turbo and Kamasai and environs, on December 17 to May, 1992; and finally at Sondu and its environs in March 1992.

At Meteitei farm, the evidence received by the Select Committee, indicate that, the burning of houses belonging to the non-Kalenjin begun on the night of October 29, 1991. This was a day after the latest of the many meetings convened by the provincial administration in its attempt to resolve conflicts between members of Meteitei Farmers Company. At this meeting which was addressed by the Nandi District Officer I, Mr. Mwashi, no business was transacted as the members disagreed

on the legibility of membership. The disagreement split the members into two groups. One group of 310, comprising mostly the Kalenjin (Nandi) walked away from the venue of the meeting. This group held its own meeting under chief Philip Karoney of Meteitei location and Kipyego Matelong Korir, the current chairman of the unlawful committee of Meteitei Farmers Company and also KANU chairman for Meteitei sub-location. The other group of 279 was comprised of Abagusii, Kikuyu, Abaluhyia, Kalenjin and others.

Further evidence indicates that, the 310 members claimed to be the **bone fide** members of Meteitei Farmers Company and demanded that the 279 should evacuate from the farm. This claim was allegedly supported by the District Officer I. It was also alleged that further support for the stand taken by the 310, came from the Hon. Ezekiel K. Bargentuny, M.P. and Samwel Chelule, the Chairman of Nandi County Council. It was further alleged that with the depature of Mr. Mwashi, the 310 continued to meet; and finally, they seem to have decided to create a situation that would compel the 279 to evacuate. Thus, the burning of houses of non-Kalenjin started. The first house to be burnt belonged to Ms. Kamene (Akamba).

In evidence which was corroborated by among others, the Commissioner of Police, Mr. Philip M. Kilonzo, it was stated that the first person to be killed on the night of October 29, 1991, was Ms. Mong'ina (Abagusii). As a result, Mr. Kilonzo added, two police constables, Lang'at and Stephen Otieno, were deployed to guard Mong'ina's body. During the night, a gang of the Nandi attacked the two police officers, with the intention of setting Mong'ina's body on fire. An exchange ensued resulting into police constable Lang'at killing Julius Kipsang, the alleged leader of the gang. On learning of the death of Kipsang, the Nandi, presuming that the death had been caused by police constable Stephen Otieno, became incensed and went venting their anger on any Luo found around.

The Nandi spread their vengeance to Owiro farm in Songhor location, where they had learnt that police constable Stephen Otieno had a piece of land and a home. Owiro farm with an acreage of about 2,610, has been the home of about 4,000 Luo, since

1970. The damage effected on Owiro farm was so excruciating that when the Committee visited it on July 06, 1992, there was evidently not a single person in sight. The wanton destruction and looting meted at Owiro farm had similarly been carried out at Kotnalel farm which the Committee had visited on July 03, 1992.

The evidence of several witnesses, indicated that the Kalenjin "warriors", who caused so much havoc and so fast in Tinderet division and the neighbouring Belgut, and Muhoroni divsions in Kericho and Kisumu districts, respectively, received transportation facilities and powerful spotlights with which to identify non-Kalenjin houses from the Hon. Ezekiel K. Bargentuny, M.P. There were also allegation that the warriors were each paid Kshs 1,000 per person killed and Kshs. 500 for safe return from the clash front; from funds allegedly supplied by the Hon. K.N.K. Biwott, EGH, MP.

4.3.2 Prior to the commencement of the Ethnic Clashes, the Kenyan political environment had been progressively stirred up and was highly charged. This highly charged political environment was a result of a determined crusade for a return to multi-partyism, which had crystallized in the formation of the pressure group the Forum for Restoration of Democracy - FORD in August, 1991. The political temperature rose further with the launching of a counter crusade, characterrised by the highly parochial utterances by leaders from Rift Valley province at political meetings which came to be dubbed **"Majimbo Rallies"**.

4.3.3 REPORT OF THE VISIT OF THE SUB-COMMITTEE TO KERICHO AND UASIN GISHU DISTRICTS

Evidence and information received at both Turbo in Uasin-Gishu and Londiani in Kericho districts indicated that certain homesteads and farms in these areas were used as hideouts and sanctuaries or training grounds for warriors.

A sub-committee of three members visited Kericho and Uasin-Gishu districts between 28th and 30th July.

In Kericho the Sub-committee were shown the tools found at Mr David Mwathi's house which were being used to make arrows on contract.

The sub-committee visited several places attacked by warriors and also visited several home-steads and collected further information and evidence.

After reviewing the findings of the sub-committee, the Committee finds no visible evidence to lend credence to allegations that there were training grounds/sanctuaries in these places.

4.4.0 CAUSES OF THE RECENT ETHNIC CLASHES

4.4.1 The various witnesses who appeared before the Select Committee, gave several possible causes of the recent Ethnic Clashes within this Belt. As it is not possible to go into each of the possible causes, the following which cut across this Belt are briefly discussed below:-

4.4.2 The utterances of leaders and politicians at public meetings that seemed to have inadvertently sent out signals and messages appealing to and whipping up emotions for preservation of parochial and sectional interests, provides one of the causes of the ethnic clashes. Such utterances were made prior to, during and after the time span indicated in paragraph 4.3.1 above, at the "majimbo rallies" within this Belt. The ostensible message at these two meetings which was to urge Kenyans to opt for the lesser "evil" political set-up of "Majimbo framework" than "Multi-partyism", could hardly eschew the inference that the appeal was directed at and meant to awaken the ethnic communities from which the speakers were drawn, to the risks and dangers that would befall them in opting for multi-partyism. In addition to the utterances at **"Majimbo rallies",** intermittently, some of these leaders reacted to the advent of multi-partyism by declarations that made KANU appear as one and the same as Rift Valley and the Kalenjin. This introduced the **"KANU Zones"** phenomenon, through declarations at various public meetings, e.g on February 21, 1992 Kericho politicians at a public meeting at Chesoel Primary School, chaired by Acting Branch Chairman,

the Hon. Kimunai arap Soi, M.P., and addressed by the Hon. Kipkalia K. Kones, M.P. and the Hon. William K. Kikwai, M.P. among others, they reportedly ordered a presumed pro-multi-partyism lawyer, of Kikuyu ethnic community, based in Kericho township to leave immediately; warned the Democratic Party of Kenya - (DP) and the Forum for Restoration of Democracy - (FORD) not to open offices in Kericho; and that any opposition party daring to enter Kericho district would only have itself to blame when the wrath of the local people unfolded before it.

4.4.3 There has been indication that, the foregoing which were repeated at various meetings by various leaders, could have awakened, incensed, inflamed and brought to light other lesser causes imbedded in the otherwise tolerable, perennial, common place distrusts, disputes, animosities and parochial considerations, to which it served as an impetus for fulfilment or realization . Some of the perennial commonplace distrusts, disputes, et cetera, included -

(i) disputed sub-divisions in land buying co-operative societies, companies and partnerships;

(ii) disputed transfers of land sold through individual agreements, and others which the Land Control Boards seem to have encouraged by not solving as required by administrative and legal processes, (e.g. in Nandi and Uasin Gishu district;

(iii) incessant stock thefts;

(iv) inadequate knowledge available to wananchi on the practise of multi-partyism; hence construing the membership of different parties as inevitable ground for open hostility to be settled physically;

(v) the quest for ethnic purity and preservation by coercing some ethnic groups thought to be distorting that status to evacuate, e.g. evidence given at Turbo,

Kamasai and Tinderet indicated that local politicians - William Morogo Saina (former M.P. for Eldoret North) Jackson Kibor, Chairman of KANU Branch Uasin Gishu, Ezekiel Bargentuny, M.P., occasionally alluded to the need to remove "madoa doa" and "kwekwe", (misconstrued to mean the non-Kalenjin) from the midst of the Kalenjin peoples;

(vi) rivalry over the staffing of the political and administrative positions, which at the moment are as at paragraph 4.2.5 above; and there was an indication that the ethnic clashes could have had an underlying motive to influence and change the voter population by removing the "kwekwe", thus ensuring dominance by the other;

(vii) perennial rivalry over commercial concerns as at Sondu township which was triggered off by a dispute between George Manyala Ong'era (Abagusii) and a Market Master at the Upper Market, a Joseph Allan Kosgey; at Ong'era's reluctance to pay market entrance fee;

(viii) perennial ancestral claims to some portions of land dismembered from one ethnic community and apparently given to the other as in the case of the Koru location elongation between Kisumu and Kericho districts, which "mkia" the Kalenjin would like "cut" and incorporated in Kericho district, where it belongs.

There was strong possibility that the ethnic clashes which occurred after those at Meteitei farm that pitted the Kalenjin against the non-Kalenjin were a spillover in which the non-Kalenjin were retaliating for the presumed havoc caused to their kinsmen.

4.5. THE FIGHTERS/INSTIGATORS/PERPETRATORS

4.5.1 From the evidence and information given by various witnesses, there was a distinct group of persons involved in the recent ethnic clashes, who could be loosely designated as Fighters, Instigators and Perpetrators.

4.5.2 The possibility of there being an organized group of fighters could be traced from the various evidence indicating that the attack was often launched by groups that seemed to move under some command. Most accounts indicate that the fighters were youths aged between twelve and thirty years, clad in white/red T-shirts and black shorts with or without a white sheet spread over with a knot on one of the shoulders. Others were in casual wear, but were distinguishable by their slim, athletic and clean shaven outlook with face adorned with clay "munyu". These youth were variously termed Kalenjin, and Kikuyu or Luo "warrior's", depending respectively on whether the evidence was given by non-Kalenjin or Kalenjin witnesses. It was also stated that the Kalenjin warriors had a rear back-up comprising persons with maturer appearance. The "warriors" weapons included bows, arrows, spears, catapults and stones (scuds), pangas, axes, fire igniters, paraffin, petrol and guns.

4.5.3 The possibility of there having been another group of Instigators and Perpetrators or Facilitators who in the link-up were organisers of the entire operation, could also be traced from the various accounts as to the mode of movement of the warriors and rewards for their labour. Some of the evidence indicating the existence of Fighters and Instigators is as follows:-

(i) a witness from Shinyalu division who appeared before the select Committee at Kakamega, alleged that during the ethnic clashes on the border of Shinyalu division and Nandi district, one Kalenjin "warrior" was captured. The "warrior" is alleged to have said that he hailed from Elgeyo Marakwet district and was executing orders from his commanders and paymasters. The witness further, alleged that the "warrior" said he was part of a group of "warriors", each of whom was paid Kshs.1000 per every person killed and Kshs.600 per each house burned. The witness also alleged that this "warrior" was thoroughly beaten up and was only spared when he conceded to disclose his

identity and mission. The "warrior" was then allegedly taken to Kakamega district hospital by his captors from where he vanished. He is alleged to have said that the funds paid to them were supplied and managed by the Hons. Nicholas Biwott, EGH, M.P.; Reuben Chesire, M.P. and Ezekiel Barngetuny, M.P.

(ii) a witness from Tapsagoi scheme who appeared before the Committee at Turbo Market, alleged that in the early hours of April 17, 1992, over 1000 Kalenjin "warriors" armed with bows and arrows, were dropped by lorries from unknown places at Turbo Girls Secondary School. The wananchi who saw the "warriors" ran for cover. The "warriors" remained within the confines of the school, until the arrival of Uasin Gishu District Commissioner, Mr. Paul Lang'at, the O.C.P.D. and the local Member of Parliament. The witness alleged that the trio addressed the "warriors", pleading with them to disperse peacefully. The "warriors" eventually dispersed but after ransacking Turbo Girls Secondary School and the homesteads nearby;

(iii) a witness who appeared before the Committee at Chegaiya centre alleged that prior to the commencement of the ethnic clashes in Chegaiya Settlement Scheme on November 06, 1991, there were allegations that certain persons of the Kikuyu ethnic community, e.g. Ibrahim Mungai, were planning to set their own houses on fire, so as to spark off the Ethnic Clashes, by alleging that their houses had been set on fire by Kalenjin "warriors". He further alleged that these persons were not to suffer any loss as they were to be compensated by the Instigators of the ethnic clashes. It was also alleged that Kikuyu "warriors" from Mbogoini and Subukia were transported in vehicles belonging to Messrs. Peter Mwangi Nga'ng'a and Mutemi both from Chegaiya Centre.

(iv) another witness at Chegaiya centre alleged that on the night of February 08, 1992, an only Kalenjin meeting was held at Kipkurosiet attended by the Hon. Ezekiel Barngetuny, M.P. and Assistant Chief Simon arap Too. He further

alleged that the former gave the latter Kshs.2000, allegedly to facilitate KANU recruitment;

(v) several witnesses who appeared before the Committee at Tinderet Secondary School, alleged that several local leaders such as Hon. Ezekiel Barng'etuny, M.P., Chairman of Nandi County Council, Samwel Chelule, Chief of Meteitei location, Philip Karoney, and Kipyego Matelong Korir, current Chairman of Meteitei Farmers Company were closely involved in the problems of Meteitei Farm and had incited wananchi to fight through utterances urging the Kalenjin to remove "madoa doa" from the area. The witnesses also alleged that each Kalenjin "warrior" received Kshs.1000 per person killed, and Kshs.500 for safe return from the battlefield. It was also alleged that Kalenjin warriors were transported in vehicles belonging to Meteitei Farmers Company, Kapsabet Girls High School, and Hon. Ezekiel Barng'etuny,. The witnesses further alleged that the youths were organized by the KANU youth organizing secretary in Kaptie sub-location, David Rono.

(vi) several witnesses who appeared before the Committee at Kamasai, alleged that the ch irman of KANU Youth in Chepsaita Settlement Scheme, Henry Koech together with Councillor Solomon Magut; former local Member of Parliament, William M. Saina, were the instigators of the clashes in the area and tha warriors were paid Kshs.10,000 for each permanent house burnt.

(vii) several witnesses who appeared before the select Committee at Sondu Township, alleged that, there were both Kalenjin and Luo "warriors". Further that the Kalenjin "warriors" were not composed of the youths from the local population but were from far, as they appeared not conversant with the geographical details of the area. It was also alleged that the Kalenjin "warriors" were often transported by familiar matatus, e.g. registration Nos. KYC 032 and KAA 551 B; and KZB 882.

(viii) a witness from Nyakinyua farm, who appeared before the Committee at Londiani, alleged that a resident of the same farm, Ngugi Wacho had been contracted by Daniel Kitiria of Tenguot farm to make 800 arrows at Kshs. 10 each. He further alleged that Wacho was arrested and jailed by a Kericho court for four months. Another witness alleged that each Kalenjin "warrior" was paid Kshs.500 for safe return from a mission. The payments were allegedly made by the proprietor of a Guest House at Kedowa market; and

(ix) several witnesses alleged that on occasions when some of the "warriors" were apprehended and handed to Chiefs, Assistant Chiefs, District Officers or police, they were invariably set free without any charge. Examples of these were found at Chegaiya centre where it was alleged that on November 07, 1991, the then District Officer of Timboroa apprehended a group of Kalenjin re-enforcement from Meteitei farm to assist those at Chegaiya. This reinforcement group was locked in only to be released the following day by the Uasin Gishu District Commissioner Mr. Paul Lang'at and the D.O. instantly transferred.

(x) from the evidence and information received from the various witnesses in this Belt, the following are among the Instigators, Perpetrators and Facilitators:-

- speakers at the majimbo rallies held at Kapsabet and Kapkatet;
- Samwel Chelule, Chairman Nandi County council;
- Philip Karoney, Chief - Meteitei Location;
- Henry Tuwei, Chief - Songhor Location;
- Kipyego Matelong Korir - currently heading the committee of Meteitei Farmers Company;
- David Rono - KANU Youth Organizing Secretary in Kaptie sub-location
- Henry Koech - KANU Youth Chairman in Chepsaita scheme;
- Councillor Solomon Magut - Wareng' County council;
- Jackson Kibor - KANU Chairman, Uasin-Gishu Branch;
- William M. Saina - former M.P. for Eldoret North;

- David Mativo - former D.C. Nandi;
- Simon arap Too - Assistant Chief - Chegaiya;
- Samwel Boinett - Chief Chegaiya location;
- Kiptarus Kirior - former M.P. for Belgut; and
- Timothy K. Srima - D.C. Kericho

4.6.0 RECOMMENDATIONS

The Committee having reviewed and deliberated on both oral and written evidence and information from witnesses who appeared in person and those who sent memoranda, recommends that:-

(i) every effort be made by government and other concerned persons to ensure speedy resettlement of all displaced persons and restoration of peace and tranquillity in all parts of this Belt and Kenya;

(ii) ways and means be devised to expedite creation of an Urban Council at Sondu township;

(iii) urgent measures be taken to expeditiously adjudicate and issue title deeds to all deserving persons and further that the Land Control Boards should be guided by professionalism and legal requirements only;

(iv) urgent measures be taken to enhance security by establishment of additional police posts, police patrol bases and Anti Stock Theft Units;

(v) the government should as a matter of urgent priority establish a Commission comprising independent persons to study the issue of Meteitei Farm in Tinderet division, to ascertain the exact number of all persons with legitimate claims and ensure proper and equitable allocation of that farm to them; **in the meantime all previous demarcations and allocations should be nullified;**

(vi) all leaders should make every effort to assist and encourage wananchi understand and practice the virtues of tolerance in this multi-party era;

(vii) the government should consider the use of services of retired District Commissioners, Judges and Magistrates as members of Temporary Land Disputes Courts as a way of dealing with the numerous land disputes in Uasin Gishu, Nandi, Trans-Nzoia, and other districts with similar problems; and

(viii) the government should find ways and means of assisting the squatters on government land, at a place popularly known as "Muhoroni nuclear farms" to find own permanent settlement.

CHAPTER FIVE

5.0 THE KISII/NAROK/NYAMIRA/BOMET ETHNIC CLASHES BELT

5.1 THE ETHNIC CLASHES BELT

The Kisii-Narok-Nyamira-Bomet Ethnic Clashes Belt runs roughly along the provincial administrative boundary of Nyanza and Rift Valley Provinces. The touch line of this Belt is the common border between Kisii and Nyamira districts in Nyanza Province and Narok and Bomet districts in the Rift Valley Provinces. The southern end of this Belt is at Nyamaiya market on the Kisii/Narok common border and the northern most is at Sondu market on the Kisii and Bomett common border.

5.1.2. The principle spots in this Belt and which the Committee visited, held sittings and received evidence and information from wananchi, are, starting from the north end of the Belt, Sotik township, on July 11; Eronge centre on July 10; Nyangusu centre on July 09; Nyamaiya market on July 08; and Kiligoris township on July 14 and 15; 1992. During visits to these spots, the Committee received oral evidence and information from a cross-section of wananchi. In addition, several memoranda were submitted to the Committee at the presentation of oral evidence or by persons who were not able to appear.

5.2 BRIEF BACKGROUND AND COMPOSITION OF POPULATION

5.2.1. With the exception of the Kisii/Nyamira/Bomet area, the rest of this Belt is part of the former "reserves" that have come to be identified as the ancestral habitation of the Kipsigis, Abagusii and Maasai. Most of Kisii and Nyamira has in that respect been looked upon as the ancestral home of the Abagusii; as has been Kericho and Bomet for Kalenjin (Kipsigis) and Narok for the Maasai.

5.2.2. In the early decades of this century as the colonial government was taking root, one of its creations was the splitting up of Kenya roughly into "reserves" and "white

highlands". The "reserves" are where the various Kenyan ethnic groups were left to live on their own, and with time, these have become their "ancestral land". The white highlands were created out of the very best and rich agricultural land in the highlands mostly within the Rift Valley province, and was for the exclusive used by white settlers. There were roughly about twelve square miles of white highlands between the Abagusii and Kipsigis.

5.2.3. With the advent of independence, the white highlands between the Abagusii and the Kipsigis, was roughly split into two. Some of it went to Nyamira and the other to Bomet district. Like elsewhere in independent Kenya, the former white highlands were bought by government which in turn vested them into the Agricultural Development Corporation and Settlement Fund Trustees. With time some of the land was created into settlement schemes for squatters, landless and interested wananchi. Some of it was also sold to land buying societies, companies and individuals.

5.2.4. Of the three ethnic groups in this Belt, the Abagusii have always had a higher population density, which is a plausible explanation of their presence in large numbers out of Kisii and Nyamira districts. This also explains why at the creation of settlement schemes, most of the settlers turned out to be Abagusii. The same explanation can amply be extended to their current presence in Kericho, Bomet and Narok districts. Suffice it to say that the Abagusii have been able to move into areas outside their "reserve". In comparison, both the Kipsigis and Maasai, apart from being pastoralists, had more land than their numbers. The Kisii movement into erstwhile Kipsigis and Maasai "reserves", was initially in settlement schemes, but lately through direct purchases and leases.

5.2.3. From the foregoing brief background, it is obvious that, there may be good reasons for the presence of the Abagusii in both Bomet and Narok districts and whereas one would have thought that with time more tolerance and cohesion would have developed between them, the age-old suspicions of the numerically strong dominating the less are still alive. It is true that all has not been smooth between the three ethnic groups, mainly due to incessant stock thefts.

5.3 THE TIME SPAN OF THE ETHNIC CLASHES

5.3.1 From the evidence and information available to the Committee, the time span of the ethnic clashes in this Belt covers the period between October 1991 to July 1992. The earliest and longest ethnic clashes in this Belt were on the Narok/Kisii/Nyamira border. The ethnic clashes in this area seem to be perennial. It is therefore not easy to set a span of time for them. However, it would appear that intensity was noticeable in this period. Kilgoris experienced this intensity from October 1991 to July 1992; Nyamaiya and Nyangusu areas from January to June, 1992; Eronge from March to July, 1992; and Sotik from March to May, 1992.

5.3.2. The time span of the ethnic clashes in this Belt came at a time when the political environment in Kenya had a high temperature. The stirring up of the political environment had been brought about by the unrelenting crusade to re-introduce multi-partyism. The crusade had gained tangible momentum following formation of the pressure group - Forum for Restoration of Democracy - FORD in August, 1991. To counter the aims and objectives of this pressure group, leading politicians and parliamentarians, mainly from the Rift Valley province, started an equally committed crusade. The second crusade was characterised by highly parochial utterances at five rallies addressed by its promoters. These rallies which became known loosely as to **"Majimbo Rallies"** were launched at Kapsabet in Nandi district and have been referred in 1.2. above.

5.4. CAUSES OF THE RECENT ETHNIC CLASHES

Several possible causes of the recent Ethnic Clashes were received by the Committee, in the evidence and information given by the very wide cross section of the many witnesses who appeared at the sittings of the Committee. Only a few of these causes are discussed briefly below:-

5.4.2. One of the most obvious possible cause of the recent ethnic clashes hinges on the crusade for and eventual re-introduction of multi-partyism and the consequent ramifications.

The brief background in paragraph 5.3.2. above indicates what kind of ramifications the advent of multi-partyism was bound to engender. One of the outstanding ramifications of the multiparty crusade was the launching of the "Majimbo" debate. Two of the five "majimbo" rallies were convened at venues in or within ample proximity of this Belt. One of these two was on September 21, 1991, at Kapkatet, hosted by the local Member of Parliament and Minister for Public Works, the Hon. Timothy Mibei, EGH, M.P. The second was on September 28, 1991, at Narok, hosted by the KANU chairman Narok Branch, who is also the area Member of Parliament and Minister for Local Government the Hon. William R. Ole Ntimama, EGH, M.P. This rally was addressed by H.E. the Vice-President and Minister for Finance, the Hon. Prof. George Saitoti, EGH, M.P.; Hons. Njoroge Mungai, EGH, M.P.; Nicholas Biwott, EGH, M.P.; Joseph J. Kamotho, EGH, M.P.; Burudi Nabwera, EGH, M.P.; John K. Cheruiyot EGH, M.P.; Hussein Maalim Mohamed, EGH, M.P.; John Kyalo, M.P.; Philip J.W. Masinde, M.P.; Joseph K. Ngutu, M.P.; Timothy Mibei, EGH, M.P.; Philip Leakey, M.P. and others;

5.4.3. The leaders continued to make utterances that clearly indicated their inclination towards the zoning off of their areas and ethnic communities so as to spare them from the perceived bad influence of others. This would no doubt be inferred as sufficient warning for the other ethnic communities to tread carefully. For instance several witnesses alleged before the Committee at Nyangusu, that on February 20, 1992, Hon. William Ole Ntimama made blatantly inciting utterances at a public meeting, by stating that the non-Maasai living in Maasai land should respect the Maasai, and further warned that the title deeds owned and cherished by such non-Maasai were mere papers that could be disregarded at any time. Such utterances became frequent, following the repeal of section 2A of the constitution, when declarations like the February 21, 1992 by Kericho leaders were made. Most witnesses who attended the Kapkatet rally, at which allegedly firm indication was given that if multi-partyism was

re-introduced, those wishing to re-introduce "Majimbo" would be free to do so; stated that thereafter they were constantly reminded by their Kalenjin neighbours, who presumed that all Abagusii and Luo were pro-multi-partyism, that with its coming their evacuation would start.

5.4.4. Whereas all the ramifications emanating from the crusades for and the advent of multi-partyism, and the bid to forestall it by the "Majimbo" scare-crow may not all be fully discussed here, suffice it to state that the evidence and information received by the Committee indicate that the political environment created by both was conducive and pliable for the ethnic clashes to trigger off at the flimsiest of excuses. Nonetheless, other possible causes would include the lesser but explosive issues that had perennialy been part of the relationships of the various ethnic groups without escalating to the kind of proportions witnessed in the recent ethnic clashes. Some of these are the common-place mutual distrusts, disputes, animosities, parochial considerations, for instance:-

(i) the perennial dispute between the Kipsigis and the Abagusii on the correct ancestral boundary between them; the Kipsigis insist that it should remain at Chebilat while the Abagusii want it to remain at the present Kisii and Nyamira/Kericho district boundary;

(ii) the presumption by the Kipsigis that the Abagusii are all pro-multi-partyism and therefore members of the opposition parties, with whom they could not co-operate;

(iii) the escalation of the perennial stock theft between the Kipsigis and Abagusii, and the Maasai and Abagusii; this has acquired new proportions with the use of sophisticated weapons; and by individuals seeking quick material gain;

(iv) the long standing disputes on the point of ancestral boundary between the Maasai and Abagusii; the former insist it should remain at the present point on Nyamaiya river, while the Abagusii want it moved back to Keiyani. The

Abagusii feel that the present boundary has given to the Maasai, Sare, which is their ancestral land;

(v) the discomfort of the Maasai with the presence of the Abagusii in Kilgoris as they hold the trump card in elections;

(vi) the Maasai dislike of the continued use of their land by the Abagusii to carry out funeral rites and for unauthorized grazing;

(vii) the discomfort of the Maasai with the advent of multi-partyism, which they view as a means to deny them their rightful share in the national political standing; and their view that the Abagusii are in the opposition and are out to ensure a dismal role for the Maasai; and

(ix) the wish by the Maasai to protect their rights in view of their slow pace of modernization; hence the imperative need to push out all non-Maasai or subjugate them to their authority.

5.5. THE FIGHTERS/INSTIGATORS/PERPETRATORS

5.5.1 From the evidence and information given by the various witnesses, it seems plausible to say that there is a distinct category of persons to be designated as Fighters and, Instigators and Perpetrators. The plausibility of the existence of such a group is borne out by the numerous references to the existence of fighters known either respectively among the Kipsigis, Abagusii or Maasai as Kalenjin "warriors", "chinkororo" or "moran". The attire of the fighters was described as either blue/white shirts and black shorts or casual wear, with faces adorned with brown/white clay and were clean shaven. The age-limit was about sixteen to thirty years, and the "warriors" were armed with bows, arrows, shields, spears, knives, pangas, spotlights and guns.

5.5.2 The evidence and information received by the Committee, indicated that the fighters visibly worked on their own but were always backed up by the second category, the

Instigators and Perpetrators. Indication of this collaboration could be confirmed from accounts like the following in the evidence received from across this Belt:-

(i) Witnesses residing in Kilgoris and who appeared before the Committee at Nyangusu, alleged that some of the persons instigating through inflammatory utterances within Narok district included Councillor Moses ole Naimadu; ex-Councillor Moses ole Sarumi; ole Saino, a teacher at Kiligoris Secondary school; Assistant Chief ole Nasa, who was once arrested for inciting the public; and Julius ole Sunkuli, a magistrate at Sotik; further that utterances as those of Hon. William R. ole Ntimama on February 20, 1992, at a public meeting as stated in paragraph 5.4.3 above, have influenced the Maasai to repudiate land leases they had properly entered into with the Abagusii;

(ii) Several witnesses at Eronge, alleged that on March 18, 1992, they saw many Kipsigis "warriors" grouped at the home of Councillor Richard Chepkibet Mibei, Chairman of Kipsigis County Council, and then headed for Nyamira in many vehicles some belonging to Kipsigis Country Council; and a GK lorry No. GKJ 091; Councillor Mibei's home was nicknamed "Kasarani".

(iii) Several witnesses at Sotik alleged that teachers within Kisii and Nyamira districts had made contributions of Kshs.500 each in support of the ethnic clashes; further that a Mr. Moses Nyaigoti Nyang'au of Chebilat used his vehicle to transport the arsonists; further, that, a Mr. arap Rono, a KANU sub-locational chairman allegedly told the Abagusii that if they did not register in KANU and voted for it, they would be chased away; and

(iv) several witnesses at Kilgoris, Nyangusu, and other spots visited alleged that some of the instigators were:- the speakers at the Kapkatet and Narok meetings; former Member for Majoge Bassi, Mr. Zephania M. Anyieni; Chief Ongaro; Hon. Chris M. Obure, who supplied nails for making arrows; Peter Ondimu, former member of the Armed Forces medical corps now running a clinic at Kilgoris, at which injured "chinkororo" were treated.

6.0 RECOMMENDATIONS

6.1 The Committee, having reviewed and deliberated on both oral and written evidence and information received from witnesses who appeared in person and those who sent memoranda, recommends that:

(i) every effort be made by government and all concerned persons, to identify the persons belonging to the groups of fighters variously known as "Chinkororo", "Morans", "Warriors" and disarm and disintegrate them;

(ii) all current and future leases of land within Narok district be done with and be ratified by the relevant Divisional Land Control Boards, which should carry out their duties without any undue influence;

(iii) the current deployment of G.S.U. personnel in Narok district but meant to serve also Kisii and Nyamira districts be discontinued; instead more police posts, patrol bases and Anti Stock Theft Units be set up on the border of the four districts;

(vi) the disputed boundary between the Maasai and Abagusii at Nyamaiya be resolved by a Judicial Commission to be established by the government; and

(f) the government should work out any way possible by which persons proven to have been victims and who lost capital goods or commercial merchandise acquired on mortgages could be assisted through extended moratorium or write-offs.

CHAPTER SIX

6.0 GENERAL INSECURITY PROBLEMS AND RAMPANT CATTLE RUSTLING IN:-

(a) KITUI/MERU/MARSABIT/ISIOLO DISTRICTS OF EASTERN PROVINCES;

(b) MANDERA/GARISSA/WAJIR DISTRICTS OF NORTH EASTERN PROVINCE;

(c) TANA RIVER/LAMU DISTRICTS OF COAST PROVINCE; AND

(d) ELGEYO MARAKWET/WEST POKOT/SAMBURU/TURKANA DISTRICTS OF RIFT VALLEY PROVINCE

6.1. Introduction

6.1.1. The evidence and information available to the Committee on the perennial ethnic clashes between the various ethnic communities in the above thirteen districts indicated that the ethnic clashes thrive on an almost permanent bedrock of general insecurity and rampant cattle rustling. It was clearly acknowledged from the evidence, that despite the renown desire of all Kenyans in the area to work for peace, circumstances invariably beyond their control have ensured perpetuation of insecurity, thus providing fertile ground for the carrying out of unlawful activities. Despite that cattle rustling, in addition to being an unlawful activity that modern societies in Africa are at great pains to contain and erdicate, it is a known fact that in most of our various ethnic cultures, ironically, it was and still is an accomplishment to be encouraged.

6.1.2 As a cultural activity, cattle rustling would never have stirred up the rambles of insecurity and economic destablization that it has acquired in the last decade. The present day cattle rustling has been compounded by the availability of modern weaponry e.g. guns, to the rustlers. Alongside this fast growing sophistication in cattle rustling, the evidence available to the Committee is that the looting of property other than livestock has also been perpetrated. It is explicit that cattle rustling in this area would only be put to an end if the prevalent general insecurity is contained.

6.1.3. The evidence and information available to the Committee further indicated that most of the weaponry used to perpetrate insecurity in general, found their way into these areas from neighbouring countries, some of whose governments have undergone incessant instability during political change. Right across the borders from West Pokot to Marsabit, Garissa and Lamu, there has over the years been evident influx of persons fleeing from the unstable conditions in their countries. These refugees have invariably come into Kenya with ammunition, as some of them were members of rebelling armed factions or armies that lost out in the struggle for power in those countries. The evidence and information received also indicated that one other major factor that has continued to complicate any tangible moves to tackle the insecurity has been the fact that some of the Kenyan ethnic groups extend into the neighbouring countries. For instance, the ethnic groups in the Pokot, Turkana, Marsabit, Wajir, Garissa and Lamu districts extend into Uganda, Sudan, Ethiopia and Somalia. This situation which has been in existence for long, has in the modern era been complicated by an inevitable drive for gain, which could greatly influence the loyalty of one to his country. The scenario that has been prevalent is that some individuals have tended to maintain dual nationalities or collaborated with persons from neighbouring countries whenever it suited their interests. Existence of this has been extremely intricate to unravel, as often the ethnic cohesion and sectional interest have tended to override national consideration.

6.1.4 Thus, on the basis of the evidence and information available to the Committee, it is appropriate to take it that the incessant ethnic clashes in this area could easily fizzle out in the event of the general insecurity being contained. Every effort should therefore be directed at finding solutions to the general insecurity in this area.

6.2 THE CAUSES OF THE GENERAL INSECURITY/ETHNIC CLASHES

The evidence and information received by the Committee indicate that among the possible causes of the general insecurity and the ethnic clashes, include:-

(i) the unwillingess of some of the Kenyan ethnic communities with kith and kin in the neighbouring countries to co-operate with security and administration personnel in assisting to disarm the incoming refugees and/or apprehend any persons who could possibly be a source of insecurity;

(ii) the unlimited and uncontrolled inflow of guns and other dangerous weapons from neighbouring countries;

(iii) the repudiation of the age-old traditional grazing zones set aside for specific ethnic groups;

(iv) the fast spreading desertification in the horn of Africa extending to the North-Eastern and Eastern provinces of Kenya, and its consequences to the environment; and

(v) the rampant drought and famine in the Sahelian belt of Africa, leading the inhabitants to engage in all sorts of activities to make ends meet and survive.

6.3 RECOMMENDATIONS

The Committee noted that the magnitude of the problems of general insecurity and cattle rustling in this area are far beyond their mandate.

However, the Committee having reviewed and deliberated on the evidence, information and memoranda made available by witnesses, recommends, that:

(i) the government should make every effort to deploy adequate security personnel to enhance security on all borders;

(ii) all persons whether Kenyans or refugees, who may have in their possession weapons (guns), should forthwith surrender them to the administration and

security personnel; and further that where this is not done voluntarily, the government should take firm action to collect any available weapons;

(iii) the security surveillance in the Tana River, Kitui, Garissa and Isiolo districts be beefed up by establishment of permanent security bases on the borders of Kitui North and Tana River district;

(iv) the government in concert with the United Nations High Commission for Refugees should ensure that all refugee camps are moved back into the countries of origin, where all humanitarian facilities and services should continue to be provided; and

(v) the leaders and provincial administration in the area should consult closely to reinstate the traditional grazing zones and find ways and means of providing more water resources and other infrastructure to accelerate social and economic development.

CHAPTER SEVEN

7.0 GENERAL MATTERS AND ISSUES

7.1 SEQUENCE OF THE ETHNIC CLASHES

7.1.1. Evidence and information available to the Committee indicate that the recent Ethnic Clashes started at Meteitei farm in Tinderet division of Nandi district in the Rift Valley Province on the night of October 29, 1991. The very latest ones and which the Committee visited were in Narok/Kisii border on July 15, 1992. However, since the Committee's visit, fresh clashes have errupted in the Mt Elgon area. In between the intervening period,the recent ethnic clashes spread out as follows:-

7.1.1	November 04, 1991 to May 1992:	Koru and Environs
	November 06 1991 to March 1992:	Chegaiya Settlement Scheme in Timboroa
	November 17 1991 to May 1992:	Turbo, Kamasai and Environs
	November 18 1991 to June 1992:	Londiani and its environs
	December 25, 1991 to July 1992	Saboti, Endebess, and Kwanza Divisons
	January to August 1992:	Mt. Elgon Sub-District
	January to July 1992:	Nyamaiya, Nyangusu and Kilgoris
	February to August 1992	Molo and Olenguruone Divisions
	March to July 1992	Eronge and Sotik

7.1.2 This sequence appears, with the exception of those in Chegaiya, Londiani, Molo and Olenguruone, to fall on the provincial boundary of the Western and Nyanza Provinces on the one hand and Rift Valley Province on the other. Further, the recent ethnic clashes seem to have occurred in the "hearing" of the venues of the first three "Majimbo" rallies that actually addressed the "majimbo" issues. Also the evidence received indicates that the ethnic clashes invariably pitted the Kalenjin and Maasai in the Rift Valley Province against virtually all other ethnic groups residing in Western Kenya. This was indeed the case even in Chegaiya, Londiani, Molo and Olenguruone which are wholly in the Rift Valley Province. The evidence further received indicates that the target or victims at whom the clashes were directed were the ethnic groups of Kikuyu, Luo, Abaluhyia, Abagusii, Teso, who were not only suspected and presumed to be supporters of the multi-party crusade, but to whom also the main proponents of multi-partyism belong.

7.2 THE ROLE OF THE PROVINCIAL ADMINISTRATION

7.2.1 Evidence and information available to the Committee would appear to raise many queries among wananchi on the role played by the Provincial Administration during the clashes. The Committee's noble expectation, as always is, is that the Provincial Administration right from the grassroots would have been the very first to initiate definite measures to quell and contain the clashes. However, on balance, evidence received indicate an ambivalent position. Evidence showed numerous accounts that some of the officers were either inactive, facilitated in creating an atmosphere pliable to the sparking of the clashes, or did not act as expected. Incidents in this regard included:-

(i) several witnesses at Saboti in Trans-Nzoia district alleged that in early December, 1991, the Sabaoti held an oathing ceremony in the farm of the late Andrew Saikwa, led by John Ndiema Choito and attended by the area Chief Christopher Kiraro Saikwa;

(ii) the late Assistant Chief Rabson Saima Ngeywa was killed on April 24, 1992 during an operation by the G.S.U while quelling disturbances.

(iii) Several witnesses at Kimilili in Bungoma district alleged that the then Bungoma District Commissioner, Mr. William Changole had exhorted the Sabaot to remove "madoadoa" and the "chui" from their "flock of sheep", at a public baraza at Chemoge on December 16, 1991. It was further alleged that Mr. Changole used to address barazas within Mt. Elgon sub-district in the Kalenjin language and would invariably start his address by conveying greetings from H.E. the President;

(iv) Several witnesses at Turbo and Kamasai alleged that the Chief of Turbo location, Tilowen Tirop Salwa and Assistant chief Simon K. Ng'eny were openly partisan against the non-Kalenjin. This allegation was later corroborated by among others, Mr. Wilfred K. Kimalat, the Permanent Secretary in charge of Provincial Administration in the Office of the President. Further, another witness alleged that he lost a posho mill and over three hundred bags of maize, taken by Chief Kiprotich arap Kebenei, and Assistant Chief Laban Sirma of Eldoret Municipality on February 08, 1992.

(v) Several witnesses at Koru, alleged that Assistant Chief Joseph Saina of Koguta in Belgut division in Kericho, used a panga to kill sixty year old James Julu Dia, a cripple on March 04, 1992; it was further alleged that on March 05 1992, the Kericho District Commissioner, Timothy K. Sirma, maintained inaction as the "warriors" burned down houses in Koguta. Later, at a public baraza in the presence of the Muhoroni District Officer, Mburu Waweru and O.C.S. Mwangi, Mr. Sirma directed the withdrawal of the beefed-up security from the area, and turning to the warriors, he wondered aloud, "why are houses still standing"? Immediately thereafter, the burning of houses commenced.

(vi) Several witnesses at Tinderet in Nandi district alleged that on November 02, 1991, leaders from Nandi district, Hons. John. K. Cheruiyot, EGH, Ezekiel K.

Bargentuny, D.C. David Mativo, O.C.P.D. Otieno, maintained inactivity and disinterest as the warriors continued to burn the houses in Owiro farm; it was further alleged that chief Henry arap Tuwei of Songhor location told residents of Owiro farm to evacuate in the face of impending attack by Kalenjin 'warriors' on March 12, 1992; they were to leave a day earlier;

(vii) Witnesses who appeared at Saosa in Olenguruone division alleged that the then District Officer, Mr. Cheruiyot in collaboration with the local chief Jonathan Mutai were partisan in the ethnic clashes against non-Kalenjin and always set free Kalenjin "warriors" apprehended and brought before them;

(viii) Witnesses from Hamisi division further alleged that wananchi were often aggrieved by the imposition of ineligible persons to positions of leadership. They alleged that in 1982, Kakamega D.C. Nicholas Mberia appointed Chief Kibery of Tambua, in spite of obvious reasons indicating he was ineligible.

(ix) Witnesses from Saboti division of Trans-Nzoia district alleged that during the raid on the homestead of Mzee Omasette on the night of March 15, 1992, by over 200 "warriors", the three Administration Policemen despatched by Saboti District Officer Mr. Omweno, joined the invaders. The witnesses alleged that residents in self-defence cut one of the invaders who was armed with gun using a panga; the injured invader dropped his gun, which was snatched by the residents. The gun and the injured invader (who turned out to be one of the A.P.s. guarding the homestead) were handed to Trans-Nzoia D.C. Nicholas Mberia the following day, and no action taken.

(x) Witnesses at Koru alleged that on or about May 08, 1992, the Chief of Kunyak location, Moses Kiptere, Assistant chief Toseph Kipchumba, KANU chairman for Kunyak location, Wilson Koros and others met at Kiptenden Primary school and resolved that all Luo were to move out of Kunyak location. On learning of this, the Luo began moving out.

(x) Witnesses at Tinderet, alleged that the Nandi District Officer I, Mr. Mwashi, was partisan in the manner he conducted the abortive meeting of shareholders of Meteitei Farmers company on October 28, 1991, by supporting the faction of 310 against the 279 members.

7.3 THE ROLE OF THE SECURITY PERSONNEL

7.3.1 Evidence and information available to the Committee indicate generally that wananchi had fewer words of praise for the role performed by the security personnel comprising the Kenya police, Administration police and General Service Unit, during the clashes. The Committee's noble expectation was that the various witnesses would have attested to some firm, definite and swift measures that the security personnel would have instituted to quell and contain the situation. Instead various witnesses recounted instances showing that some of these officers did compromise their expected role by either remaining inactive or disinterested , facilitating the activities of the fighters and instigators, or did not simply act as would have been expected of them. Invariably some of them are said to have acted admirably well in spite of the odds facing them. For instance, on the night of July 14, 1992, G.S.U personnel encountered and killed three cattle rustlers at Enosopukia, on the Nyamira/Narok border. The Committee visited the site of the exchange on July 15, 1992.

7.3.2 Some of the specific incidents on the role of security personnel include:-

(i) The most widely alleged shortfall of the security personnel is that they did not take tangible measures to restrain the "warriors" in carrying out their activities, instead the inaction was taken as tacit backing for such activities; and that when it seemed like they were taking action, it was to shoot in the air which never distracted the Kalenjin 'warriors' from their mission. For instance, several witnesses at Tinderet alleged that on October 31, 1991, at Owiro Farm, the area chief, assistant chief and

Administration Policemen said they could not restrain the Kalenjin "warriors" in their mission as the "warriors" were carrying out "orders from above;"

(ii) The second widely alleged shortfall was that on most occasions the "warriors" apprehended by wananchi and handed over to the security personnel were always let free, only to return to the clash front; for instance, allegations were made at Koru that some "warriors" involved in arson at Kiptenden were apprehended by wananchi on November 02, 1991; and also that on November 04, 1991, a Mr. Kibet and others of Kunyak farm were apprehended by wananchi while armed with arrows, bows and pangas; all these persons were taken to Kericho police station where they were set free;

(iii) The third widely alleged short-fall was that on some occasions, the security personnel assisted the warriors in their activities. For instance, witnesses at Saosa alleged that on April 25, 1992, an Administration Policeman attached to the D.O.'s office, gave his gun to a Richard Rono, a former member of the disbanded Kenya Airforce, currently a teacher at Kaptambui Primary School, who used it to kill a Mr. Kinyanjui. Further at Sotik, several witnesses alleged that on March 17, 1992, an Administration Policeman in the company of five civilians took part in burning Kipsigis houses in Koiyet village in Kelekele sub-location. This A.P. was later injured in an encounter with other A.P.s. At Kimilili, several witnesses who alleged involvement of security personnel in clashes stated that, a Senior Serjeant Wycliffe Naibei with the 78 Tank Battalion based at Isiolo, was arrested for involvement in burning Bukusu houses on April 09, 1992; it was later confirmed from Kimilili police station that Senior Serjeant Naibei was arrested and charged with arson in the Principal Magistrate's Court at Bungoma on April 10, 1992, (case file No. 628/92).

(iv) Another allegation was that helicopters belonging to security forces were used to assist the warriors. Evidence received from the provincial administration indicate that due to the poor terrain in the Molo and Olenguruone divisions, use of helicopters became the only suitable means of inspection tours and transportation of required security personnel. The Rift Valley Provincial Commissioner Mr. Yusuf Haji in his evidence before the Committee, stated that apart from himself, military helicopters had been used by the Nakuru and Kericho District Commissioners. Evidence received from several witnesses at Kamwaura, Saosa and Kerisoi centres confirmed Mr. Haji's statement. At Kerisoi Centre, several witnesses from Central Farmers company, Mwaragania, and Kipkewa alleged that on or about April 25, 1992, three military helicopters, two of which bore numbers 588 and 541, landed in the area. The witnesses alleged further that whenever the helicopters landed, the fighting seemed to intensify on their departure.

7.4 THE ROLE OF RELIGIOUS BODIES

7.4.1 Evidence and information available to the Committee indicate that the clergy were very much involved in the clashes. It has been indicated to the Committee, in the evidence given by the General Secretary of National Council of Churches of Kenya (N.C.C.K.) Rev. Samwel Kobia, that the Clergy have always come out and commented on whatever affects their flock. Hence, their comments and fact-finding reports on the recent ethnic clashes, were made out of that concern. In that regard, however, further evidence received indicate that the involvement of the clergy did contribute to occasional widening of the gap between the multi-party and majimbo crusades as it was amenable to be misconstrued as more supportive of the former. Evidence received from various witnesses give indication that the clergy played a leading role in providing compassionate and relief services to the victims.

7.4.2 Further evidence received from wananchi and the clergy indicate that the involvement of the clergy was in some places influenced by ethnic affinity of its ministers. For instance, evidence received from the clergy at Kapsakwony in Bungoma district and Londiani in Kericho district, was split between the Kalenjin vis-a-vis the non-Kalenjin. During sittings of the Committee at the two venues, the clergy presented evidence either as Kalenjin or non-Kalenjin group. Such an approach would appear to compromise their acclaimed impartial role. Further, evidence available alleged that some of the clergy in Muchorwi African Inland Church Parish, Mt. Elgon Archideaconary of Church of the Province of Kenya and the Saosa Catholic parish took stances that were openly partisan.

7.5 PRESENCE OF ORGANIZED GROUPS OF FIGHTERS/WARRIORS

7.5.1 Evidence and information available to the Committee and some of which has already been alluded to above, indicate that the existence of an organized group of fighters, by whatever name known, in the course of the clashes could not be ruled out. Several witnesses recounted their personal encounters with some of the fighters in their evidence before the Committee, which seemed uniform in all areas, to the effect that most of the fighters acted and behaved in a manner akin to members of a tuned and disciplined group. The same witnesses also recounted the apparently similar attire used by the fighters. Witnesses from the Shinyalu border with Nandi district (see paragraph 2.5.2. (a) above) and from the environs of Ileho Secondary school in Sondu (see paragraph 2.5.2 (f) above) informed the Committee that some of the warriors they encountered were not from the local population and that they were on hire. Similarly evidence received at Turbo and Kamasai (see paragraph 3.5.2. (b), above) indicate that over 1000 Kalenjin "Warriors" transported to Turbo market on April 17, 1992, seemed to have been brought as an organised group from some central place.

7.5.2 Further evidence received by the Committee indicates that the fighters were transported to and from the clash fronts-several witnesses gave to the Committee registration numbers of several vehicles used in transporting the "warriors"; for instance in Molo and Olenguruone divisions, the following vehicles were implicated -

Peugeot car KQL 405 of a Dr. Soi, lorries belonging to Francis Chelule, for transport of warriors from Keringet to Chepakundi, vehicles GK 170T, KZV 486, KAB 626E, KZB 223, KZE 508, KYJ 301, and KAA 424W. In Sondu area, vehicles Nos. KYC 032; KAA 551B and KZB 882. In Eronge area vehicle No. GKJ 091, including several others belonging to Kipsigis County Council which ferried "warriors" from the home of Councillor Richard Chepkibet Mibei. In Sotik area, a vehicle belonging to Moses Nyaigoti Nyang'au; in Meteitei, Tinderet division, vehicles belonging to Meteitei Farmers company and vehicles of Hon. Ezekiel K. Bargentuny (tractors and two Isuzu lorries KTP 048 and KTX 852), in Chegaiya area, vehicles belonging to Messrs. Peter Mwangi Ng'ang'a and Mutemi of Chegaiya Centre.

7.5.3 Further, evidence received by the Committee and which has already been alluded to above indicates that the fighters were on hire and were paid sums ranging from Kshs.500 for safe return from the clash front, Kshs.1000 to Kshs. 2000 for killing one person or burning a grass thatched house and Kshs.10,000 per permanent house burnt. Several witnesses also alleged that some of the persons funding the wages of the "warriors" were:-

(i) the Hon. K.N.K. Biwott, EGH, M.P.;

(ii) the Hon. Reuben K. Chesire, M.P.;

(iii) the Hon. Ezekiel K. Bargentuny, M.P.;

(iv) the proprietor of Guest House at Kedowa Market, Kipkelion division; and

(v) the Hon. Wilson Leitich, M.P.

7.5.4 Further evidence received by the Committee alleges that some of the 'warriors' were recruited and trained for a purpose initially not disclosed, but which turned out to be as "warriors" in the clashes and similar activities in the future. A witness, Valentinus Uhuru Kodipo alias Abdul Kadir arap Kigen, who appeared before the Committee,

alleged that he had been recruited as early as 1981 into a military cum-civilian body of youths that he eventually came to learn that it served the personal interests of the Hon. K.N.K. Biwott, EGH, M.P., who paid him his first substantial earning of Ksh. 50,000 on June 01, 1986. In his detailed evidence, he alleged that some of the places the training took place included Masai Mara and Olenguruone. He further alleged that the whole group was split into those with bows and arrows and those with guns, the latter providing the rear backup. On missions accomplished by the group, he allegedly participated in the recent Ethnic Clashes in Tinderet divison and the Upper and Lower Nyakach, and Belgut divisions, stemming from Sondu market. The witness further alleged that during training periods in the forest they received regular visits from Hons. K.N.K. Biwott, George Saitoti, William ole Ntimama, Kipkalia Kones, the late Capt. Belsoi, Benjamin Bett, and others.

7.5.5 Further evidence received by the Committee alleged that the "warriors" had sanctuaries at various places. The witnesses alleged that some of the sanctuaries were in forests in Ndoinet, Olenguruone, Masai Mara, Chepkurkur in Mt. Elgon sub-district, in the farms owned by the Hon. George Saitoti, Hon. Prof. Jonathan K. Ng'eno, Hon. Wilson Leitich, Mr. Benjamin K. Kipkulei, Councillor Maiywa in Molo divison; Councillor Richard Chepkibet Mibei and Hon. Wilberforce Kisiero.

7.5.6 Regarding weapons used by "warriors" evidence available to the Committee so far indicate that they included bows, arrows, contrary shields, spears, pangas, stones, catapults (strings) nicknamed **"scud missiles"** and home made guns. Most of these weapons were locally made, including the arrows, contrary to allegations that some imported arrows were used. Evidence available to the Committee indicates that the only imported arrows in the country at the time of the clashes were those which were found on a transit passenger at the Jomo Kenyatta International Airport, Nairobi, on April 14, 1992. Evidence available to the Committee confirms that AK47 and G3 guns were used in virtually all areas. This is confirmed by the many bullet cartridges received from the witnesses and from Police stations and posts backed by their oral evidence of having actually snatched some of the guns from the "warriors".

7.6 THE ROLE OF THE (LOCAL & INTERNATIONAL) MASS MEDIA

7.6.1 Over the last decade the expansion of the mass media in Kenya has attained unpraralled proportions. This expansion has enabled Kenyans to get virtually any piece of information whether on local or international matters with minimal effort. The local scene continues to be enriched through the interaction with the largest number of international correspondents based in any other country on the African continent. On its own, local journalism has made distinctively remarkable expansion. To-day, there are many Kenyans owning and managing commendable establishments with renown publications.

7.6.2 The foregoing rapid expansion in the mass media has resulted into uninterrupted bombardment of the public with information emanating from sources that are invariably far apart. Coupled with the recent advancement in information technology, Kenyans to-day find that they have almost unlimited access to information. The effect is such that unless endowed with some ability to sieve through such information and throw away the chaff, the public could easily get excited and alarmed.

7.6.3 In the course of the clashes, the line of reporting adopted by some of the locally published press appeared to highlight some issues that only served to excite and inflame sectional or parochial considerations. Such stances were taken by most of the media agencies, some of which are owned by government, private individuals and religious organizations. It has been evident that most of the media adopted an approach that only served to fan rivalry and conflict between the multi-party and "majimbo" proponents and contributed to the clashes by:-

(i) exaggerration, for instance by highlighting untruths, e.g. the existence of imported arrows in the clash areas;

(ii) alarmist reports and sensationalism by giving inflated figures to build up a case (e.g. the report that there were 28 Kalenjin D.C.s in the country which was not factually correct);

(iii) the churning out of unverified facts to the gullible reading public which has few or no facilities to verify the purported facts;

(iv) giving credence to reports appearing in the foreign media which were touted as the gospel truth;

(v) the denial of information by the Government-controlled media (the Kenya Boradcasting Corporation and the Kenya Times) to the population thereby forcing them to seek news from media outside the country.

7.7.1 SUMMARY BY DISTRICT OF PERSONS KILLED, INJURED, ARRESTED AND DESTROYED PROPERTY

(i) The following is a summary of information available from the Provincial Administration and witnesses:-

Districts	Deaths	Injured	Arrested	Charged	Finalised	Displaced
Trans-Nzoia	200	39	296	178	171	12,000
Bungoma	113	70	244	17	1	14,000
Kakamega	19	23	36	20	20	*
Uasin Gishu	159	138	53	50	6	4,000
Nandi	25	*	79	24	*	7,000
Kericho/ Bomet	50	262	110	21	6	10,000
Kisumu	17		92	92	33	*
Kisii	25	*	6	6	4	*
Nyamira	8	*	5	5	*	*
Narok	48	22	20	18	2	2,000
Nakuru	114	100	290	*	*	13,000
TOTAL	779	654	1,236	248	243	54,000

* Figures unavailable.

(ii) From evidence and information given by witnesses, the only specified value of property destroyed or livestock lost or stolen during the clashes amounts to approximately Kshs. 209 million. In addition, over 9,400 houses were destroyed and 3,379 livestock lost.

(iii) Detailed information on both specified and unspecified values will be found in Part II of Appendix I, page Nos. 84 to 90.

CHAPTER EIGHT

8.0 CONCLUSIONS AND RECOMMENDATIONS

8.1. The following conclusions were arrived at by the committee after careful review of evidence presented to it:-

8.1.1 THE ROLE OF THE PROVINCIAL ADMINISTRATION

Evidence received pointed to the fact that:-

(i) some officers in the provincial administration directly participated or encouraged the clashes;

(ii) response or reaction was poor and too slow thereby precipitating the escalation of the clashes;

(iii) public utterances by some administrators were a contributory factor in inciting people to fight;

8.1.2 THE ROLE OF SECURITY PERSONNEL

Evidence adduced indicated that:-

(i) the District Security Committees acted half-heartedly and did not forestall the clashes in the nick of time;

(ii) immediate release of arrested suspects before their being charged in court encouraged the fighting;

(iii) preferring lesser charges against those reported to be responsible for loss of life and destruction of property brought alarm and suspicion;

(iv) there was failure to take firm and decisive action as dictated by Police Force Orders such as using necessary force to stop the fighting;

(v) the security personnel were partisan in several cases when dealing with clash situations.

8.1.3 THE ROLE OF RELIGIOUS LEADERS

(i) It was observed that religious leaders took a partisan role based on tribal lines at the lower levels, instead of being arbiters, and at the higher level by issuing inflammatory statements;

(ii) While noting the important role they played in clothing and feeding victims, it was also observed that in providing this assistance, they tended to discriminate against the Kalenjin community, such as in Londiani.

8.1.4 THE ROLE OF THE MASS MEDIA

During the clashes, it was observed that the mass media:-

(i) sensationalised the reporting of events;

(ii) was biased in the way information was being disseminated, especially by the print media;

(iii) carried inflammatory and alarmist reports; and

(iv) the Kenya Broadcasting Corporation radio and TV did not give comprehensive information to the public.

8.1.5 THE ROLE OF POLITICIANS

The politicians contributed substantially to the clashes in their utterances which clearly indicated the following:-

(i) that they engaged in talk that amounted to rumour mongering;

(ii) that they publicly made inciting and inflammatory remarks and statements;

(iii) that they were biased in the conduct of their public duties, in several instances taking sides on tribal lines, instead of providing non-partisan leadership;

8.1.6 THE PRESENCE OF THE "WARRIORS"

The different ethnic groups involved in the clashes had their "warriors". What appears to have given the term a military connotation is perhaps derived from historical background where tribes had a fighting group of young men to protect their societies. From the evidence received, the Committee observed the following:

(i) that there were organised groups of youths of between 12 and 30 years armed with bows, arrows pangas, rungus, catapults, toy guns and other assortments of weapons;

(ii) that the youths were generally dressed in shorts and T-shirts or were topless. In some cases some "warriors" had their faces adorned with clay (munyu) eg. Kalenjin "warriors";

(iii) that in most cases the "warriors" were transported to clash areas from outside to reinforce the local ones;

(iv) that they were mainly armed with home made weapons. The youths were also provided with other articles such as spotlights, jerrycans containing inflamables, food and money to enable them undertake their destructive missions.

(iv) that they were mainly armed with home made weapons. The youths were also provided with other articles such as spotlights, jerrycans containing inflamables, food and money to enable them undertake their destructive missions.

The Committee did not find any evidence of the use of imported arrows.

8.1.7 ROOT CAUSES OF THE CLASHES

After reviewing the evidence presented, the committee is of the view that the clashes;-

(i) were politically motivated and fuelled by some officers in the Provincial administration; and

(ii) were instigated in the misconception that some ethnic communities could chase away other ethnic communities in order to acquire their land.

8.2.0 RECOMMENDATIONS

After careful consideration of evidence presented, and in addition to recommendations made specifically for the respective Ethnic Clash Belts, and in order to deter any future recurrence of such clashes, the Committee makes the following recommendations:-

(i) that appropriate action should be taken against those provincial administrative officers who directly or indirectly participated or encouraged the clashes;

(ii) that there should be equitable distribution in the appointment of administrative and security personnel;

(iii) that in view of the key role chiefs played in certain clash areas, government should consider making chiefs transferable;

(iii) that in view of the key role chiefs played in certain clash areas, government should consider making chiefs transferable;

(iv) that in view of the long-standing disputes involving the transfer of land in some of the clash areas, the government should introduce amendments to the Land Control Act to make provision for Land Control Boards to have power to conduct **ex-parte** hearings of applications where one party fails to appear before the Board, after adequate notice has been given;

(v) that to avoid Kenyans relying on foreign media for news and information, the government-controlled media should be open in covering events in Kenya;

(vi) that all politicians who made inflamatory and inciting statements which caused tribal animosity during the clashes, should be investigated with a view to taking appropriate legal action against them;

(vii) that allegations that Hon. K.N.K. Biwott and Hon. E.K. Barng'etuny were involved be investigated with a view to ascertaining their purported role in organising and financing the "warriors";

(vii) that the very serious allegations made by Valentinus Uhuru Kodipo be fully investigated by the government to ascertain their authenticity; and

(viii) that while appreciating the work done by Government, Non-Governmental and religous organisations to feed and clothe the victims, the Committee strongly recommends that a **Special Trust Fund** be set up for the purpose of overseeing the resettlement of clash victims, which will give assistance and funds for their smooth resettlement.

APPENDIX 1

DATA AND STATISTICS

The Appendix on Data and Statistics is to sum up some of the occurences during the recent ethnic clashes. It is split into two parts - viz:

Part 1 — Comprises information on persons who-died both by action of members of the public and security personnel; injured, arrested in similar cirmcustances; charged and cases finalized; and those displaced by the Ethnic Clashes in some cases figures were unavailable;

Part II — Comprises information on property both inanimate and animate, that was lost, burnt, destroyed, et cetera. These are grouped under eleven leadings, indicating either value specified or unspecified;

1. **HOUSE** — to include permanent and semi-permanent houses; stores, grass thatched kitchens built separately; cottages, latrines and commercial buildings in markets;

2. **LIVESTOCK** — to include grade cattle, sheep, goats and Kenyan equivalents, unless indicated separately;

3. **FURNITURE** — to include sofa sets, dining and coffee table sets; tables, chairs, cupboards, side boards, stools;

4. **HOUSEHOLD** — to include, utensils, pans, cookers, jikos;

5. **CLOTHING** — to include, ladies, mens and childrens wear;

6. **FARM PRODUCE** — to include, maize, beans, potatoes, millet, fruits in bags; and those in plantation; bananas; cane; fruits;

7. **ELECTRONICS** — to include, television sets; radios; radio cassettes; video cassettes; generators; music systems; refrigerators;

8. **HARDWARE** — to include, farm tools and equipment; building materials such as iron sheets;

9. **FARMS** — to include, coffee estates; sugar plantations; ordinary farms containing maize, millet, homesteads, fruits;

10. **STATIONERY** — to include, books, files, stationery;

11. **BEDDING** — to include, beds; mattresses; bedsheets; pillows; blankets; mosquito nets;

8. **HARDWARE** to include, farm tools and equipment; building materials such as iron sheets;

9. **FARMS** to include, coffee estates; sugar plantations; ordinary farms containing maize, millet, homesteads, fruits;

10. **STATIONERY** to include, books, files, stationery;

11. **BEDDING** to include, beds; mattresses; bedsheets; pillows; blankets; mosquito nets;

12. **OTHERS** to include vehicles, lorries, cars;

PART I

Districts	Deaths	Injured	Arrested	Charged	Finalised	Displaced
Trans-Nzoia	200	39	296	178	171	12,000
Bungoma	113	70	244	17	1	14,000
Kakamega	19	23	36	20	20	*
Uasin Gishu	159	138	53	50	6	4,000
Nandi	25	*	79	24	*	7,000
Kericho/ Bomet	50	262	110	21	6	10,000
Kisumu	17		92	92	33	*
Kisii	25	*	6	6	4	*
Nyamira	8	*	5	5	*	*
Narok	48	22	20	18	2	2,000
Nakuru	114	100	290	*	*	13,000
TOTAL	779	654	1,236	248	243	54,000

* Figures unavailable.

PART II

TRANS-NZOIA DISTRICT

Description of Property	Value Specified in Kshs.	Value Unspecified

BUNGOMA DISTRICT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	1,022,000.00	Houses 6410
2.	Livestock	13,000.00	Cattle 360 Sheep 2
3.	Furniture	10,720.00	
4.	Household	13,320.00	
5.	Clothing	29,450.00	
6.	Farm Produce	27,500.00	1000 bags of maize
7.	Electronics	14,600.00	
8.	Hardware	14,645.00	
9.	Farms		200 Coffee trees uprooted
10.	Stationery	13,500.00	
11.	Bedding	11,920.00	
12.	Others		
	Sewing machines	18,000.00	
	Type writer	16,000.00	
13.	Cash money	9,800.00	
16.	Stationery	13,500.00	

KAKAMEGA DISTRICT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses		120 Houses
2.	Livestock		239 cattle 44 sheep

UASIN-GISHU DISTRICT

Description of	Value Specified	Value Unspecified

	Property	in Kshs.	
1.	Houses	234,107.00	680
2.	Livestock	191,604.00	499 Cattle
3.	Furniture	23,390.00	
4.	Household	19,440.00	
5.	Clothing	38,710.00	
6.	Farm Produce	144,780.00	700 Bags (maize)
7.	Electronics	13,770.00	
8.	Hardware	69,120.00	
9.	Farms	20,200.00	
11.	Bedding	17,380.00	
12.	Others		
	Bicycle	9,720.00	
	Posho mill	1.5 million	

NANDI DISTRICT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	14,539,130.00	767 Houses
2.	Livestock	1,823,360.00	134 Cattle
3.	Furniture	90,785.00	
4.	Household	6,226,514.00	
5.	Clothing	109,156.00	
6.	Farm produce	2,862,540.00	500 Banana plants uprooted, 3 Acres of Horticultural crops uprooted
8.	Hardware	509,500.00	
9.	Farms	12,775,500.00	
10.	Stationery	30,100.00	
12.	Others (spectacles)	1,700.00	
13.	Cash money	8,589,000.00	

KERICHO/BOMET DISTRICTS

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	13,114,352.00	Houses 213
2.	Livestock	1,989,350.00	Cattle 299 Sheep 156 Goats 267

3.	Furniture	122,130.00	156 Chairs 172 Stools 169 Tables
4.	Household	621,824.00	Several Others unspecified
5.	Clothing	136,600.00	114 Suit cases 124 Pairs of shoes
6.	Farm Produce	1,554,600.00	194 Bags of Maize 128 bags of Beans 58 Bags of Finger Millet
7.	Electronics	68,400.00	22 Televisions 44 Radio Cassettes
9.	Farms	1,000,000.00	
10.	Stationery	19,120.00	
11.	Bedding	108,795.00	142 Bed sheets 136 Blankets 138 Beds 123 Mattresses
12	Others - One E.A.C.E school certificate - One Title deed Several Sewing machines - A box full of books and reading material for a course attended at K.P. & T.C training school from 1989-91 - Hamisi Secondary School destroyed worth - 6 million being a loan from K.I.E - Chemagei Technical Institute (Sotik)	32,000.00 6,000,000.00 601,000.00	

KISUMU DISTIRCT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	3,391,417.50	Houses 541

2.	Livestock	782,900.00	Goats 50 Sheep 60
3.	Furniture	250,820.00	
4.	Household	321,548.00	
5.	Clothing	455,941.00	
6.	Farm Produce	227,466.00	203 Bags of maize 83 Bags of Beans 50 Banana plants 15 Orange plants 280 Acres of maize 60 Acres of sugar cane 1/4 Acres of Potatoes ½ Acres of Peas 400 coffee trees
7.	Electronics	126,450.00	
8.	Hardware	1,178,037.00	
9.	Farms	7.8 million	
10.	Stationery	380,560.00	
11.	Bedding	361,588.00	
12.	Others		
	Weighing machines	21,000.00	
	Sewing machines	43,000.00	
	Mechanical spare parts	60,000.00	
13.	Cash money	82,500.00	

KISII DISTRICT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	8,000.00	Houses 145
2.	Livestock	792,540.00	Cattle 202
4.	Household	2,000.00	
6.	Farm Produce	117,500.00	
8.	Hardware	3,600.00	
9.	Farms	12,954,072.00	
12.	Others	29,050.00	

NAROK DISTRICT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	6,155,497.00	
2.	Livestock	7,406,768.00	130
4.	Household	70,621.00	

5.	Clothing	59,586.00
6.	Farm Produce	106,590.00
7.	Electronics	11,640.00
9.	Farms	60,590.00
11.	Bedding	72,488.00
13.	Cash money	179,186.00

NAKURU DISTRICT

	Description of Property	Value Specified in Kshs.	Value Unspecified
1.	Houses	51,659,000/=	524 Houses
2.	Livestock	31,176,600/=	Cattle 740 Sheep 145 Goats 54
4. 7.	Household goods/ Farm Products Furniture/Hardware	3,030,700/=	90 Bags (Maize)
9.	Farms	2,507,000/=	
10.	Shop/Office Stationery	387,100/=	
12.	Others		10 Vehicles

Sources for Parts I & II

- Oral evidence of witnesses;
- Written memoranda submitted by witnesses and others;
- Commissioner of police; and some directly from police stations and posts; and
- One Provincial Commissioner; and directly from some police stations and posts.

APPENDIX II

LIST OF WITNESSES

1. Witnesses in Committee Room No.9

1. The Hon. Wilberforce arap Kisiero, M.P.
Member for Mt. Elgon/Assistant Minister (21.05.92)

2. Mr. Mohamed Malicha Galgallo,
Former Member for Moyale. (22.05.92)

3. Dr. Manwah Bwosiemo Magara,
Private Medical Practioctioner (25.05.92)

4. The Hon. Kipyator Nicholas Kiprono arap Biwott, E.G.H., M.P.
Member for Kerio South (25.05.92)

5. Mr. Benjamin Kipkoech Kipkulei
Permanent Secretary for Education (26.05.92)

6. Mr. Francis Lekolool, E.B.S.
Provincial Commissioner - Western Province

7. Fred Kapondi Chesebe;

8. Maurice Chemwotei;

9. Isaac Chemobo Cherotich.

10. Mr. Anthony Oyeir, E.B.S

11. Dr. the Hon Noah M. Wekesa, M.P.;
Member for Kwanza/Assistant Minister for Livestock Development

12. The Hon Sitswila Amos Wako, M.P
Attorney General/Amicus Curiae (28.05.92)

13. Mr. Mohamed Yusuf Haji, E.B.S.
Provincial Commissioner, Rift Valley Province

14. Mr. Victor Musoga, E.B.S. Provincial Commissioner, Central Province, (adjourned to another day)

2. The Residents of Kamwaura in Molo division of Nakuru district - at Kamwaura Market - 05.06.92 Represented by:-

15. Cheruiyot arap Kositany - Ndoinet Forest
16. William arap Moru - Ndoinet Forest

17.	Thomas Kipkurgut Karonei	-	Ndoinet Forest
18.	Kiplumtage arap Masusbach	-	Ndoinet Forest
19.	John Mahia Ngece	-	Stoito Farm
20	Francis Karuiki Ndungu	-	Nguirubi Farm
21	Joseph Mwangi Kibachi	-	Nguirubi Farm
22	Kipiro Muchai	-	Nguirubi Farm
23	Councillor Francis Maiywa	-	Nguirubi Farm
24	Caleb Nyairo Omwega	-	Geticha Farm
25	Silvester Korir	-	Mau Summit
26	John Kinyanjui	-	Ikumbi Farm
27.	Peter Njogu	-	Ikubi Farm
28.	John Oyako	-	Sakiatim Farm
29.	Joseph Yebei	-	Sakiatim Farm
30.	Samwel Busienei	-	Sakiatim Farm
31.	Harrison Kinyua	-	Mikuru Farm
32.	Kipyegon Koech	-	Chemanel Farm
33.	Benjamin Ndirangu Mwega	-	Boron Farm
34.	John Wahome Gachoya	-	Boron Farm
35.	David Omanga	-	Tebere Farm
36.	James Mwangi	-	Keringet Farm

3. The Residents of Kerisoi in Molo division of Nakuru district at kerisoi Health Centre (05.06.92) - Represented By:-

37.	Kiprono arap Chumo	-	Tachasis Farm
38.	Benson Sambay	-	Tachasis Farm
39.	Benjamin Chirchir	-	Set-Kotes Farm
40.	Fredrick Cheruiyot	-	Set-Kotes Farm
41.	Nehemiah Ngooro Kathungu	-	Githima Farm
42.	Joseph Kibue Kamangu	-	Githima Farm
43.	Ernest Lang,at	-	Set-Kotes Farm
44.	George Kosge	-	Set-Kotes Farm
45.	Jonathan Kiptoo Mibei	-	Sondu River Farm
46.	Andrew Rotich	-	Sondu River Farm
47.	Alexander Barusei	-	Set-Kotes Farm
48.	Daniel Kipng'etich arap Mabwai	-	Kioo Farm
49.	Samwel Bosire	-	Kioo Farm
50.	Andrew arap Cheruiyot	-	Haraka Farm
51.	Joseph arap Chepkwony Murgiyeny		Haraka Farm

4. The Residents of Olenguruone of Nakuru district - at Saosa Primary School - 06.06.92 - Represented by:-

52.	Karanja Muhoro + 7 others	-	Saosa Elders
53.	James Kamau	-	Chepakundi Farm

54.	John Githaiga	-	Chepakundi Farm
55.	Samwel K. Mwaniki	-	Gorofa Farm
56.	James Gichere Mwaniki	-	Amalo Farm
57.	Muruga K. Rwara	-	Chigamba Farm
58.	Susan Wanjira	-	Chepakundi Farm
59.	Joseph Katora	-	Chepakundi Farm
60.	Kiplangat	-	Saosa Centre
61.	Kowagen	-	Saosa Centre
62.	Susan Chepkemoi	-	Saosa Centre
63.	Martha Kakuta	-	Saosa Centre
64.	Raphael Obage	-	Saosa Centre
65.	Kiprotich arap Tanui	-	Kiptaragoi Farm
66.	Joseph Kipkorir Koske	-	Chigamba

5. The Residents of Kerisoi in Molo division of Nakuru district continued at Kerisoi Health Centre - 07.06.92 - Represented by:-

67.	Henry Mokua	-	Bochege Farm
68.	Francis Makori	-	Central Farmers
69.	Daniel arap Tanui	-	Kipkewa Farm
70.	Kiplangat arap Keino Cheruto	-	Bochege Farm
71.	Benard S.K. Kimetto	-	Temoyetto Farm
72.	Ben N. Cheruiyot	-	Temoyetto Farm
73.	Peter Kimutai Soi	-	Molo Area
74.	Simon Thige Kimani		Mwaragania
75.	Peter Kinuthia	-	Central Farmers
76.	Isaac Wachira	-	Kamuingi Farm
77.	Wang'endo Muhia	-	Ndimo Farm
78.	Joseph Karanja Mwangi	-	Ndimo Farm
79.	Zacharia Karanja	-	Mwaragania Farm
80.	Peter Gathushi	-	Kamuigi Farm
81.	Paul Mwathi	-	Murinduko Farm
82.	Stanley Ndirangu	-	Mawingu Farm
83.	Stephen Kimani	-	Central Farmers
84.	Pius Kipyegon Mosonik	-	Kongoi Farm
85.	Kipkorir A. Mosonik	-	Kongoi Farm
86.	Ezekiel Lasoi	-	Ogilge Farm

6. The Reidents of Kwanza, Endebess and Cherangani divisions of Trans - Nzoia district at Kitale Municipal Hall - 08.06.92 Represented by:-

87.	Gilbert Chelimo Ngirio	-	Olgilkei Farm
88.	Lawrian G. Ngeiywa	-	Sabot Farm
89.	James D. Lawendi	-	Cheptumbelio Farm
90.	Samwel K. Moiben	-	Kaa Farm
91.	William Chebus Tumwet	-	Chepkiroti Farm

92.	Johnson Bureto Masa	-	Chepmukegen Farm
93.	Gregory Kwemoi	-	Lessos
94.	John Chepsigor Kapkamba	-	Koibei Farm
95.	Simon Psiwa Cheprot	-	Mwisho Farm
96.	Cleophas Wayongo Wanyonyi	-	Kimondo farm
97.	Andrew Maloba	-	Biket Farm
98.	Abraham Simiyu	-	Cholin Farm
99.	Mbati Iyadi	-	Iyadi Farm
100.	John Nandasaba	-	Quintin Farm
101.	Mathew Wafula	-	Lunyu Farm
102.	Elina Naswa	-	Endebess Farm
103.	Lukas Makhanu	-	Kolongolo Farm
104.	Richard Wabwile	-	Kwanza Farm
105.	Wafula Nabwera	-	Chepsiro Location
106.	Manon Symith	-	Chepsiro Location
107.	Elius Ming'ei	-	Kaplamai Location
108.	Jacob Lelei	-	Kaplamai Location
109.	Richard Leitich	-	Kaplamai Location
110.	Joel Soi	-	Kaplamai Location
111.	Musa Koskei	-	Kaplamai Location
112.	Wiliam Kipkoske Boit	-	Sinyerere Location
113.	Jacob Ronoh	-	Sinyerere Location
114.	Kiptenai arap Meto	-	Senyerere Location
115.	Zachariah Bukhala Shimechero	-	FORD Interim Office
116.	Ezekiel Okul	-	FORD Interim Office
117.	Enoch Imbuye	-	FORD Interim Office
118.	Peter Mburu Kinyanjui	-	D.P. Interim Office
119.	Joshua Mwangale Kinyanjui	-	Milimani Kitale

7. The Residents of Saboti division of Trans-Nzoia district at Saboti Primary School - 09.06.92 - Represented by:-

120.	Daniel Nana Ngaazi	-	Gituamba Farm
121.	James Kihia	-	Gituamba Farm
122.	Harry Siambi	-	Kapretwa Farm
123.	John Nandasaba Wekesa	-	Nasianda Farm
124.	Charles Khaoya	-	Chebukaka Farm
125.	Joseph Lumbasi	-	Rengecha Farm
126.	Wanyonyi Wefwila	-	Mwitha Farm
127.	John Wanyonyi	-	Weyolola Farm
128.	Asango Buluma	-	Kapretwa Farm
129.	David Kaboya	-	Gituamba Farm
130.	Emmanuel Wanyonyi	-	Gituamba Farm
131.	Maurice Checkman Siyoi	-	Tuluet Farm
132.	Lawrence Langat Kipsoi	-	Nominated Councillor
133.	Pius Kauka	-	Chepkui Farm
134.	William Sichoi	-	Saboti Farm
135.	Ben Jipcho	-	Maliki

136.	Maurice Mamai Etiang Eseme	-	Saboti Farmers Company
137.	Desterio Omonya	-	Saboti Farmers Company
138.	Joseph Omukaga	-	Saboti Farmers Company
139.	Koblo Okosa Naftali	-	Saboti Farmers Company
140.	Mathews Omuse	-	Saboti Farmers Company
141.	Stantalarus Imai Okisai	-	Saboti Farmers Company
142.	William Renju Papa	-	Saboti Farmers Company
143.	Gabriel Papa	-	Saboti Farmers Company
144.	Francis Ikae	-	Saboti Farmers Company
145.	Mary Majilo	-	Saboti Farmers Company
146.	Mining Temoi	-	Bongomek displaced from nduyi
147.	William Kaburungo	-	Sukwo Farm
148.	Yohana Tera	-	Sukwo Farm
149.	Kipsoo	-	Sukwo Farm
150.	Kapkarang	-	Sukwo Farm

8. Residents of Mt. Elgon sub-district of Bungoma district at Kapsakwony Township - 10.06.92 - Represented By:-

151.	Rev. Daniel Sinjor	-	C.P.K./S.D.A./YMF/PENTECOSTAL
152.	Ben Ngeiywa	-	C.P.K./S.D.A./YMF/PENTECOSTAL
153.	Rev. John Chemengich	-	C.P.K./S.D.A./YMF/PENTECOSTAL
154.	Daniel Ndiwa	-	C.P.K./S.D.A./YMF/PENTECOSTAL
155.	Amos Naibei	-	C.P.K./S.D.A./YMF/PENTECOSTAL
156.	Timothy Kwalia	-	C.P.K./S.D.A./YMF/PENTECOSTAL
157.	Ben Mutai	-	C.P.K./S.D.A./YMF/PENTECOSTAL
158.	Joseph M. Ndiema	-	C.P.K./S.D.A./YMF/PENTECOSTAL
159.	Rev. Stanley Mutai	-	C.P.K./S.D.A./YMF/PENTECOSTAL
160.	Andrew Chemayiek	-	C.P.K./S.D.A./YMF/PENTECOSTAL
161.	Enos Kiberenge	-	Cheptais division
162.	Zablon Chemukoni	-	Cheptais division
163.	Joash Kibet	-	Cheptais division
164.	Reuben Tuikong	-	Cheptais division
165.	Welnan Ndiwa	-	Cheptais division
166.	Joab Kipnus	-	Cheptais division
167.	Joson Kisachi	-	Cheptais division
168.	Sosi Ndiwa	-	Cheptais division
169.	Tenderes Temoi	-	Cheptais division
170.	Stanley Towet	-	Cheptais division
171.	Justus Chemengu	-	Cheptais division
172.	Jacob Ngeywa	-	Cheptais division
173.	Robert Chenge	-	Cheptais division
174.	Patrick Kirui	-	Cheptais division
175.	Johnson Changeywe	-	Cheptais division
176.	Julius Wandati Nandasaba	-	Kapsakwony division
177.	Wyckliffe	-	Kapsakwony division

178. Joseph Wekesa Namayiengo - Kapsakwony division
179. Reuben Samoe Ndara - Kapsakwony division
180. Benjamin Latebo Sirimoi - Kapsakwony division
181. Samwel Naibei - Kapsakwony division
182. Stanley Puyolmo - Kapsakwony division
183. Yona Makan - Kapsakwony division
184. Ndiwa Kaptarit - Kapsakwony division
185. Enos Maruka - Kapsakwony division
186. Philip Chebus - Kapsakwony division
187. Reuben Samoei - Kapsakwony division
188. Hesbon Naibei - Kapsakwony division
189. Andrew Muneria - Kapsakwony division
190. Masai Marasanja - Kapsakwony division
191. Julius Tekweny - Kapsakwony division
192. John Mungou - Kapsakwony division
193. Simotwo Sabisati - Kapsakwony division
194. Ishmael Naibei Mangusho - Kapsakwony division

9. Residents of Kimilili, Sirisia, Cheptais, Mt. Elgon Sub-District in Bungoma district - at Kundan Construction Site-Kimilili - 11.06.92. Represented By:-

195. Nikasio Nang'ole - Elders-Kimilili division
196. Boniface Makokha Murunga - Elders-Kimilili division
197. Jestimore Webi - Elders-Kimilili division
198. Edward Mwichabe - Elders-Kimilili division

199. Hezekiah Baraza - Mt. Elgon Sub-district
200. Peter Otwane - Mt. Elgon Sub-district
201. Christopher Imaya - Mt. Elgon Sub-district
202. Morris Awala - Mt. Elgon Sub-district
203. Peter Opili - Mt. Elgon Sub-district
204. Christopher Papa - Mt. Elgon Sub-district
205. Amila Icherwa - Mt. Elgon Sub-district
206. Benson Osuru - Mt. Elgon Sub-district
207. Japheth Omukata - Mt. Elgon Sub-district
208. Amos Amai - Mt. Elgon Sub-district
209. Wycliffe Kirikacha - Mt. Elgon Sub-district
210. Isaiah Omonya - Mt. Elgon Sub-district

211. Peter Kisuya - Sirisia division (Chwele Location)
212. Ms. Meta Munyóle - Sirisia division (Chwele Location)
213. Wanyama Kundu - Sirisia divsion (Chwele Location)
214. Khafweli Makhofu - Sirisia division (Chwele Location)
215. James Wasike - Sirisia division (Chwele Location)

216. Erastus Wameya - Mt. Elgon Sub-district (Kaptama)
217. Eliud Wefwafwa - Mt. Elgon Sub-district (Kaptama)
218. Silas Masinde - Mt. Elgon Sub-district (Kaptama)

219.	Jestimore Simwenyi	-	Mt. Elgon Sub-district (Kaptama)
220.	John Chesoli	-	Mt. Elgon Sub-district (Kaptama)
221.	Peter Mutoko	-	Mt. Elgon Sub-district (Kaptama)
222.	Fred Wameya	-	Mt. Elgon Sub-district (Kaptama)
223.	David Nyongesa	-	Mt. Elgon Sub-district (Kaptama)
224.	Timothy Sindano	-	Mt. Elgon Sub-district (Kaptama)
225.	Eric Wafula	-	Mt. Elgon Sub-district (Kaptama)
226.	James Wafula	-	Mt. Elgon Sub-district (Kaptama)
227.	Charles Cheng'ole	-	Mt. Elgon Sub-district (Kaptama)
228.	Justo Wamocho	-	Mt. Elgon Sub-district (Kaptama)
229.	Matias Walimo	-	Mt. Elgon Sub-district (Kaptama)
230.	Morris Ndelewa	-	Mt. Elgon Sub-district (Kaptama)
231.	Erastus Wanjala	-	Mt. Elgon Sub-district (Kaptama)
232.	Albert Sirengo	-	Mt. Elgon Sub-district (Kaptama)
233.	Njiru Muirachi	-	Mt. Elgon Sub-district (Kaptama)
234.	John Maraka	-	Mt. Elgon Sub-district (Kaptama)
235.	Pius Kimunguyi	-	Cheptais division (Kopsiro)
236.	Ezekiel Machario	-	Cheptais division (Kopsiro)
237.	Pius Mulati	-	Cheptais division (Kopsiro)
238.	Philip Masanga	-	Cheptais division (Kopsiro)
239.	James Lunani	-	Cheptais division (Kopsiro)
240.	Jonathan Makokha	-	Cheptais division (Kopsiro)
241.	Marice Baraza	-	Cheptais division (Kopsiro)
242.	Joseph K. Njoroge	-	Cheptais division (Kopsiro)
243.	James Simiyu	-	Cheptais division (Kopsiro)
244.	James Yaola	-	Cheptais division (Kopsiro)
245.	Vincent Wekesa	-	Cheptais division (Cheptais)
246.	Charles Munyala Makokha	-	Cheptais division (Cheptais)
247.	Mary Wanyonyi	-	Cheptais division (Cheptais)
248.	Ferdinand Moya	-	Cheptais division (Cheptais)
249.	Wasilwa Wycliffe Baraza	-	Cheptais division (Cheptais)
250.	John Baraza Munyasia	-	K.N.U.T. Executive Secretary - Bungoma
251.	Silvester Wakoli	-	K.N.U.T. Chairman - Bungoma
252.	Stephen Kuya	-	K.N.U.T. Area Member for Kimilili
253.	Peter Keyari Nabichenje	-	FORD Interim Office - Kimilili
254.	Abdalla Musumba	-	FORD Interim Office - Kimilili

10. Residents of Hamisi, Shinyalu, Malava and Lugari divisions of Kakamega district - at the Kakamega County Council Hall, Kakamega - 12.06.92, Represented By:-

255.	Afonce Likavo	-	Elders on Reconciliation Committee
256.	Kakayi Wamwoyo	-	Elders on Reconciliation Committee
257.	Elijah Shiundu	-	Elders on Reconciliation Committee
258.	Aloys Mupapale	-	Elders on Reconciliation Committee
259.	Shabay	-	Elders on Reconciliation Committee
260.	Patrick Bonyo Aketch	-	Nandi district - Kurngung
261.	James Adie	-	Nandi district - Kurngung
262.	Festo Luhyaka	-	Nandi district - Meteitei Farm
263.	Frastus Vigedi	-	Nandi district - Meteitei Farm

264.	Councillor William Sabwa	-	Hamisi division
265.	Joshua Asuza	-	Shinyalu division
266.	Samwel Atsango	-	Shinyalu division
267.	Welson Kalokosi	-	Shinyalu division
268.	Esterious Mukanzi	-	Shinyalu division
269.	Nathan Lijoodi	-	Shinyalu division
270.	Hiram Shiundu	-	Nandi - (Chepsaita scheme)
271.	Elam Simiyu	-	Nandi - (Chepsaita scheme)
272.	Shem Rasa	-	Nandi - (Chepsaita scheme)
273.	Alfred Wemali	-	Nandi - (Chepsaita scheme)
274.	William Walusala	-	Nandi - (Chepsaita scheme)
275.	Joseph Baraza	-	Nandi - (Chepsaita scheme)
276.	Rt. Rev. Henry P. Sanya	-	Nandi - (Chepsaita scheme)
277.	Ben Nasong'o	-	Nandi - (Chepsaita scheme)
278.	Charles Baraza	-	Malava Division - (South Kabras)
279.	George Anyange	-	Malava Division - (South Kabras)
280.	Job Lugonga	-	Malava Division - (South Kabras)
281.	Counc. Paul Ngomi	-	Lugari Division
282.	Counc. Reuben Litoka	-	Lugari Division
283.	Counc. Morris Kimwale	-	Lugari Division
284.	Counc. Shardrack Kitere	-	Lugari Divsion

11. Residents of Soy, Lugari and Mosop divisions of Uasin Gishu, Kakamega and Nandi districts respectively, at Turbo Market on 13.06.92, represented by.

Non-Kalenjin Ethnic Groups

285. Moses Kitonga
286. Christopher Lumbasi
287. Isaac Wachira
288. Philip Sindani
289. Harrison Makunu Wakoli
290. J. Kanyali
291. George Kamau
292. Kakwamba Kiraku
293. Festus Afundi
294. Moses Miheso
295. Mathew Agwenyi

Kalenjin Group

296. William Chepkwony
297. Hosea Sambai
298. Agostui Kosgei
299. Priscilla Chepchumba
300. Roda Kemor

301. Trd. Major Sawe
302. William Tarus
303. Alexander Tarus
304. Pirus Maiyo
305. Henry Kipkoech Masacha
306. John Kiplagat

CPK. Diocese of Eldoret

307. Enoch Opuka - Development and Education Officer
308. Rev. Mark Sang - Vicar
309. Various Groups from Mail 13, Ngenyilel and Groups from Mail 13, Ngenyil and

Kamagut Settlement Schemes

310. Albert Chore
311. John Nundu Awich
312. Nathan Mutai
313. Protus Wangila
314. Simon Kusumba
315. Rtd Major John Wambua
316. Ibrahim Okembura
317. Bernard Njuguna
318. Rirea Agola Jasos
319. Nehemia Okwosia
320. Spora Wanjira
321. Jacob Juma
322. Renny Sang
323. Daniel Yego
324. arap Koech
325. Samwel Chumba
326. David Tai
327. Paul Busienei
328. David Kirwa

12. The Residents of Timboroa division at Chegaiya Centre on 02.07.92. Represented by:-

(a) **Kalenjin Group of fourteen**

329. Joel arap Biwott
330. John arap Birech
331. Kimisiki Kongo
332. Kipyego Cheboron
333. Jacob Mutai
334. David Barno
335. Daniel Kipkenei
336. Kipkiring arap Maiywa
337. Wilson Tanui
338. Chebingei Sabulei

339. Kipmutai Boiywo
340. Maina Kongo
341. Wilfred Chepkwony Kurgat
342. Samwel Kebenei Lelechei

(b) **Kikuyu Group of fourteen**

343. Kinyanjui Gathere
344. Peter Mburu Githumbi
345. Danson Njuguna
346. James Kamau
347. Sammy Ng'ethe
348. Francis Mburu
349. David Mburu
350. David Fundi
351. Milka Njeri Maina
352. Patrick Kariuki
353. Bernard Gichuhi
354. Joseph K. Chege
355. Peter Gicheru
356. Gathoni Njathu

3. The Residents of Tinderet division - 03.07.92 Represented By:-

(a) **The Purported Current Directors of Meteitei Farmers Company**

357.	Kipyego Matelong Korir	-	Chairman
358.	Jeremiah Japsoi Maiyo	-	Secretary
359.	Kibet are Kole	-	Vice Chairman
360.	Jonah Kiprotich arap Barbuch	-	Member
361.	Erick Kiprono Busienei	-	Member
362.	Kipkemei Kugun Barbelio	-	Member
363.	Chepkoi Kiptarus Laoso	-	Member
364.	Erenest Kipleting Keino	-	Treasurer
365.	Agui Kalakwen arap Tanui	-	Member
366.	Malakwen arap Too	-	Member
367.	Kimsick arap Keino	-	Member
368.	James Kimarta arap Ruto	-	Member
369.	Zacharia Kichwen Amisi	-	Member

(b) **Kisii/Abaluhyia Group from Meteitei Farm**

370. Jeremiah Omora
371. Posipas Monari
372. Joseph Osepwe
373. Moses Ayienda
374. Francis Nyaberi
375. Samson Ogechi

376. Joseph Omoyo
377. John Moori
378. Fred Siai
379. Keremensia Ondieki
380. Mosomi Nyamboro
381. Nyaboka Nyangweso
382. Stephine Mose
383. Moses Gisemba

(c) **Kalenjin Group of Taptengle Farm**

384. Alexander arap Bongio
385. Samwel arap Chepkwony
386. Shadrack K. Kerich
387. John K. Terer
388. John. K. Tott
389. Julius K. Cheruiyot
390. Joseph K. Bett
391. Joel arap Tuwei
392. Kiptarus Cheruiyot
393. Samwel Maritim
394. Kiptanui Murei
395. Philip Rugut
396. Weilson Saina
397. William Tiony
398. Joseph Lelei

(d) **Kisii/Luo/Abaluhyia Group From Various Farms**

399.	Charles Ondieki Nyang'au	-	Kimilet Farm
400.	Yunuka Okoba	-	Kamilet Farm
401.	Thomas Muhesi	-	Kitoroch Farm
402.	Joseph Omondi Ondieki	-	Kitoroch Farm
403.	Makori Jackson	-	Kitoroch Farm
404.	Adoiwa Siari	-	Senetwa Farm
405.	Daniel Momanyi Nyarondia	-	Kamarero Farm
406.	Bernard Sipota	-	Kamarero Farm
407.	Herzon Subasinya	-	Kamarero Farm
408.	Peter Kamasi	-	Taptengle Farm
409.	Masela Omuteke	-	Sarwati Farm
410	Jonathan Owako	-	Kotnalel Farm
411	Imelda Owako	-	Kotnalel Farm
412	Samson Ondiko Opiyo	-	Owiro Farmers Company
413	George Adonda	-	Owiro Farmers Company
414	Joseph Pewa	-	Owiro Farmers Company
415	Benjamin Atambo	-	Owiro Farmers Company

416 Peter Kamasi - Owiro Farmers Company

(e) **Kalenjin Group from Tinderet**

417 Kipyego M. Korir
418 Jonah K. Barbuch
419 Kipkemei K. Barbeuo
420 Erick K. Busienei
421 Kimaiyo Misiogo Kidogo
422 David Cheruiyot Rotich
423 Kibet arap Kole
424 Philip Kimeli Koech
425 Paul Tirop Bett
426 Jeremiah Maiyo
427 Isaac Ndege Chumo
428 Kipngetich Korir
429 Richard K. Sum
430 Joseph arap Butia
431 John K. Keter

14. The Resients of Mosop division at Kamasai Primary School, on 4.7.92 - represented by:-

(a) **Abaluhyia Group of Chepsaita Scheme**

432 Peter Shitoshe
433 Injete Wasike
434 Festo Litali
435 John Ong'alo
436 Patrick Muchika
437 Alfayo Cheng'oli
438 Saul Matale
439 Josia Branda
440 Saisi Cheruyi
441 Rodah Saidi
442 Festo Matale
443 Welton Asawa
444 Joseph Baraza
445 Ben Wesung'o

(b) **Kalenjin Group of Kamasai Sub-Location**

446 Linus Koros
447 Micheal Kiptum
448 Benjamin Kipkurgat
448 Joel Arusei
450 Stephen Koech
451 Cherus Ruto

452 William Keino
453 Cheristopher Kosgei
454 Simion Muge
455 Peter Kimelenge
456 Peter Sawe
457 Kiprob Boen
458 Mark Ksogei
459 Simion Maiyo
460 John Mugun
461 Paul Busienei
462 Ernest Kororey
463 Robert Kipkenie Ng'eny

(c) **Abaluhyia Group of Kamasai Sub-Location**

464 Terrah Alfayo
465 Joel Omuka
466 Zakayo Omukongo
467 Peter Shitambuzi
468 Peter Namagwa
469 Elijah Mukhwana Shivona
470 Zebedayo Nasamba
471 Enock Kadenyi Karioki
472 Elam Lubumbu Mulusa
473 Boge Wilson
474 Rose Teguet
475 Ridah Lulungi
476 Elizabeth Namasaka
477 Josephat Wanyama
478 Elizabeth Musungu
479 Reuben Mukalo
480 John Kukwanja

(d) **Kalenjin Group of Chepsaita Scheme**

481 Isaac Ng'isirei
482 Peter Tanui
483 Maguti A. Chirichir
484 William A. Malindi
485 Wilson Tanui
486 Charles Bitok
487 Joh Keli
488 Stephen Kalakwen
489 Daniel Businenei
490 Julius Rutoo

(e) **Kalenjin Group from Kamwega/Tabolwe**

491	Elijah K. Terer	-	Ex-Senior Chief/Councillor of Sang'alo Ward.
492	Henry K. Ruto		
493	Benjamin Kogo		
494	Joseph Maindi		

15 The residents of Winam and Belgut divisions respectively of Kisumu and Kericho districts, on 6.7.92 at Koru Primary School

(a) **Luo Group**

495	Arthus Batholomew Ojwang	-	Koru Central Farm (Kisumu District)
496	Mrs. Ogada		
497	Mr. Karanja		
498	Mr. Muga		
499	Were Ambibo	-	Ochoria Farm (Kisumu District)
500	B. Oluoch	-	Ochoria Farm (Kisumu District)
501	Mr. Ojwang'a	-	Koru Central Farm (Kisumu)
502	H. Omula		
403	James Atteng'		
504	William Oluoch Odiwour	-	Muhoroni Farm (Kisumu District)
505	Mathews Ogutu Oyugi	-	
506	Mr. Onyango	-	Home Lime Farm
507	James Agrey Oyage	-	Home Lime Farm
508	Mr. Jimbo	-	Home Lime Farm
509	John Tier	-	Fort Teman Farm (Kisumu District)
510	James Nyamwaya	-	Fort Teman Farm (Kisumu District)
511	Richard Jabedo	-	Fort Teman Farm (Kisumu District)
512	Mrs. Boure	-	Fort Teman Farm (Kisumu District)
513	Ezekiel Odeny	-	Kotetni Farm (Kericho District)
514	Charles Okuto	-	Kotetni Farm (Kericho District)
515	Romanuz Osir	-	Kotetni Farm (Kericho District)
516	Edward Ondego	-	Kotetni Farm (Kericho District)
517	Charles Odhiambo	-	Koguta Farm
518	William Ochola	-	Koguta Farm
519	Sivlvanos Ng'idi Omollo	-	Kunyak Farm

520	Johanes Opanga	-	Koguta Farm
521	John Rege	-	Koguta Farm
522	William Gombe Were	-	Thessalia Farm (Kisumu District)
523	William Owiti	-	Thessalia Farm (Kisumu District)
524	John Dullo	-	Thessalia Farm (Kisumu District)

(b) **Kalenjin Group**

525	Kiplangat A. Bett	-	Fort Ternan (Kericho District)
526	Willis A. Tuto	-	Fort Ternan
527	David Langat	-	Fort Ternan
528	Nyerere Kenduiywa	-	Fort Ternan
529	Samwel Kipkoskei Ng'eno	-	Fort Ternan
530	Recho Cherop	-	Fort Ternan
531	Kipsalat Chepukto	-	Fort Ternan
532	Samwel Tanui	-	Fort Ternan
533	Solian Moroma	-	Fort Ternan

(c) **Kikuyu/Kisii/Abaluhyia/Kamba/Turkana Group**

534	William Lutodo	-	Fort Ternan
535	S.K. Gichia	-	Fort Ternan
536	Kamau Karanja	-	Fort Ternan
537	Nyaosi Nyagwanchi	-	Fort Ternan
538	Esther N. Makari	-	Fort Ternan
539	Frederick Nyabuanga	-	Fort Kunyak
540	Peter Onchiri	-	Kunyak
541	Samwel Kitoi	-	Kunyank
542	Laurence Mwanzi	-	Kunyak
543	Leornard Lijoodi	-	Kunyak
544	Philip Kamau	-	Kunyak
545	Suleiman Ndichu	-	Kunyak
546	Naomi Wanjiku	-	Kunyak
547	Lucas Tumbo	-	Kunyak

16 The residents of Upper, Lower Nyakach and Belgut divisions of Kisumu and Kericho districts and parts of Nyamira district at Agai Primary School, Sondu market, 07.9.92, Represented by:-

(a) Kalenjin Group from Kericho district

548	Joseph Allan Koske
549	Peter Ondieki
550	Joseph Kipkurui Chepkwony
551	Julius Kipruto Mutai
552	Andrew K. Sang

553 Samwel K. Korir
554 Paul Kiprono Rotich
555 Samwel Tuwei
556 Peter K. Ng'eno
557 Samwel K. Ng'eno
558 James Chepkwony
559 David Koske
560 Isaac Murbii
561 Fred Samoei
562 Paul Kiptoo Sang
563 Richard Kirui

(b) **Luo Group from Kisumu district**

564 Jacob Opole Odongo
565 Ernest Achila
566 Fresto Okech
567 Andrew Ogalo Okello
568 Ogur Okiri
569 Joash Juma
570 Joseph Orwa
571 Otieno Awiti
572 Tom Olwany Omollo
573 Philip Ouko Awuor
574 Were Olonde
575 Nahson Onyuka
576 Francis Odada

(c) **Kisii Group from Nyamira district**

577 Japheth Michoro
578 James Orina
579 Daniel Omboto
580 Robert Maoga
581 Elisaphah Ondoro
582 Shadrack Nyabiage
583 Samwel Nyamasege
584 Yuvenalis Machani
585 Richard Mose
586 Nyabuto Abuga
587 Henry Nyabuto
588 Wilson Arisa
589 Albert Omayia
590 Joseph Ndubi

(d) **New Soba River Farm**

591 Ondongi Randa

592 James Makori

(e) **Border Reconciliation Committee**

593 Jeremiah Kirui
594 Johana Serbai
595 Joshua Chumo
596 Ezekiel Soi
597 David Tonui
598 Anthony Teigut
599 Elizaphan Ondoro
600 James Orina
601 Alfred Ondulo
602 Nahson Onyuka
603 Ogutu Okello
604 Moses Ondiek Okoth

17 The residenst of Nyamarambe division at Nyamaiya Market on 8.9.92 represented by:-

605 Bundi Onyancha
606 Nathan Matini
607 Joel Siambe
608 Ombasa Ombasa John
609 Samson Kimongo
610 Dishon Kimonge Nyairo
611 Kenyanya Charles Manwa
612 Clement Onganga
613 Janson Bange
614 Onduma Ezekiel
615 Kibiriti Okechi
616 Charles Manonu
617 Laban Onyango
618 Ondari James
619 Harrison Oyari
620 Charles Ondienga Nyakoni
621 Lameck Nyayia
622 Peter Okeng'o

18 The residents of Nyangusu area in Narok and Kisii districts at Nyangusu Secondary School - 9.7.92

(a) **Kisii Group from Kiligoris in Narok district**

623 Peter Ondimu
624 Elkana Omambia Oigara
625 John Onchoke

626 David Ogechi
627 William Maettuki
628 Christopher Onyancha
629 Christopher Oigo
630 Alfred Onyangore Orangi
631 Richard Mokaya
632 Zachariah Omambia
633 Elijah H. Omanga
634 Evans Omache Omayio
635 Pius Nyanchiri
636 Elfanse Nyakundi
637 Nyamao Onsongo
638 James Chuma
639 Ezekiel Nyamoro
640 John Nyambutia
641 Daniel Ongeri Guko

(b) **Kisii Group from Kisii district**

642	Elujah N. Omanga	-	Bomachoge Location
643	Okemwa Mbera	-	Bomachoge Location
644	James Mbeche	-	Bomachoge Location
645	Sebastian Ondara	-	Bomachoge Location
646	Zachariah Momanyi	-	Bassi Borabu Location
647	Rweuben Siocha	-	Bassi Borabu Location
648	Dickson Ogenche	-	Bassi Borabu Location
649	Meshack Tong'i	-	Bassi Borabu Location
650	Nahson Bikondo	-	Machoge Masaba Location
651	Shem Nyaribo	-	Machoge Masaba Location
652	Christopher Onyancha	-	Machoge Masaba Location
653	Elijah Mugoyi	-	Machoge Masaba Location
654	Abner Ongubo	-	Bassi Bogetaorio Borabu Location
655	Stephen Ratemo Mwwanja	-	Bassi Bogetaorio Borabu Location
656	Nathan Mancha Okongo	-	Bassi Bogetaorio Borabu Location
657	Isaac Oonge	-	Bassi Bogetaorio Borabu Location

19. The residents of Borabu division, Nyamira district, at Eronge S.D.A. primary school on 10.7.92

658	Justus Ombachi	-	Esise Location
659	David Muoko Otwoma	-	Esise Location
660	Teratuo Nyang'au	-	Esise Location
661	Nahanshon Tinega	-	Esise Location
662	Malack Ombaki	-	Esise Location
663	Subo Frederick Keraka	-	Esise Location
664	Samwel Omosa	-	Esise Location
665	Stanley Nyaata Mwancha	-	Mekenene Location
666	Councillor Simon Nyanumba		Mekenene Location

667	Samwel Obiria Mwangwari	-	Mekenene Location
668	Michael Omboga	-	Mekenene Location
669	Moses Nyaigoti Nyang'au	-	Mekenene Location
670	Mrs. Ruth Maronga (Chairman in Div. MYWO and Vice-Chairman of Nyamira District)		
671	Samwel Omboga		
672	Samwel Kibwaga	-	Nyansiongo Location
673	L. Sese	-	Nyansiongo Location
674	J. Geke	-	Nyansiongo Location
675	J. Ondomu	-	Nyansiongo Location
676	V. Kebaso	-	Nyansiongo Location
677	H. Otochi	-	Nyansiongo Location
678	C. Nduvi	-	Nyansiongo Location
679	K. Omangi	-	Nyansiongo Location

20 The residents of Bomett district at Sotik Urban Council Hall on 11.7.92, represented by:-

(a) <u>Kipsigis Group from Chepalungu Division</u>

680	Jonathan Maritim	-	Ndanai Location
681	Kipkosgei Birir	-	Ndanai Location
682	Janathan Soi	-	Ndanai Location
683	Kipsang arap Rogony	-	Ndanai Location
684	Willison Mibei	-	Ndanai Location
685	Ezekieah Koech	-	Ndanai Location
686	Nicholas arap Soi	-	Abasai Location
687	Ezekiel Kauria	-	Abasi Location
688	Jonathan Maina	-	Abasai Location
689	Edwin Bii	-	Techoget Location
690	Mathew Boit	-	Techoget Location
691	Wilson Soi	-	Techoget Location
692	Paul Lelei	-	Techoget Location
693	Andrew Yegon	-	Techoget Location
694	Samwel Tanui	-	Techoget Location
695	Kiprono Koskei	-	Techoget Location
696	Kuna Rono	-	Techoget Location
697	Philip Kiplagat arap Biegon	-	Litein Location

(b) <u>Kisii Group from Chepalungu division</u>

698	Peterson M. Mariara	-	Techoget Location
699	Wilson M. Getingiru	-	Tochoget Location

700	Silvester B. Maina	-	Techoget Location
701	Nyamchama Kimaiti	-	Techoget Location
702	Ms. Mellen Makori	-	Techoget Location
703	Moses Nyagoiti Nyang'au	-	Techoget Location

21 The residents of Londiani division at Londiani Urban Council Hall, on 13.7.92, represented by:-

(a) the six clergy in Londiani (Kikuyu/Luo/Kisii/Other)

704	Rev. Eliud N. Kariuki	-	P.C.E.A.
705	Envoy Jeremiah Onyancha	-	S.D.A.
706	Rev. Gad Karanja	-	C.P.A.
707	Rev. John Ondera	-	A.I.C.
707	Father Nicholas Motherway	-	Roman Catholic Parish
708	Rev. Samwel Ngarachu	-	A.I.C.

(b) <u>Ten A.I.C./S.D.A. Clergy (Kalenjin)</u>

709	Isiah Cheruiyot	-	A.I.C. & S.D.A.
710	Joseph Cheruiyot Koske	-	A.I.C. & S.D.A.
711	Caleb A. Chumo	-	A.I.C. & S.D.A.
712	Andrew A. Too	-	A.I.C. & S.D.A.
713	Edward Koske	-	A.I.C. & S.D.A.
714	Jeremiah Kipkoech Kirui	-	A.I.C. & S.D.A.
715	Borness Maritim	-	A.I.C. & S.D.A.
716	Reuben K. Mosonik	-	A.I.C. & S.D.A.
717	Lucy Sang	-	A.I.C. & S.D.A.
718	Simeon Tuei	-	A.I.C. & S.D.A.

(c) Philip Karanja Gitau - Secretary of Nyakinyua Farm

(d) A group of thirty-two from Kedowa/Londiani/Masaita/Sorget Location and Kipkelion division. Kisii/Luo/Abaluhyia/Kikuyu

719	John Mwangi Chege	-	Kedowa Location
720	Ibrahim Ng'ang'a	-	Kedowa Location
721	Murungu Kamau	-	Kedowa Location
722	David Njoroge	-	North Kipkelion
723	Peter K. Gitau	-	Kedowa Location
724	Francis Ngigi	-	Kapkondo Farm
725	George Githaiga	-	Kapkondo Farm
726	Jonathan Oloo	-	Londiani Location
727	Richard Owamo	-	Londiani Location
728	Kariuki Kihumba	-	Londiani Location
729	John Mutuku	-	Londiani Location
730	Joseph Mungai	-	Gachila Location
731	Musa Ng'ang'a	-	Londiani Location

732	Paul Mwangi Njuru	-	North Kipkelion
733	Isaiah Omambia Mogaka	-	Londiani Location
734	Elizabeth Nyambura	-	Ndiwa Farm
735	Zablon Muguima	-	Ndiwa Farm
736	John Karanja	-	Kipsiricher Farm
737	Wilfred Boroma	-	Kipsiricher Farm
738	Jackson Sheriku	-	Kipsiricher Farm
739	John Onchieku	-	Kipsiricher Farm
740	Periska Momanyi	-	Kipsiricher Farm
741	Peter L. Mwangi	-	Masita Location
742	Monicah Wonyoike	-	Masita Location
743	Dr. E. Kabiru	-	Masita Location
744	Mrs. Grace M. Kabiru	-	Masita Location
745	Manase Njuguna Kabugi	-	Masita Location
746	Richard Ng'ang'a	-	Masita Location
747	Catherine Nyambura	-	Masita Location
749	Greshon Wabugia	-	Masita Location
750	Iseuya Mugaka	-	Kahurura Farm
751	Peter Gitau	-	Kahurura Farm
752	Paul Mwangi	-	Nyakunyua Farm
753	Ng'ang'a Njono	-	Nyakinyua Farm
754	Murungu Mwaniki	-	Nyakinyua Farm
755	Mary Watiri	-	Masita Location
756	Andrew Macharia	-	Masita Location
757	Micheal Kamau	-	Sorget Location
758	Micheal Waweru	-	Sorget Location
759	Micheal Mwangi Gikonyo	-	Sorget Location
760	Clement Kamau Macharia	-	Kipkelion Division

(e) Kalenjin Group of twenty two

761	Reuben Kiprono Kirui	-	Londiani Location
762	Paul K. Koech	-	Londiani Location
763	Henry Koske	-	Londiani Location
764	Jonah Koech	-	Londiani Location
765	Samwel Chepkwony	-	Kedowa Location
766	Tengeya Sang	-	Kedowa Location
767	Philip Rotich	-	Kedowa Location
768	Samwel Koech	-	Kedowa Location
769	Kipkirui Chepkwony	-	Kedowa Location
770	Kiprop A. Chepkwony	-	Masaita Location
771	Elijah Ng'elechei arap Rono		Masaita Location
772	Stephen Chelal	-	Masaita Location
773	Stephen Laboso	-	Sorget Location
774	Josiah Cheruiyot	-	Sorget Location
775	Bernard Cherorot	-	Sorget Location
776	Joseph Cheruiyot	-	Sorget Location
777	Jonathan Rotich	-	Sorget Location

778	Simion arap Sang	-	Sorget Location
779	Daudi Lasoi	-	Sorget Location
780	Alexander Chemuren	-	Sorget Location
781	Francis arap Bett	-	Sorget Location

22 The residents of Kilgoris sub-district, Narok district at Kilgoris Township on 14.7.92

782	Paul ole Sopia	-	Shaankoe Location
783	Jonathan Kimeei	-	Shaankoe Location
784	Micheal ole Rikana	-	Shaankoe Location
785	Kimincha ole Sunyai	-	Shaankoe Location
786	Mang'ere Konchellah	-	Shaankoe Location
787	Munero ole Yiampoi	-	Uasin Gishu West
788	Mamayio ole Magiro	-	Uasin Gishu West
789	John ole Nairimo	-	Uasin Gishu West
790	Joseph ole Naigisa	-	Uasin Gishu West
791	Pasua ole Muyia	-	Uasin Gishu West
792	Peter Sapalau	-	Siria
793	Jeremiah ole Meegesh	-	Siria
794	Kaila ole Kanoi	-	Siria
795	Lekokei ole Konchori	-	Siria
796	John ole Kisiko	-	Siria
797	Ole Mosinko	-	Siria
798	Ole Ntira	-	Siria
799	John ole Ntukusoi	-	Siria
800	Joseph ole Naitipa	-	Siria
801	Thomas ole Meiseiyieki	-	Siria
802	Pius ole Nairenge	-	Uasin Gishu East
803	Nkakui ole Navangas	-	Uasin Gishu East
804	Tambushi ole Katim	-	Uasin Gishu East
805	Mrs. Helen Katim	-	Uasin Gishu East
806	Kiserema ole Kiptek	-	Moitanik Clan
807	Simeon ole Shankil	-	Moitanik Clan
808	Peter ole Nkiti	-	Moitanik Clan
809	David ole Kaikai	-	Moitanik Clan
810	Robert ole Musa	-	Moitanik Clan
811	John ole Kirionko	-	Moitanik Clan
812	Daniel ole Seltai	-	Moitanik Clan
813	Moses ole Naimoau	-	Moitanik Clan
814	Simon ole Makallah	-	Moitanik Clan
815	Julius ole Sunkuli	-	Moitanik Clan
816	Philemon Lemashan	-	Moitanik Clan

23 Witnesses in Committee Room No.9

Monday June 29, 1992

817	Mr. Josiah Kimutai arap Sang	-	Permanent Secretary, Ministry of Lands and Housing;
818	Mr. Wilson Gachanja	-	Commissioner of Lands
819	Mr. Frederick R.S. Onyango	-	Chief Land Registrar

Tuesday June 30, 1992

820	Mr. Wilfred K. Kimalat	-	Permanent Secretary in-charge of Internal Security and Provincial Administration in the Office of the President; accompanied by:-
821	Mr. Gitahi Wachira	-	Deputy Secretary

Friday July 24, 1992

822	The Hon. William R. ole Ntimama, EGH, M.P	-	Minister for Local Government, and Member for Narok North;

Friday August 7, 1992

823	Mr. Johnstone Muendo Makau, EGH	-	Interim Chairman of Social Democratic Party of Kenya (S.D.P.), former Cabinet Minister and Member for Mbooni;

Thursday August 13, 1992

824	Mr. Jaramogi Oginga Odinga, EGH	-	Interim Chairman of Forum for Restoration of Democracy (FORD),First Vice-President of Kenya and Member for Bondo.Hewas accompanied by his Lawyer:-
825	Mr. James A.B. Orengo	-	Former Member for Ugenya
826	Mr. Valentinus Uhuru Kodipo		

Friday August 14, 1992

827	Mr. Mwai Kibaki, EGH,	-	Interim Chairman of Democratic Party of Kenya (D.P.) Former

MINUTE NO. 3: PREPARATION OF DOCUMENTS RELEVANT TO COMMITTEE'S WORK

The Clerk undertook to provide documents relevant to the Committee's work at the next meeting.

It was agreed that the mode of operations would be discussed during the next meeting.

MINUTE NO. 4 ADJOURNMENT

The Committee adjourned until next week at a date to be announced.

MINUTES OF THE SECOND SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON TUESDAY MAY 19, 1992, AT THIRTY MINUTES PAST TWO O'CLOCK

PRESENT:

The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Francis B. Jalang'o, M.P.
The Hon. Agnes M. Ndetei, M.P.
The Hon. Muruthi Murithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Zedekiah M. Magara, M.P.

APOLOGY:

Apology for absence was received from:

The Hon. Peter P. Ang'elei, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. Japhet .K. Masya - Clerk of the National Assembly
Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.5:

CONFIRMATION OF MINUTES

The Minutes of the First Sitting held on Thursday, May 14, 1992, were confirmed and signed by the Chairman.

MINUTE NO.6:

MATTERS ARISING

The Hon. Francis B. Jalang'o explained that his absence at the first sitting was due to his not having received notice of the Sitting in time.

MINUTE NO. 7 TERMS OF REFERENCE

1. **Name of the Committee**

Parliamentary Select Committee to Investigate Ethnic Clashes in Western and Other Parts of Kenya.

2. **Definition of the Clashes to be Investigated**

All clashes involving one, two or more groups of people that have conflicts of ethnic nature.

3. **The Time Span**

All Ethnic Clashes as from September, 1991 to date.

4. **The Location of Clashes to be Investigated**

Trans-Nzoia, Bungoma, Uasin-Gishu, Kakamega, Nandi, Kisumu, Kericho, Nakuru, Kisii, Nyamira, Narok, Isiolo, Marsabit, Garissa, Tana River Districts.

5. **Modalities of the Work of the Committee**

(a) **Nature of Committee's Work**

- the Committee shall be parliamentary, investigative, fact-finding;
- all proceedings of the Committee to be confidential and in line with cap 6;
- all proceedings of the Committee to be on tape

(b) **Potential Witnesses**

(i) - The Hon. the Attorney-General;

(ii) - Members of Parliament from the affected areas; and other Members;

(iii) - Provincial Commissioners from Western, Nyanza, Rift Valley, Eastern, North-Eastern, Coast, Central and Nairobi - to appear individually;

(iv) - Commissioner of Police;

(v) - The Permanent Secretary in the Office of the President, in charge of Internal Security and Provincial Administration;

(vi) - The Permanent Secretary, Secretary to the Cabinet and Head of Public service;

(vii) - Members of the public from the affected areas; and other affected persons;

(viii) - Organized groups/ religious/ interested groups

- National Council of Churches of Kenya
- Catholic secretariat
- Political Parties (only those registered)
- Kenya National Union of Teachers
- Central Organization of Trade Unions
- Law Society of Kenya
- International Commission of Jurists (K)
- Newspapers/Magazines

(ix) - Any other organizations/persons with information that could assist the Committee

MINUTE NO. 8: **ADJOURNMENT**

The Committee adjourned at fifty minutes past Five O'clock until tomorrow, Wednesday May 20, 1992 at thirty minutes past Nine O'clock..

MINUTES OF THE THIRD SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON WEDNESDAY MAY 20, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Agnes M. Ndetei, M.P.
The Hon. Muruthi Murithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. George K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. Japhet .K. Masya -	Clerk of the National Assembly
Mr. S.W. Ndindiri -	Deputy Clerk
Mr. Murumba Werunga -	Principal Clerk Assistant

MINUTE NO.9: CONFIRMATION OF MINUTES

The Minutes of the Second Sitting held on Tuesday, May 19, 1992, were confirmed and signed by the Chairman.

MINUTE NO.10: MATTERS ARISING

1. The name of the Hon. George K. Parsaoti, M.P. was amended to read the Hon. Godfrey K. Parsaoti, M.P.

2. It was noted that some of the information carried in the media regarding yesterday's deliberations of the Committee was not correct. The Committee resolved that all future contracts with

media be through the Chairman.

3. **The Time Span**

All Ethnic Clashes as from September, 1991.

4. **The Location of Clashes to be Investigated**

Trans-Nzoia, Bungoma, Uasin-Gishu, Kakamega, Nandi, Kisumu, Kericho, Nakuru, Kisii, Nyamira, Narok, Isiolo, Marsabit, Garissa, Tana River, West Pokot, Elgeyo-Marakwet, and Turkana Districts.

5. **Modalities of the Work of the Committee**

(a) **Nature of Committee's Work**

- the Committee shall be parliamentary, investigative, fact-finding;
- all proceedings of the Committee to be confidential and in line with cap 6;
- all proceedings of the Committee to be on tape

(b) **Potential Witnesses**

(i) - The Hon. the Attorney-General;

(ii) - Members of Parliament from the affected areas; and other Members;

(iii) - Provincial Commissioners from Western, Nyanza, Rift Valley, Eastern, North-Eastern, Coast, Central and Nairobi - to appear individually;

(iv) - Commissioner of Police;

(v) - The Permanent Secretary in the Office of the President, in charge of Internal Security and Provincial Administration;

(vi) - Organized groups/ religious/ interested groups

- National Council of Churches of Kenya

- Catholic secretariat
- Political Parties (only those registered)
- Kenya National Union of Teachers
- Central Organization of Trade Unions
- Law Society of Kenya
- International Commission of Jurists (K)
- Newspapers/Magazines

(vii) - Members of the public from the affected areas; and other affected persons;

(ix) - Any other organizations/persons with information that could assist the Committee

(viii) - The Permanent Secretary, Secretary to the Cabinet and Head of Public service;

MINUTE NO. 11: **NOTICE TO THE GENERAL PUBLIC**

The Committee agreed on a written format of a Notice to the General Public informing the public about its work and how they may participate in person and by written submissions. The following is the full text of the notice:-

NOTICE TO THE GENERAL PUBLIC

PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA

On Wednesday 29th April 1992, Parliament passed the following Resolution:-

THAT, while appreciating the Government's efforts to stop tribal clashes in Western and other parts of Kenya, and in view of the continued fighting in the region despite these efforts, and considering the repercussions this has on our Government locally and internationally; this House resolves to appoint a Select Committee to probe the root causes of the fighting and to make recommendations with a view to averting such incidents in future.

Members of the Committee are:-

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. P.P.L. Angelei, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. J. Muruthi Mureithi, M.P.
The Hon. F.T. Lagat, M.P.
The Hon. Mrs. Agnes M. Ndetei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed S. Aden, M.P.
The Hon. G.K. Parsaoti, M.P.
The Hon. J.J. Falana, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike Ndombi, M.P.

The Committee has already started its work. The Committee will hear evidence in Nairobi and will also visit affected areas on dates to be notified later. After collecting their evidence, the Committee will present their Report and recommendations to the House.

All members of the public, church organizations, public and private bodies, trade unions, professional bodies, lobby groups, or affected persons, who:-

(i) may have in their possession any evidence which may be useful to the Committee; and

(ii) may have any information which could assist the Committee in its investigations;
may immediately write or contact:-

The Secretary,
Parliamentary Select Committee on Ethnic Clashes,
National Assembly,
Parliament Buildings,
P.O. Box 41842,
Telephone No.221291, Ext. 32017 or 32029
NAIROBI

Those willing to appear before the Committee may make appointments by contacting the Secretary at the above address. Evidence or information given to the Committee will be treated in the strictest confidence.

MINUTE NO:12

PROGRAMME OF SITTING

1. Potential Witnesses

- Unless precluded by some other circumstances and reasons, Members of Parliament from one affected area should appear together. The Committee agreed that opportunity be given to all Members from affected districts who may have evidence, information that could be of assistance to the Committee, pursuant to Minute No.7 (4) of May 19, 1992; to appear individually or together.

- It was consequently agreed that Members from affected areas should start appearing before the Committee tomorrow Thursday May 21, 1992. Thereafter arrangements be made for other witnesses to appear.

MINUTE NO.13

SECURITY OF MEMBERS OF THE COMMITTEE

It was agreed that:-

- Additional security arrangements could be considered on individual basis.

- Beefing up of security in Nairobi and within the precincts of Parliament Buildings is being done progressively.

- Members of the Committee, should be on guard at all times.

- All witnesses will have to leave all briefcases outside the Committee Room; in addition to gentle body searches.

- Members of the Committee will be paid Attendance Allowance, Transport Allowance and Accommodation Allowance pursuant to the National Assembly (Remuneration) Act, 1992.

- The modalities for transportation and accommodation on the visits/tours, will be worked out at a later date.

MINUTE NO. 14: ADJOURNMENT

The Committee adjourned at thirty minutes past Twelve O'clock until thirty minutes past Two O'clock, today, the Wednesday, May 20, 1992.

AFTERNOON SITTING

The Committee reconvened at thirty minutes past Two O'oclock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Francis B. Jalang'o, M.P.
The Hon. Agnes M. Ndetei, M.P.
The Hon. Muruthi Murithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. Japhet .K. Masya - Clerk of the National Assembly
Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.15: PROCEDURE ON EVIDENCE

1. The Committee will start off, by introducing the Members to persons appearing before it.

2. The Committee should strive to nurture as friendly a atmosphere as possible during the cross-examination of witnesses.

3. Witnesses will have to give full particulars - name, identity card, address, residence.

4. The Secretary to maintain a register of all witnesses, correspondence, Memoranda, et cetera.

5. The decision on whether to be sworn in or not will be made as and when the case arises. A standard format should be established.

6. Evidence and information on loss of lives and property, will have to be given with full particulars. Where mode of communication, variance in language, occur the Committee may have to engage the services of interpreters.

7. The process of serving summonses - either by an officer of the Assembly or a Police Office - the Hon. the Attorney General to clarify this matter.

8. All witnesses to be summoned in writing.

MINUTE NO. 16: **ADJOURNMENT**

The Committee adjourned at thirty minutes past Three O'clock until thirty minutes past Nine O'clock, tomorrow Thursday, May 21, 1992.

MINUTES OF THE FOURTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON THURSDAY MAY 21, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Agnes M. Ndetei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. Japhet .K. Masya - Clerk of the National Assembly
Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.17: CONFIRMATION OF MINUTES

The Minutes of the Third Sitting held on Wednesday, May 20, 1992, were confirmed and signed by the Chairman.

MINUTE NO.18: MATTERS ARISING

1. Under Minute No. 10(2) the Committee resolved that, the Chairman should issue Press Releases from time to time.

2. Under Minute No. 10(4) delete the words 'and' and 'Districts' and insert in place thereof the words 'and other parts of the

country'.

3. Under Minute No.12. the Committee was informed by the Clerk of the National Assembly that, the Hon. the Attorney General would appear before them on Tuesday, May 26, 1992 at thirty minutes past Two O'clock

MINUTE NO. 19: **EVIDENCE**

1. The Committee noted that there was some reluctance on the part of some of the Members from the affected areas to appear in Nairobi. They seem to prefer to appear in their constituencies.

2. The Committee resolved that, the Secretary of the Committee should start contacting the potential witnesses in categories (iii), (iv) and (vi) as per Minute No.10(5) (b) of Wednesday May 20, 1992; and make arrangements for them to start appearing between May 25 to 29, 1992.

3. The Committee resolved that the Secretary of the Committee should obtain the full text of the statement issued yesterday by the Permanent Secretary,Secretary to the Cabinet and Head of Public Service, Prof. Philip M. Mbithi, regarding the ethnic clashes; and be kept in the records of the Committee.

MINUTE NO.20: **MODE OF OPERATION**

The Committee resolved that all information regarding dates and places of meetings in the affected areas will be communicated to the public through the Provincial Adminstration, the radio and the press.

MINUTE NO.21: **MEMORANDA/LETTERS**

The Secretary of the Committee distributed to each Member copies of the five memoranda/letters received from members of the public.

MINUTE NO.22: **ADJOURNMENT**

The Committee adjourned at thirty minutes past Twelve O'clock until thirty minutes past Two O'clock, to-day Thursday May 21, 1992.

AFTERNOON SITTING

The Committee reconvened at thirty minutes past Two O'oclock.

PRESENT:

The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Agnes M. Ndetei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY:

Apology for absence was received from:

The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. Japhet .K. Masya -	Clerk of the National Assembly
Mr. S.W. Ndindiri -	Deputy Clerk
Mr. Murumba Werunga -	Principal Clerk Assistant

MINUTE NO.23:

EVIDENCE

WITNESS NO. ONE

The Hon. Wilberforce arap Kisiero, M.P., Member for Mount Elgon Constituency in Bungoma District of Western Province and an Assistant Minister for Water Development, appeared before the Committee in response to summons issued by the Committee.

Prior to giving his evidence, Hon. arap Kisiero, swore to an Oath before the Committee administered by the Secretary of the Committee.

The Evidence given by the Hon. arap Kisiero, related to the recent Ethnic Clashes in the Bungoma district of Western Province, pitting the Sabaot against the Bukusu.

Documents and Papers Supplied

Hon. arap Kisiero, supplied the Committee with the following documents:-

(i) a copy of an anonymous, undated, unsigned leaflet informing Sabaots to prepare to leave Trans-Nzoia district by a certain date; believed to have emanated from Luhya inhabitants of the same area.

(ii) a copy of the official Gazette Notice No.5098 dated December 31 1963, establishing a Commission of Inquiry to inquire into the long standing dispute between the Bukusu and Walagu (Sabaot). The notice include the names of Members and terms of reference for the Commission.

Hon. arap Kisiero will supply additional documents and information to the Committee.

MINUTE NO. 24: **ADJOURNMENT**

The Committee adjourned at fifty-two minutes past Five O'clock until tomorrow Friday, May 22, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE FIFTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON FRIDAY MAY 22ND, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Agnes M. Ndetei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. Japhet .K. Masya -	Clerk of the National Assembly
Mr. S.W. Ndindiri -	Deputy Clerk
Mr. Murumba Werunga -	Principal Clerk Assistant

MINUTE NO.25: CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Fourth Sitting held on Thursday May 21, 1992, was deferred to another day.

MINUTE NO.26: EVIDENCE

WITNESS NO.TWO

Mr. Mohamed Malicha Galgallo, Vice Chairman of K.A.NU. Marsabit Branch and former Member of Parliament for Moyale; appeared before the Committee on his own volition in response to the Public Notice published in the press by the Committee.

Prior to giving evidence, Mr. Galgallo swore to an Oath before

the Committee, administered by the Secretary of the Committee.

The evidence given by Mr. Galgallo, related to the perennial Ethnic Clashes in Marsabit district and generally in the North Eastern Province, pitting the Oromo speaking people (Boran, Gabra, and Oroma) against the Somali.

MINUTE NO.27: **ADJOURNMENT**

The Committee adjourned at fifth-two minutes past Twelve O'clock until Monday, May 25, 1992.

MINUTES OF THE SIXTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON MONDAY MAY 25TH, 1992, AT THIRTY MINUTES PAST TWO O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Zedekiah M. Magara, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.28: CONFIRMATION OF MINUTES

The Minutes of the Fourth and Fifth Sittings held respectively on Thursday May 21, and Friday May 22, 1992, were confirmed and signed by the Chairman.

MINUTE NO.29: MATTERS ARISING

1. Under Minute No. 18 (1) the Committee re-emphasised that the release of information regarding its proceedings be only done by the Chairman.

2. Under Minute No. 19(1) the Committee resolved that the Secretary of the Committee should request in writing all Members from the affected areas to appear before the Committee soon after the House reconvenes from Easter Recess on June 02, 1992.

3. Under Minute No. 19(2), the Secretary of the Committee informed Members that all Provincial Commissioners have been requested in writing to appear before the Committee within this week.

4. Under Minute 19 (3) the Secretary of the Committee informed the Committee that he has received copies of the full text of the statement issued by the Permanent Secretary, Secretary to the Cabinet and Head of Public Service on May 20, 1992.

MINUTE NO.30 **WITNESSES**

1. The Committee resolved that persons mentioned in the letters and memoranda received from wananchi by the Committee should be summoned to appear before the Committee.

2. The Committee further resolved that the following persons be summoned to appear before the Committee on June 2, 1992 at 10.00 a.m. and July 03, 1992 at 10.00 a.m.

viz: Mr. Koech - Democratic Party
Mr. Mwai Kibaki - Democratic Party
Mr. Oginga Odinga - FORD
Mr. Oloo Aringo - FORD
Mr. Johnstone Makau - SDP

MINUTE NO.31 **EVIDENCE**

WITNESS NO. THREE

Dr. Namwah Bwosiemo Magara, a private medical practitioner in Nairobi; who hails from Kisii district, appeared before the Committee on his own volition in response to the Public Notice published in the Press by the Committee.

Prior to giving evidence, Dr. Magara swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence given by Dr. Magara, related to the recent ethnic clashes in Kisii district and generally in Kenya.

MINUTE NO.32: ADJOURNMENT

The Committee adjourned at fourty-six minutes past Five O'clock, until tomorrow, Tuesday, May 26, 1992, at thirty minutes past Nine O'clock.

MINUTES OF THE SEVENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON TUESDAY MAY 26TH, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Muruthi Mureithi, M.P.
The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.33: CONFIRMATION OF MINUTES

The Minutes of the Sixth Sittings held on Monday, May 25, 1992 were confirmed and signed by the Chairman.

MINUTE NO.34: MATTERS ARISING

1. The name of Hon. Francis T. Lagat, M.P. was included among those present at the Sixth Sitting.

2. The names of Hons. Muruthi Mureithi, M.P. and Peter P.L. Ang'elei, M.P. were included among those absent with apology, at the Sixth Sitting.

MINUTE NO. 35 PROGRAMME OF TOURS TO THE AFFECTED AREAS

The Committee adopted the following Programme of Tours to the Affected areas.

PROPOSED TOUR PROGRAMME OF THE AREAS AFFECTED BY ETHNIC CLASHES

JUNE, 1992 - DAY AND DATE OF TOUR

	MON	TUE	WED	THUR	FRID	SAT
NAKURU					5	6
TRANS-NZOIA	8	9				
BUNGOMA			10	11		
KAKAMEGA					12	
UASIN GISHU						13
NANDI	15	16				
KISUMU			17	18		
KERICHO					19	20
KISII	22					
NAROK			24			
NYAMIRA		23				

MINUTE NO.36 EVIDENCE

The Hon. K.N.K arap Biwott EGH, M.P., Member for Kerio South Constituency in the Elgeyo-Marakwet district of Rift Valley Province, appeared before the Committee on his own volition in response to a Public Notice issued by the Committee in the Press.

Prior to giving evidence, Hon. arap Biwott, swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence given by the Hon. arap Biwott, related to the recent Ethnic Clashes in the country and in particular rebutted allegations that he had/or there existed a private army with which he was connected.

MINUTE NO.37: **ADJOURNMENT**

The Committee adjourned at four minutes past Twelve O'clock, until thirty minutes past Two O'clock; to-day Tuesday, May 26, 1992.

AFTERNOON SITTING

The Committee reconvened at thirty minutes past Two O'oclock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:

The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: **NATIONAL ASSEMBLY**

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.38: STUDY OF MEMORANDA/LETTERS

The Committee made a study of the memoranda/letters so far received from the Public. The Secretary of the Committee kept notes on each.

MINUTE NO.39: ADJOURNMENT

The Committee adjourned at fifty-five minutes past Five O'clock, until tomorrow, Wednesday, May 27, 1992, at thirty minutes past Nine O'clock.

MINUTES OF THE EIGHTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON WEDNESDAY MAY 27TH, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Francis Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.40: CONFIRMATION OF MINUTES

The Minutes of the Seventh Sitting held on Wednesday, May 26 1992, were confirmed and signed by the Chairman.

MINUTE NO.41: EVIDENCE

WITNESS NO. FIVE

Mr. Benjamin Kipkoech Kipkulei, Permanent Secretary in the Ministry of Education, who hails from Baringo District of Rift Valley Province, appeared before the Committee on his own volition in response to the Public Notice published in the Press

by the Committee.

Prior to giving evidence, Mr. Kipkulei swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence given by Mr. Kipkulei, related to the recent Ethic Clashes in Nakuru district and generally in Kenya.

MINUTE NO.42: **ADJOURNMENT**

The Committee adjourned at ten minutes past one O'clock until thirty minutes past Two O'clock, to-day Wednesday, may 27, 1992.

AFTERNOON SITTING

The Committee reconvened at thirty minutes past Two O'clock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:

The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.43: **EVIDENCE**

WITNESS NO. SIX

Mr. Francis Lekolool, Provincial Commissioner, Western Province, appeared before the Committee in response to summons issued by the Committee.

Prior to giving evidence, Mr. Lekolool, swore to an Oath before the Committee administered by the Secretary of the Committee.

The evidence given by Mr. Lekolool, related to the recent Ethnic Clashes in Western Province.

MINUTE NO.44 **WITNESS NO. SEVEN**

The Sabaot Elites and Youths in Nairobi, represented by Messrs. Isaac Chemobo Cherotich (representing the Elites); Fred Kabondi Chesebe (Chairman of University students) and Maurice Chemwotei (a student at Nairobi University) appeared before the Committee on their own volition, in response to Public Notice published in the Press by the Committee.

Prior to giving their evidence, the trio, swore to an Oath before the Committee administered by the Secretary of the Committee.

The evidence given by the Sabaot Elites and Youths related to the recent Ethnic Clashes in the Mt. Elgon Sub-district of Bungoma district of Western Province and Saboti division of Trans-Nzoia district of Rift Valley Province, pitting the Sabaots against the Bukusu.

MINUTE NO.45: **ADJOURNMENT**

The Committee adjourned at thirty-five minutes past Six O'clock, until tomorrow, Thursday, May 28 1992, at thirty minutes past Nine O'clock.

KENYA NATIONAL ASSEMBLY
LIBRARY
MAIN BUILDING

MINUTES OF THE NINTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON THURSDAY MAY 28TH, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.46: CONFIRMATION OF MINUTES

The Minutes of the Eighth Sitting held on Wednesday, May 27 1992, were confirmed and signed by the Chairman; with an amendment to include the name Hon. Bob F. Jalang'o among those present at the Afternoon Sitting.

MINUTE NO.47: EVIDENCE

WITNESS NO. EIGHT

Mr.Anthony Oyier, E.B.S., Provincial Commissioner, Eastern Province, appeared before the Committee in response to summons issued by the Committee.

Prior to giving evidence, Mr. Oyier swore to an Oath before the Committee administered by the Secretary of the Committee.

The evidence given by Mr. Oyier, related to the recent Ethnic

Clashes in Eastern Province.

MINUTE NO.48: **EVIDENCE**

WITNESS NO. NINE

Dr. the Hon. Noah M. Wekesa, M.P., Member for Kwanza Constituency in Trans-Nzoia district of Rift Valley Province, appeared before the Committee in response to summons issued by the Committee.

The evidence given by Dr. Wekesa related to the recent Ethnic Clashes particulary in his constituency, Trans-Nzoia district and Western Kenya in general.

DOCUMENTS/INFORMATION TO BE SUPPLIED

Dr. the Hon. N.M. Wekesa will supply the following to the Committee:-

- list of persons displaced in the course of clashes;
- list of persons killed and in some cases where the death occurred, in the course of clashes;
- list of persons displaced and in Relief Camps;
- some of the leaflets that were circulated in the course of clashes.

MINUTE NO.49: **ADJOURNMENT**

The Committee adjourned at ten minutes past one O'clock until thirty minutes past Two O'clock, to-day Thursday, May 28, 1992.

AFTERNOON SITTING

The Committee reconvened at thirty minutes past Two O'clock.

PRESENT:

The following Members were present:

The Hon. Joseph K. Kiliku, M.P. Chairman
The Hon. Bahati M. Semo, M.P.

The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: **NATIONAL ASSEMBLY**

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.50: **EVIDENCE**

WITNESS NO.TEN

The Hon. S. Amos Wako, Attorney-General, appeared before the Committee, in response to a request made by the Committee.

Prior to giving evidence, Hon. Wako, swore to an Oath before the Committee administered by the Secretary of the Committee.

The appearance and evidence given by Mr. Wako, related to his relationship with the Committee as **'amicus curiae'** i.e. friend of the Committee; and as to any assistance he might have to give to the Committee as and when the circumstances warrant.

MINUTE NO.51: **ADJOURNMENT**

The Committee adjourned at thirty-five minutes past Six O'clock, until tomorrow, Friday, May 29 1992, at thirty minutes past Nine O'clock.

MINUTES OF THE TENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN COMMITTEE ROOM NO. 9 PARLIAMENT BUILDINGS ON FRIDAY MAY 29TH, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT:

The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY:

Apology for absence was received from:-

The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mohamed Sheikh Aden, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.52:

CONFIRMATION OF MINUTES

The Minutes of the Ninth Sitting held on Thursday, May 28 1992, were confirmed and signed by the Chairman.

MINUTE NO.53:

EVIDENCE

WITNESS NO.ELEVEN

Mr. Mohamed Yusuf Haji, E.B.S., Provincial Commissioner, Rift Valley Province, appeared before the Committee in response to summons issued by the Committee.

Prior to giving evidence, Mr. Haji swore to an Oath before the Committee administered by the Secretary of the Committee.

The evidence given by Mr. Haji, related to the recent Ethnic Clashes in Rift Valley Province.

MINUTE NO.54: EVIDENCE

WITNESS NO.TWELVE

Mr. Victor Musoga Provincial Commissioner, Central Province, appeared before the Committee in response to summons issued by the Committee.

Prior to giving evidence, Mr. Musoga, swore to an Oath before the Committtee administered by the Secretary of the Committee.

The evidence to have been given by Mr. Musoga was stood-over to another Sitting.

MINUTE NO.55: ADJOURNMENT

The Committee adjourned at thirty-five minutes past Eleven O'clock to a date to be decided upon later.

MINUTES OF THE ELEVENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KAMWAURA MARKET AND KERISOI HEALTH CENTRE, MOLO DIVISION, NAKURU DISTRICT ON FRIDAY JUNE 05, 1992 AT TEN O'CLOCK

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk

Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.56: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Tenth Sitting held on Friday, May 29 1992, was deferred to another day.

MINUTE NO.57: TOUR OF MOLO AND OLENGURUENE DIVISIONS IN NAKURU DISTRICT

1. The Committee paid a courtesy call on the District Commissioner, Mr. Ishmael K. Chelang'a at the Nakuru district headquarters at 8.00 a.m. The District Commissioner was accompanied by all heads of departments in the district.

2. The Committee, then commenced a tour of Molo division starting with the Kamwaura area - 10.00 a.m. to 4.00 p.m.; and

MINUTES OF THE ELEVENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KAMWAURA MARKET AND KERISOI HEALTH CENTRE, MOLO DIVISION, NAKURU DISTRICT ON FRIDAY JUNE 05, 1992 AT TEN O'CLOCK

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk

Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.56: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Tenth Sitting held on Friday, May 29 1992, was deferred to another day.

MINUTE NO.57: TOUR OF MOLO AND OLENGURUENE DIVISIONS IN NAKURU DISTRICT

1. The Committee paid a courtesy call on the District Commissioner, Mr. Ishmael K. Chelang'a at the Nakuru district headquarters at 8.00 a.m. The District Commissioner was accompanied by all heads of departments in the district.

2. The Committee, then commenced a tour of Molo division starting with the Kamwaura area - 10.00 a.m. to 4.00 p.m.; and

then Kerisoi area - 5.00 p.m. to 8.30 p.m.

MINUTE NO.58: EVIDENCE AT KAMWAURA MARKET

WITNESS NO.THIRTEEN

The thirteenth witness comprised the residents of Kamwaura area of Molo division in Nakuru district.

The Committee toured Kamwaura area and heard evidence, and received information from a cross section of wananchi resident in Ndoinet, Nguirubi, Sitoito, Boron, Ndeffo, Temoyetta, Getecha, Ikumbi, Chesirikwa, Mikuru, Sakaitim, Chemanel, Tebere, Keringet, **et cetera**. The residents of Kamwaura gave the evidence and information to the Committee on their own volition, in response to the Public Notice published in the Press by the Committee.

Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence and information given by the residents of Kamwaura, related to the recent Ethnic Clashes in Molo division of Nakuru district.

In addition to oral evidence and information, the witnesses handed several written memoranda to the Committee.

MINUTE NO.59: ADJOURNMENT

The Committee adjourned at four O'clock until Five O'clock, to-day, Friday, June 05, 1992, at Kerisoi.

MINUTE NO.60: EVIDENCE AT KERISOI HEALTH CENTRE

WITNESS NO. FOURTEEN

The Fourteenth witness comprised the residents of Kerisoi area of Molo division in Nakuru district.

The Committee toured Kerisoi area and heard evidence, and received information from a cross section of wananchi resident

in Tachasis, Set-Kotes, Githima, Sondu River, Kioo, Mwaragaria, Haraka, Kong'ori, Set-Kobor, **et cetera.** The residents of Kerisoi, gave the evidence and information to the Committee on their own volition, in response to the Public Notice, published in the Press by the Committee.

Prior to giving evidence and information all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

Some of the witnesses at this Sitting were stoodover to June 07, 1992 at Ten O'clock.

In addition to oral evidence and information, the witnesses handed several written memoranda to the Committee.

MINUTE NO.61: **ADJOURNMENT**

The Committee adjourned at thirty Minutes past Eight O'clock, until tomorrow, Saturday, June 06, 1992 at Ten O'clock.

MINUTES OF THE TWELVETH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT SAOSA PRIMARY SCHOOL, OLENGURUENE DIVISION NAKURU DISTRICT, ON SATURDAY, JUNE 06 1992 AT TEN O'CLOCK

PRESENT:

All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk

Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.62:

CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Eleventh Sitting held on Friday, June 05 1992, was deferred to another day.

MINUTE NO.63:

EVIDENCE AT SAOSA PRIMARY SCHOOL

WITNESS NO. FIFTEEN

The fifteenth witness comprised the residents of Olenguruene division in Nakuru district.

The Committee toured Olenguruene division and heard evidence, and received information from a cross section of wananchi resident in Chepakundi, Gorofa, Chegamba, Saosa, Nyota, Amalo, Kiptaragoi **et cetera.** The residents of

Olenguruene division gave the evidence and information to the Committee on their own volition, in response to the public Notice published in the Press by the Committee.

Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence and information given by the residents of Olenguruene division related to the recent Ethnic Clashes in Molo and Olenguruene divisions of Nakuru district.

In addition to oral evidence and information, the witnesses handed several written memoranda to the Committee; and a shield, several arrows, and a pair of warning wooden clippers.

MINUTE NO. 64: **ADJOURNMENT**

The Committee adjourned at Four O'clock, until, tomorrow Sunday, June 07, 1992, at Ten O'clock.

MINUTES OF THE THIRTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KERISOI HEALTH CENTRE, MOLO DIVISION OF NAKURU DISTRICT ON SUNDAY, JUNE 07, 1992 AT TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk

Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.65: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Twelveth Sitting, held on Saturday, June 06 1992, was deferred to another day.

MINUTE NO.66: TOUR OF MOLO DIVISION IN NAKURU DISTRICT

In view of the fact that, the Committee could not complete receiving evidence and information from the large number of residents of the Kerisoi area who had turned up to meet the Committee on June 05 1992; an unscheduled sitting was convened at Ten O'clock, on June 07, 1992 at Kerisoi Health centre, to hear views of those who could not be heard at the earlier sitting.

MINUTE NO.67: EVIDENCE AT KERISOI HEALTH CENTRE

WITNESS NO. FOURTEEN (CONT'D)

The evidence and information heard and received at this sitting was from the witnesses stoodover under Minute No. 60 of the Eleventh Sitting of Friday, June 05, 1992.

The Committee heard evidence and received information from a cross section of wananchi resident in Bochere, Central Farmers, kipkena, Temoyetta, Mau Summit, Ndoinett, Mwaragania, **et cetera.**

Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the secretary of the Committee.

The evidence and information given by the residents of Kerisoi area, related to the recent Ethnic Clashes in Molo division of Nakuru district.

In addition to oral evidence and information, the witnesses handed several written memoranda to the Committee.

MINUTE NO. 68: ADJOURNMENT

The Committee adjourned at Two O'clock, until, tomorrow Monday, June 08, 1992, at Ten O'clock.

MINUTE NO.67: EVIDENCE AT KERISOI HEALTH CENTRE

WITNESS NO. FOURTEEN (CONT'D)

The evidence and information heard and received at this sitting was from the witnesses stoodover under Minute No. 60 of the Eleventh Sitting of Friday, June 05, 1992.

The Committee heard evidence and received information from a cross section of wananchi resident in Bochere, Central Farmers, kipkena, Temoyetta, Mau Summit, Ndoinett, Mwaragania, **et cetera.**

Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the secretary of the Committee.

The evidence and information given by the residents of Kerisoi area, related to the recent Ethnic Clashes in Molo division of Nakuru district.

In addition to oral evidence and information, the witnesses handed several written memoranda to the Committee.

MINUTE NO. 68: ADJOURNMENT

The Committee adjourned at Two O'clock, until, tomorrow Monday, June 08, 1992, at Ten O'clock.

MINUTES OF THE FOURTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KITALE MUNICIPAL HALL, KITALE, TRANS-NZOIA DISTRICT, ON MONDAY, JUNE 08, 1992 AT TEN O'CLOCK

PRESENT:

All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.69: **CONFIRMATION OF MINUTES**

The Confirmation of the Minutes of the Thirteenth Sitting, held on Sunday, June 07, 1992, was deferred to another day.

MINUTE NO.70: **TOUR OF TRANS-NZOIA DISTRICT**

1. The Committee paid a courtesy call on the District Commissioner, Mr. Wilfred K. Ndolo, at the Trans-Nzoia district headquarters at Nine O'clock. The District Commissioner was accompanied by all heads of departments in the district.

2. The Committee then commenced a tour of Kwanza division, prior to holding a sitting at the Kitale Municipal Town Hall at Ten O'clock.

3. The District Commissioner handed a list with information on the recent Ethnic Clashes in the district, to the Committee.

MINUTE NO.71: EVIDENCE AT KITALE MUNICIPAL HALL
WITNESS NO. SIXTEEN

The sixteenth witness comprised the residents of the Kwanza and Cherangani divisions of Trans-Nzoia district.

The Committee made a tour of areas affected by the recent Ethnic Clashes in Kwanza division; then received evidence and information from a cross section of wananchi, resident in the Kwanza and Cherangani divisions of Trans-Nzoia district. The Committee also received evidence and information from the Interim Officials of the Forum for Restoration of Democracy - FORD and the Democratic Party, in Trans-Nzoia district. The residents of Kwanza and Cherangani divisions, and the Interim Officials of the two opposition parties gave the evidence and information to the Committee on their own volition, in response to the Public Notice published in the Press by the Committee.

- Prior to giving evidence, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Kwanza and Cherangani divisions, and Interim officials of the Opposition parities related to the recent Ethnic Clashes in Trans-Nzoia district.

- The witnesses handed several memoranda to the Committee.

MINUTE NO. 69: ADJOURNMENT

The Committee adjourned at Thirty Minutes past Five O'clock, until, tomorrow Tuesday, June 09, 1992, at Ten O'clock.

MINUTES OF THE FOURTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KITALE MUNICIPAL HALL, KITALE, TRANS-NZOIA DISTRICT, ON MONDAY, JUNE 08, 1992 AT TEN O'CLOCK

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.69: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Thirteenth Sitting, held on Sunday, June 07, 1992, was deferred to another day.

MINUTE NO.70: TOUR OF TRANS-NZOIA DISTRICT

1. The Committee paid a courtesy call on the District Commissioner, Mr. Wilfred K. Ndolo, at the Trans-Nzoia district headquarters at Nine O'clock. The District Commissioner was accompanied by all heads of departments in the district.

2. The Committee then commenced a tour of Kwanza division, prior to holding a sitting at the Kitale Municipal Town Hall at Ten O'clock.

3. The District Commissioner handed a list with information on the recent Ethnic Clashes in the district, to the Committee.

MINUTE NO.71: EVIDENCE AT KITALE MUNICIPAL HALL
WITNESS NO. SIXTEEN

The sixteenth witness comprised the residents of the Kwanza and Cherangani divisions of Trans-Nzoia district.

The Committee made a tour of areas affected by the recent Ethnic Clashes in Kwanza division; then received evidence and information from a cross section of wananchi, resident in the Kwanza and Cherangani divisions of Trans-Nzoia district. The Committee also received evidence and information from the Interim Officials of the Forum for Restoration of Democracy - FORD and the Democratic Party, in Trans-Nzoia district. The residents of Kwanza and Cherangani divisions, and the Interim Officials of the two opposition parties gave the evidence and information to the Committee on their own volition, in response to the Public Notice published in the Press by the Committee.

- Prior to giving evidence, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence and information given by the residents of Kwanza and Cherangani divisions, and Interim officials of the Opposition parities related to the recent Ethnic Clashes in Trans-Nzoia district.

- The witnesses handed several memoranda to the Committee.

MINUTE NO. 72: <u>ADJOURNMENT</u>

The Committee adjourned at Thirty Minutes past Five O'clock, until, tomorrow Tuesday, June 09, 1992, at Ten O'clock.

MINUTES OF THE FIFTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT SABOT PRIMARY SCHOOL, SABOTI DIVISION, TRANS-NZOIA DISTRICT ON TUESDAY, JUNE 09, 1992 AT TEN O'CLOCK

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.73: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Fourteenth Sitting, held on Monday, June 08, 1992, was deferred to another day.

MINUTE NO.74: EVIDENCE AT SABOTI PRIMARY SCHOOL

WITNESS NO. SEVENTEEN

- The seventeen witness comprised the residents of the Saboti division of Trans-Nzoia district and a group of the Bong'omek who having been displaced from their residence in Kanduyi division of Bungoma district, that are camping at Saboti.

- The Committee toured areas affected by the recent Ethnic Clashes in Saboti division; then received evidence and information from a cross section of wananchi, resident in Saboti division and the Bong'omek group displaced from Kanduyi division. The residents of Saboti division and the Bong'omek group of Kanduyi division, gave evidence and information to the Committee on their own volition, in response to the Public Notice published in the Press by the Committee.

- Prior to giving evidence and information, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Saboti division related to the recent Ethnic Clashes in Trans-Nzoia district.

- In addition to oral evidence and information, the witnesses handed to the Committee several written memoranda.

MINUTE NO. 75: **ADJOURNMENT**

The Committee adjourned at forty minutes past Five O'clock, until, tomorrow Wednesday, June 10, 1992, at Ten O'clock.

MINUTES OF THE SIXTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KAPSAKWONY NATIONAL CEREAL AND PRODUCE BOARD STORE, MT. ELGON SUB-DISTRICT, BUNGOMA DISTRICT, ON WEDNESDAY, JUNE 10, 1992

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.76: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Fifteenth Sitting, held on Tuesday, June 09, 1992, was deferred to another day.

MINUTE NO.77: TOUR OF BUNGOMA DISTRICT

1. The Committee was received by the District Commissioner Mr. Kibiti Rintari, at the headquarters of the Mt. Elgon Sub-district, in Kapsakwony, at Eleven O'clock.

   The District Commissioner was accompanied by the District Officer for Mt. Elgon Sub-district.

2. The Committee then commenced a tour of Mt. Elgon Sub-district, prior to holding a sitting at the Kapsakwony National Cereals and Produce Board Store, at Twelve O'clock.

MINUTE NO.78: **EVIDENCE AT KAPSAKWONY NATIONAL CEREALS AND PRODUCE BOARD STORE**

- The eighteenth witness comprised the residents of the Mt. Elgon Sub-district of Bungoma district.

- The Committee toured the areas affected by the recent Ethnic Clashes in Mt. Elgon Sub-district; then received evidence and information from a cross section of wananchi, resident of Mt. Elgon Sub-district. The residents of Mt. Elgon Sub-district gave evidence and information to the Committee on their volition, in response to the Public Notice published in the Press by the Committee.

- Prior to giving evidence and information, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Mt. Elgon Sub-district, related to the recent Ethnic Clashes in Bungoma district.

- The witnesses handed several arrows and a bow to the Committee.

MINUTE NO. 79: **ADJOURNMENT**

The Committee adjourned at Forty-seven minutes past Four O'clock, until, tomorrow Thursday, June 11 1992.

MINUTES OF THE SEVENTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KUNDAN CONSTRUCTION SITE, KIMILILI, KIMILILI, DIVISION, BUNGOMA DISTRICT, ON THURSDAY, JUNE 11, 1992 AT THIRTY MINUTES PAST ELEVEN O'CLOCK

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.80: CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Sixteenth Sitting, held on Wednesday, June 10, 1992, was deferred to another day.

MINUTE NO.81: COURTESY CALL ON DISTRICT COMMISSIONER

The Committee paid a courtesy call on the District Commissioner, Mr. Kibiti Rintari at the Bungoma district headquarters at Ten O'clock. The District Commissioner was accompanied by all heads of departments in the district. After the Courtesy call the Committee proceeded to Chewele Friends Church in Serisia division.

MINUTE NO.82: EVIDENCE AT KIMILILI

The nineteenth witness comprised the residents of the Cheptais, Sirisia and Kimilili divisions of Bungoma district.

- The Committee visited the Twelve Friends Church, where persons displaced by the recent Ethnic Clashes in the Chaptais, Sirisia and Kimilili divisions have camped.

- Thereafter the Committee proceeded to Kundan Construction Site at Kimilili, where they received evidence and information from a cross section of wananchi, resident in the Cheptais, Sirisia and Kimilili divisions; and Mt. Elgon Sub-district, of Bungoma district. The residents of the three divisions and the Sub-district gave evidence and information to the Committee on their own volition, in response to the Public Notice published in the Press by the Committee.

- Prior to giving evidence and information, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of the three divisions and the Sub-district related to the recent Ethnic Clashes in Bungoma district.

- The witness handed several arrows and two bows to the Committee.

- The witnesses handed several arrows and a bow to the Committee.

MINUTE NO. 83: ADJOURNMENT

The Committee adjourned at eight minutes past Six O'clock, until, tomorrow Friday, June 12, 1992.

MINUTES OF THE EIGHTEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KAKAMEGA COUNTY COUNCIL HALL KAKAMEGA DISTRICT, ON FRIDAY JUNE 12, 1992 AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.84 CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Seventeenth Sitting, held on Thursday, June 11, 1992, was deferred to another day.

MINUTE NO.85: TOUR OF KAKAMEGA DISTRICT

1. The Committee paid a courtesy call on the District Commissioner, Mr. Andrew A.O. Mondoh at the District headquarters at thirty minutes past eight O'clock. The District Commissioner was accompanied by the heads of departments in the District.

2. The Committee then proceeded to Kakamega County Council Hall for a Sitting.

3. The District Commissioner handed to the Committee, a list of information relevant to the recent Ethnic Clashes in the district.

MINUTE NO.86: **EVIDENCE AT KAKAMEGA**
WITNESS NO. TWENTY

The twentieth witness comprised the residents of the Shinyalu, Hamisi, Malava and Kabras divisions of Kakamega district.

- The Committee received evidence and information from a cross section of wananchi resident in the Shinyalu, Hamisi and Malava divisions of Kakamega district. The residents of the three divisions gave evidence and information to the Committee on their own violation, in response to the Public Notice published by the Committee in the Press.

- Prior to giving evidence and information, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of the three divisions related to the recent Ethnic Clashes in the divisions.

- The witness handed some arrows and gun bullets to the Committee.

MINUTE NO. 87: **ADJOURNMENT**

The Committee adjourned at Fifteen minutes past Six O'clock, until, tomorrow Saturday, June 13, 1992.

MINUTES OF THE NINETEENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT TURBO MARKET, UASIN GISHU DISTRICT, ON SATURDAY JUNE 13, 1992 AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT:

All Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.88

CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Eighteenth Sitting, held on Friday, June 12, 1992, was deferred to another day.

MINUTE NO.88:

TOUR OF UASIN GISHU

1. The Committee was received by the District Officer, Turbo division of Uasin Gishu at divisional headquarters, Turbo market, at Nine O'clock. The District Officer was accompanied by the Chief of Turbo location.

2. The Committee then proceeded to hold a sitting in the Agricultural Finance Corporation premises.

MINUTE NO.89:

EVIDENCE AT TURBO MARKET
WITNESS NO. TWENTY-ONE

The twenty-first witness comprised, the residents of the Turbo and Soy divisions of Uasin Gishu district, and Lugari division of Kakamega district.

- The Committee received evidence and information from a cross section of wananchi, resident in the Soy and Turbo divisions and Lugari division. The residents of the three divisions gave evidence and information to the Committee on their own volition, in response to the Public Notice published by the Committee in the Press.

- Prior to giving evidence and information, the witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by residents of three divisions related to the recent Ethnic Clashes in uasin Gishu and Kakamega district.

- In addition to oral evidence and information, the witnesses handed to the Committee several memoranda.

MINUTE NO.90: EVIDENCE AT CHAGAYA CENTRE

As the sitting at Turbo Market stretched far beyond the scheduled time of interruption, the Committee decided to defer a sitting scheduled to two O'clock, at Chagaya Centre in Timboroa division of Uasin Gishu district to another day. However, it was agreed that the Chairman would in person convey the Committee's apologies to the residents of Timboroa division, for any inconvenience caused due to the cancellation of the sitting.

MINUTE NO. 92: ADJOURNMENT

The Committee adjourned at Forty-one minutes past Four O'clock, until, Three O'clock on Thursday, June 18, 1992.

MINUTES OF THE TWENTIETH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KITALE MUNICIPAL HALL, KITALE, TRANS-NZOIA DISTRICT, ON THURSDAY JUNE 18, 1992 AT THIRTY MINUTES PAST THREE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.93 CONFIRMATION OF MINUTES

The Confirmation of the Minutes of the Nineteenth Sitting, held on Saturday, June 13, 1992, was deferred to another day.

MINUTE NO.94: PROGRAMME OF SECOND LEG OF TOUR TO THE AFFECTED AREAS

The Committee reviewed the progress so far made of its work and resolved that:-

1. The Sittings scheduled for week beginning June 29, 1992, be deffered to some future date.

2. The second leg of the Tours to the areas affected by the recent Ethnic Clashes, would commence on June 29, 1992 and end on July 10, 1992.

3. The Committee would convene at thirty minutes past Two O'clock in Committee Room No.9; and that the following would appear at that Sitting:

Hon. Justice Z. R. Chesoni - Chairman Electoral Commission.

Mr. W.W. Kimalat - Permanent Secretary in the Office of the President in charge of Provincial Administration and Internal Security; Mr. Josiah Sang - Permanent Secretary for Lands, Housing and Physical Planning.

4. The Committee would depart for Nakuru soon after the Sitting.

5. The Committee would consider the best ways possible to verify claims of training and military camps in the Masai Mara, Chepkitale, Ndoinet Forest, **et cetera.**

MINUTE NO. 95: **ADJOURNMENT**

The Committee adjourned at thirty minutes past Four O'clock until thirty minutes past Two O'clock on Monday June 29, 1992

MINUTES OF THE NINETEENTH SI[illegible] THE PARLIAMENTARY
COMMITTEE TO INVESTIGATE [illegible]SHES IN WESTERN AND
PARTS OF KENYA - HELD AT [illegible] NO.9 PARLIAMENT
SATURDAY JUNE 13, 1992 AT [illegible]INUTES PAST TWO

PRESENT:

Al[illegible]

IN [illegible]

[illegible] NO.9

MINUTE[illegible]

[illegible]TION OF MINUTES

[illegible]nfirmation of the Minutes of the Twentieth Sitting, held [illegible]hursday, June 18, 1992, was deferred to another day.

PROGRAMME OF SECOND LEG OF TOUR TO THE AFFECTED AREAS

The Committee discussed the proposed Programme of the second leg of a Tour of the areas affected by the recent Ethnic Clashes, and finally agreed to operate the following programme:-

PROGRAMME OF THE TOUR OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA

2ND LEG (NANDI, UASIN GISHU, KISUMU, KISII, NYAMIRA, KERICHO, NAROK DISTRICTS

DISTRICT JULY 1992

	MON	TUE	WED	THUR	FRI	SAT
UASIN-GISHU				2		
NANDI					3	4
KISUMU	6	7				
KISII			8	9		
NYAMIRA					10	
KERICHO						11
KERICHO	13					
NAROK		14	15			

MINUTE NO. 98: EVIDENCE
WITNESS NO. TWENTY-SECOND

Mr. Josiah Kimutai arap Sang, the Permanent Secretary, Ministry of Lands and Housing, accompanied by Messrs. Wilson Gachanja, Commissioner of Lands; Frederick R.S. Onyango, Chief Land Registrar, appeared before the Committee in response to the summons issued by the Committee.

Prior to giving evidence, Mr. Sang and the other two swore to an Oath before the Committee administered by the Secretary of the Committee.

The evidence given by Mr. arap Sang related to the modalities for replacement of lost land title-deeds; especially in the wake of the recent Ethnic Clashes in which some persons might have had their title deeds lost or burned.

MINUTE NO.99: ADJOURNMENT

The Committee adjourned at Five Four O'clock until tomorrow, Tuesday, June 30, 1992, at thirty minutes past Nine O'clock.

MINUTES OF THE TWENTY-SECOND SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON TUESDAY, JUNE 30TH, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.100: CONFIRMATION OF MINUTES

The Minutes of the Tenth, Eleventh, Twelveth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth and Twenty First Sittings held on Friday May 29, Friday June 05, Saturday June 06, Sunday June 07, Monday June 08, Tuesday June 09, Wednesday June 10, Thursday June 11, Friday June 12, Saturday June 13, Thursday June 18 and Monday June 29, 1992, were confirmed and signed by the Chairman.

MINUTE NO.101: MATTERS ARISING

1. With reference to the Minutes of the Tenth Sitting of Friday May 29, 1992, it was noted that, under Minutes Nos. 53 - Mr. Haji be reminded about the information he was to supply to the

Committee; - 54 - the reappearance of Mr. Musoga and any other witnesses be rescheduled to appear after the Committee has completed the tour of the areas affected by the recent Ethnic Clashes.

2. With reference to the Minutes of the Eleventh Sitting of Friday June 05, 1992, it was resolved that, under Minute Nos:-

57 - Substitute the word "some" for the word "all" in the second sentence;

58 - Delete the words, **"et cetera"**, in the second sentence.

3. With reference to the Minutes of the Twelveth Sitting of Saturday, June 06, 1992, it was resolved that, under Minutes Nos:-

63 - Delete the words **"et cetera"**, in the fourth sentence of the second paragraph;

- the last sentence be reworded to read this:-

"In addition to oral evidence and information, the witnesses handed to the Committee, several written memoranda, a wooden shield, several arrows and a pair of warning clippers".

4. With reference to the Minutes of the Thirteenth Sitting of Sunday June 07, 1992, it was resolved that, under Minutes No. :-

67 - Delete the words **"et cetera"**, at the end of the second paragraph.

5. With reference to the Minutes of the Fourteenth Sitting of Monday, June 08, 1992, it was resolved that, under Minutes Nos:-

70 - substitute the word "some" for the word "all" in 70(1);

71 - after the words "Trans-Nzoia district", in the second paragraph delete the full stop and insert the following words:-

"represented by:-

(a) the Sabaot group of nine, drawn from Kwanza division;

(b) the Abaluhyia group of nine, drawn from Kwanza division;

(c) the Abaluhyia group of three, drawn from Cherangani division;

(d) the Kalenjin group of five, drawn from Cherangani division;

(e) The Kalenjin group of three, drawn from Cherangani division (Sinyerere location)

(f) the Kalenjin group of three, drawn from Cherangani division (Kaplamai location)

(g) the Interim Trans-Nzoia District Committees of FORD and DP comprising respectively three and one official; and

(h) one individual"; and

69 - be renumbered as No.72.

6. With reference to the Minutes of the Fifteenth Sitting of Tuesday June 09, 1992, it was resolved that, under Minutes Nos:-

74 - Delete all references to the Bong'omek as having been displaced from Kandunyi division of Bungoma District and camping at Saboti; and only refer to them as 'Bongomek from Kandunyi division of Bungoma district;

- in the second paragraph, after the words, "Saboti division", in the fifth line, insert the following words; "represented by:-

(a) the Abalulyia/Kikuyu group of eleven, drawn from Saboti division;

(b) the Sabaoti group of ten, drawn from Saboti divisions;

(c) the Teso group of ten drawn from Saboti division;

(f) the Sabaoti group of four, drawn from Sabot: division (Sukwo Farm); and

(g) the Bong'omek group of ten drawn from Kandunyi division of Bungoma district.

7 With reference to the minutes of the Sixteenth Sitting of Wednesday, June 10, 1992, it was resolved that, under Minutes Nos:-

77 - insert the words, "areas affected by the recent Ethnic Clashes" after the word "tour", in Minute 77(2).

78 - in the Fourth line of the second paragraph, after the words, "Mt-Elgon sub-district", insert the following words:-

"represented by:-

(a) a joint clergy group of ten, drawn from, CPK, SDA, YFM and Pentecostal Churches in Mt. Elgon sub-district;

(b) a Sabaot group of sixteenth drawn from Kapsakwony division in Mt. Elgon sub-district;

(c) a Bukusu and Teso group of six drawn from Mt. Elgon sub-district (Kapsakwony location); and

(d) a Sabaot group of sixteen drawn from Cheptais division of Mt. Elgon sub-district.

8. With reference to the Minutes of the Seventeenth Sitting of Thursday, June 11, 1992, it was resolved that, under Minutes Nos:-

81 - delete the full-stop at the end of the sentence, insert a comma and then, the following words "where they met some of the victims of the recent Ethnic Clashes in Cheptais and Sirisia divisions of Bungoma District";

- insert a new paragraph below the existing one to read as follows:-

'The District Commissioner handed to the Committee, a home made gun, some bows and arrows, that had been recovered by security forces from bandits.

82 - in the sixth line of the third paragraph, after the words, "Sub-district", insert the following words:-

"represented by:-

(a) the four Elders of Kimilili division who were part of the Committee formed to reconcile the Sabaoti and the Bukusu;

(b) the twelve Teso Elders from Mt. Elgon sub-district;

(c) the Chwele location group of five;

(d) the Kapstana location group of nine;

(e) the Kapsakwony location group of twelve;

(f) the Kopsiro location group of sixteen;

(g) the three members of Bungoma district KNUT branch Executive Committee;

(h) the three members of FORD Kimilili Interim office;

(i) the Cheptais division group of four. and

- delete the second last paragraph.

9. With reference to the Minutes of the Eighteenth Sitting of Friday, June 12, 1992, it was resolved that, under Minutes Nos:-

85 - in the last line of 85(i), substitute the word "some" for the word "the"; - at the end of the last line of 85(3) delete the full-stop, insert in place therein a comma, and the following words, "and a metal non-factory made gun, some bows and arrows".

86 - delete the words, "and Kabras"; and insert the word "and"between the words "Hamisi" and Malava", in the first paragraph;

- in the fourth line of the second paragraph, after the words, 'three divisions", insert the following word:-

"represented by:-

(a) the three Elders of Kakamega district, who were part of the Committee formed to reconcile the Abalulyia and the Kalenjin;

(b) the two residents of Kurngung in Nandi district;

(c) the two members of the Meteitei farm in nandi district;

(d) the one person from Hamisi division;

(e) the five persons from Shinyalu division;

(f) the eight persons from Chepsaita Scheme of Uasin Gishu district;

(g) the three persons from Malava division (South Kabras Location) and

(h) the four councillors from Lugari division".

- substitute the words 'spent bullet cartridges" for the words "guns bullets".

10. With reference to the Minutes of the Nineteenth Sitting of Saturday, June 13, 1992, it was resolved that, under Minutes Nos:-

88 - Renumber this second Minute No.88 to read 89 and renumber the subsequent Minutes.

- delete the last sentence in 89(i);

90 - In the third line of the second paragraph, after the words "three divisions", insert the following words:-

"represented by:-

(a) the Abaluhyia/Kikuyu/Kisii group of ten;

(b) the Kalenjin group of ten;

(c) the CPK clergy group of two;

(d) the mixed group ten; and

(e) one individual.

91 - Delete the last sentence and substitute therefor the following - "The Committee visited Chagaiya Centre at Six O'clock. The Chairman in a brief address to the assembled wananchi, apologised on behalf of the Committee for keeping them waiting beyond the scheduled time for the Committee's visit. The Chairman further thanked them for their patience and promised that the Committee will reschedule the visit to a new date in the near future".

92 - Delete the words "forty-one minutes past Four" and substitute therefor the words - "twenty minutes past Six"

11. With reference to the Minutes of the Twentieth Sitting of the Thursday 10, 1992, it was noted that :-

(i) the venue of the Sitting should read, **"IN COMMITTEE ROOM NO. 9, PARLIAMENT BUILDINGS".**

(ii) in Minute No.94,

delete the words "et cetera", then add the following words, "Kiborwa Forest and Mwamba area in Turbo Location", at the end of the sentence.

MINUTE NO.102: MODE OF RECORDING MINUTES

The Committee resolved that, in all future Minutes, the citation of record of the witnesses will not include the words "Witness No....."as has been the case; instead it will be **The Committee received evidence and information from .....(number) (groups) and .....(number) individuals".**

MINUTE NO.103: ADJOURNMENT

The Committee adjourned at fifty-five minutes past Twelve O'clock until to-day Tuesday, June 30; 1992, at thirty minutes past Two O'clock.

AFTERNOON SITTING

The Committee assembled at thirty minutes past Two O'clock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.104: EVIDENCE

The Committee received evidence from Mr. Wilfred K. Kimalat, the Permanent Secretary in the Office of the President in charge of Internal Security and Provincial Administration. Mr. Kimalat was accompanied by Mr. Gitahi Wachira, Deputy Secretary.

- Mr. Kimalat, appeared before the Committee in response to summons issued by the Committee.

- Prior to giving evidence Mr. Kimalat and the other officer, swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence given by Mr. Kimalat related to the general security arrangement, Government has undertaken and continues to undertake to normalize the situation in the areas affected by the recent Ethnic Clashes.

- Mr. Kimalat will supply to the Committee, information regarding the disbursement of the Kshs.10m. set aside by Government to assist the victims of the recent Ethnic Clashes.

MINUTE NO.105: ADJOURNMENT

The Committee adjourned at Five O'clock, until tomorrow, Wednesday July 01, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE TWENTY-THIRD SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON WEDNESDAY, JULY 01, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.106: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-second Sitting held on Tuesday, June 30 1992, was deferred to another day.

MINUTE NO.107: SECOND LEG OF TOUR OF AREAS AFFECTED BY RECENT ETHNIC CLASHES

The Committee resolved that they would commence the second leg of the Tour of the areas affected by the recent Ethnic Clashes, as per the agreed programme. The Committee would depart Nairobi this afternoon.

MINUTE NO.108: ADJOURNMENT

The Committee adjourned at fifteen Minutes past Ten O'clock until tomorrow Thursday, July 02, 1992.

MINUTES OF THE TWENTY-FOURTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT CHEGAIYA CENTRE, TIMBOROA DIVISION, UASIN GISHU DISTRICT, ON THURSDAY JULY 02, 1992 AT THIRTY MINUTES PAST TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Bahati M. Semo, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.109: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-third Sitting held on Wednesday, July 01 1992, was deferred to another day.

MINUTE NO.110 TOUR OF TIMBOROA DIVISION IN UASIN GICHU DISTRICT

1. With reference to Minute No.90 of the Nineteenth Sitting of June 13, 1992, the Committee arrived at Chegaiya Centre at Ten O'clock.

2. The Committee was received by the District Officer for Timboroa division, at Chegaiya Centre.

MINUTE NO.111 EVIDENCE AT CHEGAIYA CENTRE

- Prior to receiving evidence and information from the residents of Timboroa division, the Committee visited the areas affected by the recent Ethnic Clashes; within Chegaiya sub-location;

- The Committee then, received evidence and information from a cross-section of the residents of Chegaiya, represented by:

  (a) a Kalenjin group of fourteen persons; and

  (b) a Kikuyu group of sixteen persons.

- Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee;

- the evidence and information given by the residents of Timboroa division, related to the recent Ethnic Clashes in the division; and was given on their volition in response to the Public Notice, published in the press by the Committee.

- In addition to the oral evidence and information, the witnesses handed a written memorandum to the Committee.

MINUTE NO.112 ADJOURNMENT

The Committee adjourned at two O'clock until tomorrow, Friday July 03, 1992.

MINUTES OF THE TWENTY-FIFTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT METEITEI SECONDARY SCHOOL, TINDERET DIVISION, NANDI DISTRICT ON FRIDAY JULY 03, 1992 AT THIRTY MINUTES PAST ELEVEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Wasike-Ndombi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.113: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-fourth Sitting held on Thursday, July 02 1992, was deferred to another day.

MINUTE NO.114 TOUR OF TINDERET DIVISION IN NANDI DISTRICT

The Committee arrived at Meteitei Secondary School at Eleven O'clock on the first day of the two day tour of the areas affected by the recent Ethnic Clashes, in Nandi district. The Committee was received by the District Officer, Tinderet.

MINUTE NO.115

EVIDENCE AT METEITEI SECONDARY SCHOOL

- Prior to receiving evidence and information from the residents of Tinderet division, the Committee visited the areas affected by the recent Ethnic Clashes.

- The Committee then received evidence and information from a cross-section of the residents of Tinderet division, represented by:-

(a) The seven of the thirteen current directors of Meteitei Farmers company;

(b) The Kisii/Abaluhyia group of fifteen members of Meteitei Farmers Company;

(c) The Kalenjin group of fifteen members of Taptengle farm;

(d) The Kisii/Luo/Abaluhyia group of fourteen from Kamilet, Taptengle, Sarwati, Kotnalel and Owiro farms.

- Prior to giving evidence and information all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- the evidence and information given by the residents of Tinderet division, related to the recent Ethnic Clashes in the division; and was given on their own volition in response to the Public Notice, published in the press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.116

ADJOURNMENT

The Committee adjourned at Forty-five minutes past Five o'clock until tomorrow, Saturday July 04, 1992.

MINUTES OF THE TWENTY-SIXTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KAMASAI PRIMARY SCHOOL, MOSOP, DIVISION, NANDI DISTRICT ON SATURDAY JULY 04, 1992 AT THIRTY MINUTES PAST TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Wasike-Ndombi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bahati M. Semo, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.117: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-fifth Sitting held on Friday, July 03 1992, was deferred to another day.

MINUTE NO.118 TOUR OF MOSOP DIVISION IN NANDI DISTRICT

The Committee arrived at Kamasai Primary School at thirty minutes past Ten O'clock, on the second and last day of the two day tour of the areas affected by the recent Ethnic Clashes, in Nandi district. The Committee was received by the District Officer, Mosop division.

MINUTE NO.119 EVIDENCE AT KAMASAI PRIMARY SCHOOL

Prior to receiving evidence and information from the residents of Mosop division, the Committee visited the areas affected by the recent Ethnic Clashes.

- The Committee then received evidence and information from a cross-section of the residents of Mosop division represented by:-

(a) The Abaluhyia group of Chepsaita Settlement Scheme, comprising fifteen persons;

(b) The Kalenjin group of Kamasai sub-location, comprising eighteen persons;

(c) the Abaluhyia group of Kamasai sub-location, comprising seventeen persons; and

(d) The Kalenjin group of Chepsaita Settlement Scheme, comprising ten persons;

- Prior to giving evidence and information all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Mosop division, related to the recent Ethnic Clashes in the division and was given on their own volition in response to the Public Notice, published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.120 ADJOURNMENT

The Committee adjourned at fifteen minutes past Five o'clock until Monday, July 06, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE TWENTY-SEVENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KORU PRIMARY SCHOOL, MUHORONI, DIVISION, KISUMU DISTRICT ON MONDAY JULY 06, 1992 AT TWELVE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Wasike-Ndombi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bahati M. Semo, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Muruthi Mureithi, M.P.
The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.121: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-Sixth Sitting held on Saturday, July 04 1992, was deferred to another day.

MINUTE NO.122 TOUR OF KISUMU DISTRICT

The Committee's two day tour of Kisumu district begun with a tour of Muhoroni Division. Prior to convening a sitting at Koru Primary School the Committee visited the Owiro farm in Songhor division of Nandi District.

MINUTE NO.123 EVIDENCE AT KORU PRIMARY SCHOOL

- The Committee arrived at Koru Primary School at Twelve O'clock, and received evidence of the residents of Muhoroni division in Kisumu district; and Belgut and Londiani divisions in Kericho district; who were represented by:-

  (a) Muhoroni/Belgut group of twenty-nine; (mainly the Luo).

  (b) Londiani group nine (Kalenjin).

- Prior to giving evidence and information all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Muhoroni, Belgut and Londiani divisions, related to the recent Ethnic Clashes in the three divisions; and was given on their own volition in response to the Public Notice, published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.124 ADJOURNMENT

The Committee adjourned at thirty minutes past Five o'clock until tomorrow, Tuesday July 07, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE TWENTY-EIGHTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT AGAI PRIMARY SCHOOL, SONDU, UPPER NYAKACHI DIVISION, KISUMU DISTRICT, ON TUESDAY JULY 07, 1991, AT THIRTY MINUTES PAST ELEVEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Wasike-Ndombi, M.P.
The Hon. Mohamed Sheikh Adeń, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.125: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-Seventh Sitting held on Monday, July 06 1992, was deferred to another day.

MINUTE NO.126 TOUR OF NYAKACH DIVISION, KISUMU DISTRICT

The Committee paid a courtesy call on the Provincial Commissioner, Nyanza, Mr. Peter L.N. Kiilu at provincial headquarters, Kisumu at Nine O'clock prior to setting off for a tour of areas affected by the recent Ethnic Clashes in Nyakach division.

MINUTE NO.127 EVIDENCE AT AGAI PRIMARY SCHOOL, SONDU

The Committee arrived at Agai Primary School at Twelve O'clock, and received evidence and information from a cross section of the residents of Upper and Lower Nyakach divisions

in Kisumu district, Belgut division in Kericho district and parts of Nyamira district, who were represented by:-

(a) Belgut division a group of sixteen (all Kipsigis);

(b) Upper and Lower Nyakach divisions groups of thirteen (all Luo);

(c) Nyamira district group of fifteen (all Kisii);

(d) Group of fifteen Luo/Kipsigis/Kisii Elders Committee for Reconciliation;

(e) Two persons from New Soba River Farm.

Prior to giving evidence and information all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence and information given by the residents of the Belgut, Upper and Lower Nyakach divisions, and some parts of Nyamira district related to the recent Ethnic Clashes in the four divisions, and was given on their own volition in response to the Public Notice published in the Press by the Committee.

In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.128 ADJOURNMENT

The Committee adjourned at thirty minutes past Five o'clock until tomorrow, Wednesday July 08, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE TWENTY-NINTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT NYAMAIYA MARKET, NYAMARAMBE DIVISION, KISII DISTRICT, ON WEDNESDAY JULY 08, 1991, AT TEN MINUTES PAST ONE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.129: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-ninth Sitting held on Tuesday, July 07 1992, was deferred to another day.

MINUTE NO.130: TOUR OF KISII DISTRICT

The Committee's two day tour of Kisii district, begun with a courtesy call on the District Commissioner, Mr. Harry Wamubeyi. The District Commissioner received the Committee at the district headquarters, Kisii at thirty minutes past Eleven O'clock.

MINUTE NO.131: EVIDENCE AT NYAMAIYA MARKET

- The Committee arrived at Nyamaiya Market at ten minutes past One O'clock, and received evidence and information from a cross section of the residents of Nyamarambe division in Kisii district. The residents were represented by:-

- A group of seventeen persons (all Kisii).

- Prior to giving evidence and information all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of the Nyamarambe division, related to the recent Ethnic Clashes in the division, and was given on their own volition in response to the Public Notice published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.132: ADJOURNMENT

The Committee adjourned at thirty minutes past Five o'clock, until tomorrow, Thursday July 09, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE THIRTIETH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT NYANGUSU SECONDARY SCHOOL, NYAMACHE DIVISION KISII DISTRICT, ON THURSDAY JULY 09, 1991, AT FOURTY-FIVE MINUTES PAST ELEVEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Wasike-Ndombi, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.133: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Twenty-ninth Sitting held on wednesday, July 08 1992, was deferred to another day.

MINUTE NO.134: TOUR OF NYAMACHE DIVISION, KISII DISTRICT

The Committee arrived at Nyangusu Secondary School at Fourty-five minutes past eleven O'clock, on the second and last day of the two day tour of the areas affected by the recent Ethnic Clashes, in Kisii district. The Committee was received by the District Officer, Nyamache division.

MINUTE NO.135: EVIDENCE AT NYANGUSU SECONDARY SCHOOL

- The Committee received evidence and information from a corss-section of the residents of Nyamache division in Kisii district and from Kiligoris division in Narok district. The residents were represented by:-

- (a) Kisii group of nineteen from Kiligoris.

- (b) Nyamache division group of sixteen.

- Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Nyamache and Kiligoris divisions related to the recent Ethnic Clashes in the divisions, and was given on their own volition in response to the Public Notice, published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.136: ADJOURNMENT

The Committee adjourned at thirty minutes past Five o'clock, until tomorrow, Friday July 10, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE THIRTY-FIRST SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT ERONGE S.D.A. PRIMARY SCHOOL, BORABU DIVISION NYAMIRA DISTRICT, ON FRIDAY JULY 10, 1991, AT THIRTY MINUTES PAST TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Bob F. Jalang'o, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.137: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirtieth Sitting held on Thursday, July 09 1992, was deferred to another day.

MINUTE NO.138: TOUR OF NYAMIRA DISTRICT

The Committee arrived at Eronge S.D.A.Primary School at thirty minutes past Ten O'clock and was received by the District Commissioner, Nyamira, Mr. William Kerario. The Committee toured some of the areas affected by the recent Ethnic Clashes within Borabu division.

MINUTE NO.139: **EVIDENCE AT ERONGE S.D.A. SECONDARY SCHOOL**

- The Committee received evidence and information from a cross-section of the residents of Borabu division, represented by:-

- A group of twenty-three persons drawn from Esise, Nyansiongo and Mekenene locations.

- Prior to giving evidence and information, all witness swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Borabu division related to the recent Ethnic Clashes in the division, and was given on their own volition in response to the Public Notice, published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda and two arrows.

MINUTE NO.140: **ADJOURNMENT**

The Committee adjourned at fourty-five minutes past Two O'clock until tomorrow Saturday July 11, 1992, at thirty minutes past Nine O'clock.

MINUTES OF THE THIRTY-SECOND SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT SOTIK URBAN COUNCIL HALL CHEPALUNGU DIVISION, BOMETT DISTRICT, ON SATURDAY, JULY 11, 1992 AT TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.141: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-First Sitting held on Friday, July 10 1992, was deferred to another day.

MINUTE NO.142: TOUR OF BOMETT DISTRICT

The Committee arrived at Sotik Urban Council offices at Ten O'clock and was received by the District Officer One, Mr. Johnstone Wesonga, on behalf of the District Commissioner, Bomett. The Committee toured some of the areas affected by the recent Ethnic Clashes within Chepalungu division.

MINUTE NO.143: EVIDENCE AT SOTIK URBAN COUNCIL HALL

- The Committee received evidence and information from a cross-section of the residents of Chepalungu division, represented by:-

- A group of seventeen persons drawn from Ndanai, Abosi and Techoget locations (all Kipsigis).

- A group of six persons drawn from Techoget and Ndanai locations (all Kisii); and

- One individual from Techoget location (Kipsigis)

- Prior to giving evidence and information, all witness swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Chepalungu division, related to the recent Ethnic Clashes in the division, and was given on their own volition in response to the Public Notice published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.144 ADJOURNMENT

The Committee adjourned at thirty minutes past Five O'clock until Monday July 13, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE THIRTY-THIRD SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT LONDIANI URBAN COUNCIL HALL LONDIANI DIVISION, KERICHO DISTRICT, ON MONDAY, JULY 13, 1992 AT TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.145: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-second Sitting held on Saturday, July 11, 1992, was deferred to another day.

MINUTE NO.146: TOUR OF KIRICHO DISTRICT

The Committee's one day tour of Kericho district begun with a courtsey call on the District Commissioner, Mr. Timothy K. arap Sirma. , The District Commissioner, received the Committee at the District headquarters, at Nine O'clock.

MINUTE NO.147: EVIDENCE AT LONDIANI URBAN COUNCIL HALL

The Committee arrived at Londiani Urban Council Hall, at Ten O'clock, and received evidence and information rom a cross section of the residents of Londiani division in Kericho district. The residents were represented by:-

(a) A group of six Clergy drawn from P.C.E.A; SDA; A.I.C., Catholic (non-Kalenjin);

- (b) A group of ten Clergy drawn from the AGC, A.I.C. and SDA (Kalenjin);

- (c) One individual for Nyakinyua Farm;

- (d) A group of thirty-two drawn from Kedowa, Londiani, Masita, Sorget locations and Kipkelion division (non-Kalenjin); and

- (e) A group of fourty-one drawn from Kedowa, Masoita, Londiani, Sorgat locations and Kipkelion division (Kalenjin).

- Prior to receiving evidence and information from the residents of Londiani and Kipkelion divisions, the Committee received evidence and information from the following, who it had requested to appear at this Sitting.

- One individual, the proprietor of Sotik Technical Institute, Sotik, Bomett district; and

- Four directors of Meteitei Farmers Company, Tinderet division, Nandi district;

- Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Kipkelion division, related to the recent Ethnic Clashes in the divisions, and was given on their own volition in response to the Public Notice, published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.148 <u>ADJOURNMENT</u>

The Committee adjourned at thirty minutes past Six O'clock, until tomorrow, Tuesday, July 14, 1992, at thirty minutes past Nine O'clcok.

MINUTES OF THE THIRTY-FOURTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KILIGORIS TOWNSHIP, KILIGORIS SUB-DISTRICT NAROK DISTRICT, ON TUESDAY, JULY 14, 1992, AT ELEVEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.149: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-third Sitting held on Monday, July 13, 1992, was deferred to another day.

MINUTE NO.150: TOUR OF NAROK DISTRICT

The Committee's two day tour of Narok division, begun at Kiligoris Sub-district headquarters where they were received by the District Officer, Mr. A.H. Hashi, on behalf of the District Commissioner. The Committee arrived at Kiligoris at fifty minutes past Ten O'clock.

MINUTE NO.151: EVIDENCE AT KILIGORIS TOWNSHIP

The Committee received evidence and information from a cross-section of Maasai resident in Kiligoris sub-district of Narok district. The residents were represented by:-

(a) A group of fourty drawn from Uasin Gishu, Siria and Moitanik clans of the Maasai.

- Prior to giving evidence and information, all witnesses swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Kiligoris sub-district, related to the recent Ethnic Clashes in the sub-district, and was given on their own volition in response to the Public Notice published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda. The Committee also, received a bow and several arrows from the District Officer.

MINUTE NO.152 ADJOURNMENT

The Committee adjourned at fourty minutes past Five O'clock, until tomorrow, Wednesday, July 05, 1992, at thirty minutes past Nine O'clock. O'clcok.

MINUTES OF THE THIRTY-FIFTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD AT KILIGORIS TOWNSHIP, KILIGORIS SUB-DISTRICT, NAROK DISTRICT, ON WEDNESDAY, JULY 15, 1992, AT THIRTY MINUTES PAST TEN O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)

The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri -	Deputy Clerk
Mr. Murumba Werunga -	Principal Clerk Assistant

MINUTE NO.153: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-fourth Sitting held on Tuesday, July 14, 1992, was deferred to another day.

MINUTE NO.154: EVIDENCE AT KILIGORIS TOWNSHIP

- The Committee reconvened at Kiligoris Township at thirty minutes past ten o'clock and received further evidence and information from the residents of Kiligoris sub-district in Narok district. The residents were represented by the same group of fourty drawn from the three clans of the Maasai - i.e. Uasin Gishu, Siria, and Moitanik.

- Prior to giving evidence and information, all witness swore to

an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence and information given by the residents of Kiligoris sub-district, related to the recent Ethnic Clashes in the sub-district, and was given on their own volition in response to the Public Notice, published in the Press by the Committee.

- In addition to the oral evidence and information, the witnesses handed to the Committee, several written memoranda.

MINUTE NO.155: **ADJOURNMENT**

The Committee adjourned at thirty minutes past Twelve O'clock, until Friday July 24, 1992; at thirty minutes past Nine O'clock.

MINUTES OF THE THIRTY-SIXTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON FRIDAY, JULY 24, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Bahati M. Semo, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.156: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-fifth Sitting held on Wednesday, July 15, 1992, was deferred to another day.

MINUTE NO.157: EVIDENCE

The Committee received evidence and information from the Hon. William R. Ole Ntimama, EGH, M.P., the Minister for Local Government and Member for Narok North.

Hon. Ole Ntimama, appeared before the Committee on his volition, in response to a Public Notice published in the Press by the Committee.

- Prior to giving evidence, Hon. Ole Ntimama swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence given by Hon. Ole Ntimama, related to recent Ethnic Clashes in Narok district, and generally in Kenya.

- The Hon. Ole Ntimama presented to the Committee photocopies of newspaper cuttings of June 10 and 19, 1992; and July 18, 1992.

MINUTE NO.158: ADJOURNMENT

The Committee adjourned at thirty minutes past One O'clock, until today Friday July 24, 1992; at thirty minutes past Two O'clock.

AFTERNOON SITTING

The Committee assembled at thrity minutes past Two O'clock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Jarso J. Falana, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.159: **TOUR OF AREAS PURPORTEDLY USED AS TRAINING AND OR MILITARY CAMPS FOR WARRIORS DURING THE RECENT ETHNIC CLASHES**

The Committee discussed at length on the modalities to verify allegations that there existed training and or military camps in various parts in the Country. The Committee recalled that under Minute No.94 (5), they recorded a wish to consider this matter. Consequently the Committee resolved that between July 28 and 31, 1992, they would split into three groups to carry out the required verification of this matter, as set out below:-

GROUP 1 - **MOLO/OLENGURUONE**

MEMBERS:
Hon. Joseph K.Kiliku (Leader).
Hon. Godfrey K.Parsaoti
Hon. Muruthi Mureithi

GROUP 2 - **TURBO/LONDIANI**

MEMBERS:
Hon. (Mrs.) Agnes M. Ndetei (Leader)
Hon. Zedekiah M. Magara
Hon. Jarso J. Falana

GROUP 3 - **MT. ELGON**

MEMBERS:
Hon. Bob F. Jalang'o (Leader)
Hon. Mohamed Sheikh Aden
Hon. Francis T. Lagat
Hon. Wasike-Ndombi

GROUP 4 - **NAIROBI - STATISTICS**

MEMBERS:
Hon. Mwacharo Kubo (Leader)
Hon. Peter P.L. Ang'elei
Hon. Bahati M. Semo

- In addition to visiting areas located in the forests, the Committee will visit homesteads and farms of prominent personalities alleged to have provided sanctuaries.

- At the end of the tours, each group would present a report to the Committee.

MINUTE NO.160: **ADJOURNMENT**

The Committee adjourned at thirty minutes past Four O'clock until August 07, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE THIRTY-SEVENTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON FRIDAY, AUGUST 07, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Bahati M. Semo, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Muruthi Mureithi, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.161: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-sixth Sitting held on Friday, July 24, 1992, was deferred to another day.

MINUTE NO.162: APPEARANCE OF INTERIM OFFICIALS OF FORD AND D.P.

The Committee noted that the Interim Chairman of D.P., Mr. Mwai Kibaki had responded to the Committee's summons to appear to-day, requesting that the appearance be rescheduled to August 11, 1992. The Committee set his appearance for Thursday August 13, 1992, at thirty minutes past eleven o'clock.

- The Committee further noted that, the Interim Chairman of FORD, Mr. Oginga Odinga, had sent an apology for to-day, stating that he was indisposed, and requested for a new date. The Committee rescheduled his appearance to Thursday, August 13, 1992 at Ten O'clock.

MINUTE NO.163: DRAFTING THE REPORT

The committee resolved to sit as set out below for the purpose of drafting the Report:-

- Every Tuesday, Wednesday, Thursday at thirty minutes past Three O'clock; starting the week of August 10, 1992.

MINUTE NO.164: DEFERRED EVIDENCE

The Committee resolved that the following who have indicated a wish to appear before the Committee, be scheduled for Friday August 14, 1992 starting at Nine O'clock.

- viz:

Hon. J. Njenga Mungai, M.P.
Hon. R.K. Chesire, M.P.
Hon. Joseph Misoi, M.P.
Hon. Wilson Leitich, M.P.
Hon. Francis O. Sompisha, M.P.
Hon. Ezekiel Bargentuny, M.P.
Mr. Henry K. Kosgey, E.G.H., Chairman, K.N.ASS
Mr. Chelule - Chairman - Nandi County Council
Mr. William arap Saina
Hon. Wafula Wabuge, M.P.
Hon. Noar Abdi Ogle, M.P.
Hon. I. Salat, M.P.
Hon. E.M. Mweu, M.P.
Hon. Stephen M. Kalonzo, M.P.
Hon. N. Nuno, M.P.
Hon. A. Galgallo, M.P.

MINUTE NO.165: REPORTS OF THE SUB-COMMITTEES

The chairmen of the three sub-committees gave detailed reports on their findings:-

Hon. Joseph K. Kiliku, M.P. - on the sub- committee to Molo and Olenguruene divisions in Nakuru district;

- Hon. Bob F. Jalang'o, M.P. - on the sub-committee to Saboti division in Trans-Nzoia district and "Bagdad" Chepkurkur in Cheptais division in Bungoma district.

- Hon. (Mrs.) Agnes M. Ndetei - on the sub-committee to Londiani division in Kericho district and Soy division in Uasin Gishu district. Report to be presented at the next Sitting.

- The Committee resolved to adopt the reports of the sub-committees led by Hons. Kiliku and Jalang'o.

MINUTE NO.166: **ADJOURNMENT**

The Committee adjourned at fifteen minutes past Twelve O'clock, until today Friday August 07, 1992; at thirty minutes past Two O'clock.

AFTERNOON SITTING

The Committee assembled at three O'clock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Bob F. Jalang'o, M.P.

The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.

The Hon. Muruthi Mureithi, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.167: EVIDENCE THE RECENT ETHNIC CLASHES

- The Committee received evidence and information from the Chairman of the Social Democratic Party of Kenya, Mr. Johnstone Mwendo Makau, E.G.H.

- Mr. Makau, appeared before the Committee in response to summons made by the Committee.

- Prior to giving evidence, Mr. Makau swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence given by Mr. Makau, related to recent Ethnic Clashes, generally in Kenya.

MINUTE NO.168: ADJOURNMENT

The Committee adjourned at Four O'clock until Tuesday, August 17, 1992 at Four O'clock.

MINUTES OF THE THIRTY-EIGHTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON THURSDAY, AUGUST 13, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.169: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Thirty-seventh Sitting held on Friday, July 24, 1992, was deferred to another day.

MINUTE NO.170: EVIDENCE

The Committee received evidence and information from the General Secretary of the National Council of Churches of Kenya, Rev. Samwel Kobia, who was accompanied by his deputy Rev. George Kamwesa and a Member of the NCCK general assembly, the Rt. Rev. James N. Waithaka, the Moderator of African Christian Church and Schools (A.C.C.&S).

- Rev. Kobia appeared before the Committee in response to

summons made by the Committee.

- Prior to giving evidence, Rev. Kobia swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence given by Rev. Kobia, related to the recent Ethnic Clashes, generally in Kenya.

MINUTE NO.171: **EVIDENCE**

The Committee received and held discussions with Mr. Jaramogi Odinga, the Interim Chairman of the Forum for the Restoration of Democracy - FORD who was accompanied by his lawyer, Mr. James A.B. Orengo. Mr. Odinga who was not sworn in, informed the Committee that his utterances touching on the recent Ethnic Clashes, emanated from information availed to him by a Mr. Valentinus Uhuru Kodipo. Mr. Odinga described Mr. Kodipo as one who had participated in the planning and training operations of the Clashes. Mr. Odinga then withdrew from the Committee leaving Mr. Kodipo to present his evidence which was in a sworn affidavit, earlier presented to the Committee by Mr. Odinga.

- The Committee then received evidence and information from Mr. Valentinus Uhuru Kodipo.

- Mr. Kodipo appeared before the Committee in response to the summons made by the Committee to Mr. Odinga.

- Prior to giving evidence, Mr. Kodipo swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence given by Mr. Kodipo related to recent Ethnic Clashes, specifically regarding the recruitment, training and operation of the alleged private armies in the Sondu, Songhor and Molo areas.

MINUTE NO.172: **ADJOURNMENT**

The Committee adjourned at fourty-five minutes past Twelve O'clock, until tomorrow Friday, August 14, 1992; at Nine O'clock.

MINUTES OF THE FOURTY-FOURTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON TUESDAY, SEPTEMBER 08, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Bahati M. Semo, M.P. (Ag. Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

The Hon. Bob F. Jalang'o, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.199: CONFIRMATION OF MINUTES

The Confirmation of Minutes of the Fourty-Third Sitting held on August, 21, 1992, were confirmed and signed by the Acting Chairman.

MINUTE NO.200: MATTERS ARISING

(1) Arising from Minute No. 197, the Committee noted that all arrangements had been finalized for the Committee to travel to Mombasa this afternoon for the purpose of finalizing the report.

(2) Arising from inute No. it was noted that evidence had also been received from Hon. Wafula Wabuge, M.P.

MINUTE NO.201: **ADJOURNMENT**

The Committee adjourned at fifty minutes past Eleven O'clock, until tomorrow Wednesday, September 02, 1992; at Nine O'clock.

MINUTES OF THE THIRTY-NINTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON FRIDAY, AUGUST 14, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Bob F. Jalang'o, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Peter P.L. Ang'elei, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.173: CONFIRMATION OF MINUTES

The Confirmation of the twenty-second of June 30, 1992; twenty-third of July 01, 1992; twenty-fourth of July02, 1992; twenty-fifth of July 03, 1992; twenty-sixth of July 04, 1992; twenty-seventh of July 06, 1992; twenty-eighth of July 07, 1992; twenty-nineth of July 08, 1992; thirtieth of July 09, 1992; thirty-first of July 10, 1992; thirty-second of July 11, 1992; thirty-third of July 13, 1992; thirty-fourth of July 14, 1992; thirty-fifth of July 14, 1992; thirty-sixth of July 24, 1992; thirty-seventh of August 07, 1992 and thirty-eighth of August 13, 1992, were confirmed and signed by the Chairman.

MINUTE NO.174: MATTERS ARISING

(1) Under Minute No.115 of the twenty-fifth sitting of July 03, 1992, it was decided that a new item (e) be added -

(e) The Committee visited Kotualel Farm in Songhor division, owned by Mr. and Mrs. Jonathan Owako, and witnessed the wanton destruction of property on the farm.

(2) In the Minutes of the thirtieth sitting of July 09, 1992, the name of Hon. Wasike-Ndombi was placed among the Members present at the sitting.

(3) Under Minute No.147 (e) of the thirty-third sitting of July 13, 1992, the words "Sorgat" and "Masaita respectively.

Under Minute Nos. 134 and 135, the areas visited be corrected to read, "Nyamache and Kenyonya divisions"

(4) Under minute No.150, the words "Narok division" were amended to read "Narok district".

MINUTE NO.175: EVIDENCE

The Committee received evidence and information from the Iterin Chairman of the Democratic Party of Kenya - DP Mr. Mwai Kibaki, E.G.H., who appeared before the Committee in response to the summons of the Committee.

- Prior to giving evidence, Mr. Kibaki, swore to an Oath before the Committee, administered by the Committee.

- The evidence given by Mr. Kibaki, related to the recent Ethnic Clashes, genrally in Kenya.

MINUTE NO.176: EVIDENCE

- The Committee received evidence and information from the Hon. Ezekiel Kipletei Bargenturny, M.P. a Nominated Member of Parliament, who appeared before the Committee in response to the summons of the Committee.

- Prior to giving evidence, Hon. Bargentuny, swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence given by Hon. Bargentuny related to the recent Ethnic Clashes in Meteitei Farm in Tinderet division of nandi district.

MINUTE NO.177: **EVIDENCE DEFERRED**

The Committee received a written notification that the Hon. Njenga Mungai, M.P., who had been summoned to appear to-day would not be able to appear due to some unforeseen circumstances. They would reschedule his appearance at a later date.

MINUTE NO.178: ADJOURNMENT

The Committee adjourned at ten minutes past Twelve O'clock, until Tuesday August 18, 1992; at Nine O'clock.

MINUTES OF THE FOURTIETH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON TUESDAY, AUGUST 18, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.179: CONFIRMATION OF MINUTES

The Confirmation of the Thirty-nineth Sitting held on August 14, 1992, was deferred to another day.

MINUTE NO.180: EVIDENCE

- The Committee received evidence and information from Mr. Henry Kiprono Kosgey EGH., Chairman KANU Nandi Branch and Executive Chairman Kenya National Assurance, who appeared before the Committee in response to summons of the Committee.

- Prior to giving evidence, Mr. Kosgey swore to an Oath before the Committee, administered by the Secretary of the Committee.

The evidence given by Mr. Kosgey, related to the recent Ethnic Clashes, within Nandi district and in particular Tinderet division.

MINUTE NO.181: **REVIEW OF EVIDENCE**

The Committee reviewed the summary of the evidence received at Kamwaura, Olenguruene and Kerisoi in Nakuru district.

MINUTE NO.182: **ADJOURNMENT**

The Committee adjourned at fourty-five minutes past Twelve O'clock, until to-day Tuesday August 18, 1992; at Two O'clock.

AFTERNOON SITTING

The Committee assembled at Two O'clock .

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Godfrey K. Parsaoti, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.

MINUTE NO.183: **REVIEW OF EVIDENCE**

The Committee continued to review the summary of the evidence received at Kamwaura, Olenguruene and Kerisoi in

Nakuru district.

The Committee approved a tentative format for the report which would include nine chapters. Viz:-

1. Introduction
2. Nakuru District
3. Trans-Nzoia/Bungoma districts
4. Kakamega, Uasin Gishu, Nandi, Kisumu and Kericho districts.
5. Kisii, Narok, Nyamira and Bomett districts
6. Eastern and North Eastern Provinces
7. Elgeyo-Markwet, West Pokot and Turkana districts.
8. General sum up.
9. Recommendations and Conclusions.

MINUTE NO.184: **ADJOURNMENT**

The Committee adjourned at ten minutes past Four O'clock, until tomorrow Wednesday, August 19, 1992 at Nine O'clock.

MINUTES OF THE FOURTY-FIRST SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON TUESDAY, AUGUST 19, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.185: CONFIRMATION OF MINUTES

The Minutes of the Thirty-nineth and Fourtieth Sittings held on August 14 and 18, 1992, were confirmed and signed by the Chairman.

MINUTE NO.186: DRAFT RECOMMENDATIONS

The Committee agreed on the format of the draft report on the **"clash district"** of Nakuru as indicated under Minute No.183.

MINUTE NO.187: ADJOURNMENT

The Committee adjourned at One O'clock, until to-day Wednesday August 19, 1992; at thirty Minutes past Two O'clock.

AFTERNOON SITTING

The Committee assembled at thirty minutes past Two O'clock.

PRESENT:

The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Bahati M. Semo, M.P.

APOLOGY:

Apology for absence was received from:-

The Hon. Jarso J. Falana, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Godfrey K. Parsaoti, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.188:

DRAFT RECOMMENDATIONS

The Committee agreed on the format of the draft report for the reminder of the "clash districts" indicated under Minute No.183.

MINUTE NO.189:

ADJOURNMENT

The Committee adjourned at ten minutes past Five O'clock, until tomorrow Thursday, August 20, 1992 at Nine O'clock.

MINUTES OF THE FOURTY-SECOND SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON THURSDAY, AUGUST 20, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.

APOLOGY: Apology for absence was received from:-
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.190: CONFIRMATION OF MINUTES

The Minutes of the Fourty-first Sitting held on August 19, 1992, were confirmed and signed by the Chairman.

MINUTE NO.191: EVIDENCE

- The Committee received evidence from Mr. W.K. Kimalat, Permanent Secretary in the Office of the President, in charge of Internal Security and Provincial Administration; whose re-appearance was in response to the Committee's summons. Mr. Kimalat was accompanied by a Deputy Secretary Mr. Wachira Gitahi.

- The evidence given by Mr. Kimalat related to the general security arrangement that Government continues to take to normalize the situation in the areas affected by the recent Ethnic Clashes.

- Mr. Kimalat will supply the Committee with the names and tribes of the Assistant Chiefs; Chiefs; D.O.s; D.C.s; O.C.P.D.s O.C.s., D.S.I.O.s; D.C.O.s. in all areas affected by the recent Ethnic Clashes.

MINUTE NO.192: EVIDENCE

- The Committee received evidence from Hon. S.A. Nuno, M.P. Member for Lagdera in Garissa district, North Eastern Province, in response to the summons issued by the committee.

- Prior to giving evidence, the Hon. Nuno swore to an Oath before the Committee administered by the Secretary of the Committee.

- The evidence given by Hon. Nuno, related to the recent Ethnic Clashes in Garissa district and North Eastern Province in General.

MINUTE NO.193: ADJOURNMENT

The Committee adjourned at One O'clock, until to-day, Thursday August 20, 1992; at Two O'clock.

AFTERNOON SITTING

The Committee assembled at thirty minutes past Two O'clock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Mwacharo Kubo, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Muruthi Mureithi, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. Francis T. Lagat, M.P.

IN ATTENDANCE:

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.194: EVIDENCE

- The Committee received evidence from the Hon. J.J. Kamotho, M.P., Minister for Education and Secretary-General of the ruling Party KANU, who appeared in response to summons issued by the Committee.

- Prior to giving evidence Hon. Kamotho swore to an Oath administered by the Secretary of the Committee.

- His evidence related to reports in the press attributed to him on the perpetrators of the recent clashes in the Molo area.

MINUTE NO.195: EVIDENCE

The Committee received evidence from Mr. Philip Mule Kilonzo, Commissioner of Police who appeared in response to summons issued by the Committee. Mr. Kilonzo was accompanied by Mr. James Gatui Deputy Commissioner of Police, Operations; Mr. Jeremiah Matagaro, Senior Assistant Commissioner of Police (P.R.O.).

- Prior to giving evidence, Mr. Kilonzo swore to an Oath before the Committee, administered by the Secretary of the Committee.

- The evidence given by Mr. Kilonzo related to the deployment and operations of the Police during the recent Ethnic Clashes.

- The Commissioner of Police will supply:-

(i) details on deployment by name and tribe of the O.C.P.O.s; O.C.S.s.; D.S.I.O.s; D.C.I.O.s; during the Clashes;

(ii) details fo houses burned, persons injured, killed; farms destroyed; persons arrested, charged and outcome of cases; durign the Clashes.

MINUTE NO.195: ADJOURNMENT

The Committee adjourned at fourty-five minutes past Five O'clock, until tomorrow Friday, August 21, 1992 at thirty minutes past Nine O'clock.

MINUTES OF THE FOURTY-THIRD SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON FRIDAY, AUGUST 21, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Bahati M. Semo, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.196: CONFIRMATION OF MINUTES

The Minutes of the Fourty-Second Sitting held on August 20, 1992, were confirmed and signed by the Chairman.

MINUTE NO.197: DRAFT RECOMMENDATIONS

- The Committee finalized the format for the chapter in the draft report to comprise general matters.

- The Committee agreed to travel out of Nairobi for the purpose of putting final touches on the report.

MINUTE NO.198: ADJOURNMENT

The Committee adjourned at Fifteen minutes past Eleven O'clock, until Tuesday September 01, 1992; at Nine O'clock.

MINUTES OF THE FOURTY-FOURTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN CONFERENCE ROOM NO.9 PARLIAMENT BUILDINGS ON TUESDAY, SEPTEMBER 01, 1992, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Bahati M. Semo, M.P. (Ag. Chairman)
The Hon. Muruthi Mureithi, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.199: CONFIRMATION OF MINUTES

The Minutes of the Fourty-third Sitting held on August 21, 1992, were confirmed and signed by the Chairman.

MINUTE NO.200 MATTERS ARISING

1. Arising from Minute No. 197, the Committee noted that all arrangements had been fainalized for the Committee to travel to Mombasa this afternoon for the purpose fo finalizing the report.

2. Arising from the Minutes of the Fourtieth Sitting of August 18, 1992 that evidence had also been received from the Hon. Wafula Wabuge, M.P.

MINUTE NO.201: **ADJOURNMENT**

The Committee adjourned at Fifty minutes past Eleven O'clock, until tomorrow Wednesday, September 02, 1992; at Nine O'clock.

MINUTES OF THE FOURTY-FIFTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN THE CONFERENCE HALL, GOLDEN BEACH HOTEL, DIANI, ON WEDNESDAY SEPTEMBER 02, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Jarso J. Falana, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.

IN ATTENDANCE:

NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.202: CONFIRMATION OF MINUTES

The Minutes of the fourty-fourth Sitting held on September 01, 1992, were confirmed and signed by the Chairman.

MINUTE NO.203 CONTENT AND FORMAT OF THE REPORT

The Committee deliberated at length generally on what content should form part of the report and it format.

It was resolved that the Report would address all issues arising from the Resolution of the National Assembly of April 29, 1992, as indicated in the second item of the Introduction. On the format, it was resolved that, it would be as follows:-

1. Introduction: Interpretation and Modalities;

2. Chapter One - Prelude to the Ethnic Clashes;

3.	Chapter Two	-	Nakuru District (Molo and Olenguruene divisions);
4.	Chapter Three	-	Trans-Nzoia and Bungoma districts;
5.	Chapter Four	-	Kakamega/Kisumu/Kericho/ Nandi/Uasin-Gishu Ethnic Clashes Belt;
6.	Chapter Five	-	Kisii/Nyamira/Bomett/Narok Ethnic Clashes Belt;
7.	Chapter Six	-	Eastern, North Easter, Coast and parts of Rift Valley Provinces;
8.	Chapter Seven	-	General matters and Issues; and
9.	Appendix	-	Data and Statistics (Deaths, Injuries, Arrests, Convictions, et cetera)

MINUTE NO.204: **ADJOURNMENT**

The Committee adjourned at Ten O'clock (2200 hours) until tomorrow Thursday, September 03, 1992; at thirty minutes past Eight O'clock.

MINUTES OF THE FOURTY-SIXTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN THE CONFERENCE HALL, GOLDEN BEACH HOTEL, DIANI, ON THURSDAY SEPTEMBER 03, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Muruthi Mureithi, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Godfrey K. Parsaoti, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.205: CONFIRMATION OF MINUTES

The Minutes of the fourty-fifth Sitting held on September 02, 1992, were confirmed and signed by the Chairman.

MINUTE NO.206 DRAFT REPORT

- The Committee drafted the following parts of the Report:-

4. Chapter Three: Trans-Nzoia and Bungoma districts;

5. Chapter Four: Kakamega/Kisumu/Kericho/Nandi/Uasin-Gishu Ethnic Clashes Belt;

6. Chapter Five: Kisii/Nyamira/Bomett/Narok Ethnic Clashes Belt; and

7. Chapter Seven: General Matters and Issues

MINUTE NO.207 **ADJOURNMENT**

The Committee adjourned at fifty minutes past Eleven O'clock, (23.50 hours) until tomorrow Friday, September 04, 1992; at thirty minutes past Nine O'clock.

MINUTES OF THE FOURTY-SEVEN SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN THE CONFERENCE HALL, GOLDEN BEACH HOTEL, DIANI, ON FRIDAY SEPTEMBER 04, AT THIRTY MINUTES PAST NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.208: CONFIRMATION OF MINUTES

The Minutes of the fourty-seventh Sitting held on September 03, 1992, were confirmed and signed by the Chairman.

MINUTE NO.209 DRAFT REPORT

The Committee drafted the following final parts of the report:-

1. Chapter Six: Eastern, North Eastern, Coast and Parts of Rift Valley provinces; and

2 Appendix: Data and Statistics

MINUTE NO.210 ADJOURNMENT

The Committee adjourned at One O'clock until this afternoon, Friday, September 04, 1992 at Four O'clock.

AFTERNOON SITTING

The Committee assembled at Four O'clock.

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Francis T. Lagat, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.211: ADOPTION OF THE DRAFT REPORT

1. The Committee read through the draft report; and after exhaustive deliberations, **unanimously adopted the draft to be the Report of the Parliamentary Select Committee to Investigate the Recent Ethnic Clashes in Western and Other Parts of Kenya, 1992.**

2. The following Members of the Select Committee appended their signatures in confirmation of the adoption:-

Viz The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.

The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.
The Hon. Francis T. Lagat, M.P.

MINUTE NO.212 **ADJOURNMENT**

The Committee adjourned at Ten O'clock until tomorrow Saturday, September 05, 1992 at Eight O'clock.

MINUTES OF THE FOURTY-EIGHTH SITTING OF THE PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ETHNIC CLASHES IN WESTERN AND OTHER PARTS OF KENYA - HELD IN THE CONFERENCE HALL, GOLDEN BEACH HOTEL, DIANI, ON SATURDAY, SEPTEMBER 05, AT NINE O'CLOCK

PRESENT: The following Members were present:

The Hon. Joseph K. Kiliku, M.P. (Chairman)
The Hon. Bahati M. Semo, M.P.
The Hon. Zedekiah M. Magara, M.P.
The Hon. Mwacharo Kubo, M.P.
The Hon. Mohamed Sheikh Aden, M.P.
The Hon. (Mrs.) Agnes M. Ndetei, M.P.
The Hon. Wasike-Ndombi, M.P.
The Hon. Jarso J. Falana, M.P.

APOLOGY: Apology for absence was received from:-

The Hon. Peter P.L. Ang'elei, M.P.
The Hon. Bob F. Jalang'o, M.P.
The Hon. Francis T. Lagat, M.P.
The Hon. Godfrey K. Parsaoti, M.P.
The Hon. Muruthi Mureithi, M.P.

IN ATTENDANCE: NATIONAL ASSEMBLY

Mr. S.W. Ndindiri - Deputy Clerk
Mr. Murumba Werunga - Principal Clerk Assistant

MINUTE NO.213: CONFIRMATION OF MINUTES

The Minutes of the fourty-seventh Sitting held on September 04, 1992, were confirmed and signed by the Chairman.

MINUTE NO.214 LAYING THE REPORT BEFORE THE HOUSE

The Committee resolved that in view of the Report having been finalized, adopted and signed on Friday, September 04, 1992, the Chairman should lay it before the House on September 15, 1992, being the date the National Assembly reconvenes from Recess.

MINUTE NO.215 DATE FOR THE NEXT SITTING

The Committee resolved that this would be the last sitting of the Select Committee.

MINUTE NO.216 ADJOURNMENT

The Business of the Parliamentary Select Committee to Investigate the recent Ethnic Clashes in Western and Other Parts of Kenya, 1992 having been concluded, the Chairman adjourned the Sitting **sine die.**

