

Approved for tabling -

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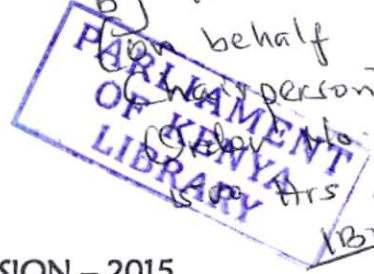
REPUBLIC OF KENYA



NATIONAL ASSEMBLY

Paper Laid

By Hon. David Cukania
on behalf of the
(as a person) under
order No. 05 at
13m on 22.10.15



ELEVENTH PARLIAMENT – THIRD SESSION – 2015

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

REPORT ON THE PETITION BY THE HON. ALOIS LENTOIMAGA, MP ON BEHALF OF RESIDENTS OF SAMBURU NORTH CONSTITUENCY REGARDING ACTION TOWARDS RECOVERY OF ILLEGAL FIREARMS WITHIN THE NORTH RIFT REGION.

DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,
NAIROBI

OCTOBER, 2015

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1.0 PREFACE

On behalf of the Departmental Committee on Administration and National Security and pursuant to provisions of Standing Order No.227 (2), it is my pleasant privilege and honour to present to this House the Report of the Committee on the Petition by the Hon. Alois Lentoimaga, MP on behalf of residents of Samburu North Constituency regarding action towards recovery of illegal firearms within the North Rift region.

The petition was tabled before the House pursuant to Standing Order No. 225 (2) (a) by the Hon. Alois Lentoimaga, MP, on behalf of the residents of Samburu North Constituency on Wednesday 29th April, 2015.

1.1 Mandate of the Committee

The Committee is established pursuant to the provisions of Standing Order No. 216 with the following terms of reference:-

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

The Committee under Standing Order No. 227 is mandated to consider petitions committed to it.

1.2 Committee Membership

The Committee comprise of the following Members:-

1. The Hon. Asman Kamama, MGH, OGW, MP - **Chairperson**
2. The Hon. Alois M. Lentoimaga, MP- **Vice Chairperson**
3. The Hon. Ababu Namwamba, EGH, MP
4. The Hon. Joseph Lekuton, MP

5. The Hon. Alice Wahome, MP
6. The Hon. Zakayo K. Cheruiyot, MP
7. The Hon. Timothy W. Wetangula, MP
8. The Hon. Patrick Ole Ntutu, MP
9. The Hon. Ali Isaack Shaaban, MP
10. The Hon. Samuel Moroto, MP
11. The Hon. Humphrey Njuguna, MP
12. The Hon. Francis K. Mwangangi, MP
13. The Hon. Rashid J. Bedzimba, MP
14. The Hon. David Gikaria, MP
15. The Hon. Mohamed Shidiye, MP
16. The Hon. Jane Machira, MP
17. The Hon. Regina Nthambi Muia, MP
18. The Hon. Ibrahim Abdi Saney, MP
19. The Hon. Joseph O. Ndiege, MP
20. The Hon. (Maj. Rtd.) John K. Waluke, MP
21. The Hon. Wanjiku Muhia, MP
22. The Hon. Akuja Protus Ewesit, MP
23. The Hon. Joseph M. Kahangara, MP
24. The Hon. Ahmed Abdikadir Ore, MP
25. The Hon. Grace Kiptui, MP
26. The Hon. George Theuri, MP
27. The Hon. James Bett, MP
28. The Hon. Benard Shinali, MP

1.3 Committal and Consideration of the Petition

Pursuant to Standing Order 227(1), the petition was referred to the Departmental Committee on Administration and National Security for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227 (1) and (2).

The Committee proceeded with the consideration of the petition by holding meetings to set up the terms of reference and scheduling of meetings. In considering the petition, the Committee invited and held a meeting with the petitioners and received submissions from the Ministry of Interior and Coordination of National Government. The meeting was aimed at getting a response from the Ministry to the issues raised by the petitioners.

1.4 Committee Observations

Having held meetings and considered the submissions presented on the petition, the Committee observed that:-

The prayer made by the petitioners during the meeting was specific and sought the disarmament of bandits in Lamirok village. Meanwhile, the prayers contained in the petition presented to the House and referred to the Committee sought to have the National Assembly intervene to have the National Government conduct continuous disarmament in the North Rift region in a bid to recover the Government's and other illegal firearms currently in the hands of bandits, and set up measures towards recovery of all stolen livestock in Samburu North.

1.5 Response to the prayers in the petition

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

- (i) Intervenes to have the National Government conduct continuous, forceful disarmament in the North Rift Region in a bid to recover the Government's and other illegal firearms currently in the hands of bandits, and sets up measures toward recovery of all stolen livestock in Samburu North; and
- (ii) Compels the Government to put mechanisms that ensure that these disarmaments are conducted in adherence to the Bill of Rights as provided for in the Constitution.

In response to the above prayers, the Committee recommends that:-

1. The Government should continue with the disarmament and registration of illegal firearms exercised in the North Rift region.
2. The Government should conduct a joint security operation, comprising of specialised police units and the Kenya Defence Force in Lamirok village, Samburu North Constituency within the next three (3) months to disarm bandits who massacred 42 police officers in Baragoi in 2012 and were allegedly hiding in the village.
3. The Government should implement the recommendations of the National Assembly report *on a fact finding visit to Samburu East and Isiolo North*

Districts; 21st to 23rd September, 2009 to establish the causes of inter-clan conflict and banditry in the region.

1.6 Adoption of the Report

We Members of the Departmental Committee on Administration and National Security have, pursuant to Standing Order 199 adopted this report on the Petition by the Hon. Alois Lentoimaga, MP on behalf of residents of Samburu North Constituency regarding recovery of illegal firearms within the North Rift region and affix our signatures to confirm our approval and confirm its accuracy, validity and authenticity today 28th August, 2015 as per the attached adoption list (Appendix I).

1. The Hon. Asman Kamama, MGH, OGW, MP - **Chairperson**
2. The Hon. Jane Machira, MP
3. The Hon. Zakayo K. Cheruiyot, MP
4. The Hon. James Bett, MP
5. The Hon. Benard Shinali, MP
6. The Hon. Grace Kiptui, MP
7. The Hon. George Theuri, MP
8. The Hon. Samuel Moroto, MP
9. The Hon. Humphrey Njuguna, MP
10. The Hon. Francis K. Mwangangi, MP
11. The Hon. Rashid J. Bedzimba, MP
12. The Hon. David Gikaria, MP
13. The Hon. (Maj. Rtd.) John K. Waluke, MP
14. The Hon. Wanjiku Muhia, MP
15. The Hon. Ahmed Abdikadir Ore, MP

1.7 Acknowledgement

The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.


I take this opportunity to thank all the Members of the Committee for their patience, sacrifice, endurance and hard work which enabled the Committee to complete the tasks within the stipulated period.

The Committee is also grateful to all the witnesses who made submissions and presentations before the Committee during the meetings. Their contributions

gave the Committee the much needed insights into the issues raised in the petition and possible solutions.

The Committee wishes to record its appreciation for the services rendered by the staff of the National Assembly attached to this Committee. Their efforts made the work of the Committee and the production of this Report possible.

Finally, it is now my pleasant duty, on behalf of the Departmental Committee on Administration and National Security to present this report to the House pursuant to the provisions of Standing Order 227(2).

Signed.......... Date.....21/10/2015.....

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

2.0 BACKGROUND INFORMATION

2.1 Article 37 and 119 of the Constitution provides that any person has the right to petition Parliament to consider any matter within its authority as contemplated in Articles 94 and 95 of the Constitution, including enactment, amending or repealing any legislation. Standing Order 227(2) provides that, *“whenever a petition is committed to the a Departmental Committee, the Committee shall, in not more than sixty calendar days from the time of reading of the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the House...”*

2.2 The Petition by residents of Samburu North Constituency regarding action towards recovery of illegal firearms within the North Rift region was presented to the House by the Hon. Alois Lentoimaga MP on 29th April, 2015 pursuant to Standing Order No. 225 (2) (a).

2.3 Pursuant to House rules, the petition was referred to the Committee on 29th April 2015 for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.

2.4 The petitioners wished to draw the attention of the House to the following, that:-

- (i) Security is a key component for growth and development;
- (ii) Insecurity incidences have risen in the recent past in the North Rift region and specifically Samburu County leading to loss of lives and livestock, and forcing large number of residents to relocate;
- (iii) In the past twenty four (24) months, there have been numerous attacks including an attack in Suguta Valley where more than forty (40) security personnel were slain and their firearms stolen;
- (iv) The situation has been made worse by the large number of illegal arms in the hands of the civilians, and that the firearms stolen from the police may be among those being used by bandits to terrorize residents;
- (v) The presence of sophisticated government firearms in the hands of the bandits has led to fear and heightened tension among residents leading to despondency;
- (vi) Efforts to have insecurity in Samburu North Constituency addressed, which include the formation of peace committees and

- government-led negotiations have borne no fruits;
- (vii) The matter in respect of which this petition is made is not pending before any court of law or tribunal.

3.0 SUBMISSIONS AND EVIDENCE

Having been seized of the Petition, the Committee commenced its consideration by inviting the Hon. Alois Lentoimaga, MP on behalf of the residents of Samburu North Constituency and the Cabinet Secretary responsible for Interior and Coordination of National Government for meetings on diverse dates. During the meetings, written and oral evidence was adduced as recorded hereunder.

3.1 Meeting with the Petitioners

Hon. Alois Lentoimaga, MP accompanied by petitioners appeared before the Committee and gave evidence on the said petition, on Thursday, 16th July, 2015. During the meeting with the petitioners, the Committee heard that conflict in Samburu North Constituency escalated in November 2012 when bandits raided Keleswa village and stole 501 livestock. Subsequently the Government mobilized police officers to pursue the bandits leading to the ambush and massacre of 42 officers.

Efforts by the National Government to disarm bandits in Samburu North Constituency had failed. They cited the ultimatum issued by the Government for the surrender of guns confiscated from slain police officers by bandits in November, 2012 following the massacre of 42 police officers in Baragoi. Similar efforts by the Government to disarm bandits in other areas of the North Rift region had also been futile.

The bandits, who are believed to have ambushed and killed 42 police officers in Baragoi in November, 2012 continued to terrorize the residents of Samburu North Constituency using firearms confiscated from the slain police officers.

Approximately 150 armed bandits were hiding in Lamirok village within Samburu North Constituency. The village was a fortress where illegal guns and stolen livestock were hidden. The Government had not made any attempt to disarm and arrest the bandits, in spite of the existence of the hide out being in the knowledge of security agents in the County.

Two Chiefs and a member of Samburu County Assembly were arrested and arraigned in court on alleged involvement in the Baragoi massacre. The case was pending in court.

The proliferation of illegal firearms in the region due to proximity to neighbouring Countries experiencing internal conflicts had contributed to insecurity in Samburu North Constituency that was characterized by cattle rustling.

The Committee also established that 85 persons had been killed and 4988 livestock stolen in Samburu North Constituency between 2012 and 2015.

3.2 Submission by the Cabinet Secretary, Ministry of Interior and Coordination of National Government

The Cabinet Secretary, Ministry of Interior and Coordination of National Government through a response tabled before the Committee, observed that the recurrent violent conflict experienced in North Rift Region was caused by cattle rustling. The problem was further compounded by the proliferation of small arms and light weapons. The drought situation had also precipitated resource-based conflict among the communities living in the region.

This state of affairs had seriously undermined the peace, safety and security of the affected communities, resulting to conflicts, death, and destruction of property and retarding the socio-economic and political development in the region. The pastoral communities have been involved in a long-standing and complex pattern of raids and counter raids.

Traditionally, cattle rustling, among pastoral communities was considered a cultural practice and was sanctioned by elders. Currently, the phenomenon of cattle rustling is causing great concern owing to emergent new trends and tendencies leading to commercialization and internationalization within communities in practice.

The commercialization of the practice has given cattle rustling a complete redefinition. Livestock are sold as quickly as possible and those which are driven away end up in remote places or across District and Country borders. This has led to inter-communal conflicts that have tended to persist due to illiteracy, high level of mistrust between neighboring communities and lack of alternative means of livelihood in these areas.

The Government has continued to raise public awareness on the issues surrounding illicit Small Arms and Light Weapons. This has resulted in cases of

voluntary surrender of arms. The government had also carried out disarmament operations.

Further, the Government has been facilitating leaders to enable them undertake peace building and conflict resolution activities dubbed 'peace caravans'. This is in addition to opening police posts in the identified hot spot areas across the region to address issues of insecurity.

In a meeting held on 7th January, 2015 at Boma Hotel between leaders from North Rift and Upper Eastern region, it was resolved, among others that Parliament should fast track enactment of legislation to make cattle rustling a capital offence. It was also resolved that there is a need to register all illegal firearms as a starting point towards disarmament, an exercise which has commenced. Immediately registration is concluded, community members possessing illegal firearms will be disarmed. Voluntary disarmament will be prioritized but if it fails, the Government will embark on forceful disarmament.

The Government was however facing challenges that hamper efforts to tackle cattle rustling and proliferation of small arms in Samburu County. The members of both Turkana and Samburu communities conduct raids and counter raids. There is also the availability of cheap firearms from neighboring countries. The rugged terrain and poor infrastructure hampers effective patrols in the area. There is also a lack of political goodwill to complement the government's efforts in addressing the problem.

The Ministry committed itself to sustaining the ongoing security exercise to ensure peace was maintained.

4.0 COMMITTEE OBSERVATIONS

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

The prayer made by the petitioners during the meeting was specific and sought the disarmament of bandits in Lamirok village. Meanwhile, the prayers contained in the petition presented to the House and referred to the Committee sought to have the National Assembly intervene to have the National Government conduct continuous disarmament in the North Rift region in a bid to recover the Government's and other illegal firearms currently in the hands of bandits, and set up measures towards recovery of all stolen livestock in Samburu North.

5.0 COMMITTEE RECOMMENDATIONS

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

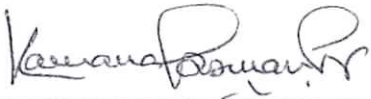
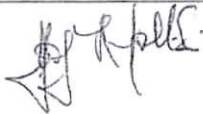


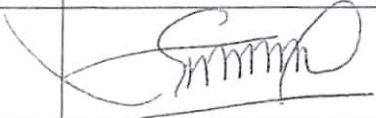
- 1. The Government should continue with the disarmament and registration of illegal firearms in the North Rift region.**
- 2. The Government should conduct a joint security operation, comprising of specialised police units and the Kenya Defence Force in Lamirok village, Samburu North Constituency within the next three (3) months to disarm bandits who massacred 42 police officers in Baragoi in 2012 and were allegedly hiding in the village.**
- 3. The Government should implement the recommendations of the National Assembly report *on a fact finding visit to Samburu East and Isiolo North Districts; 21st to 23rd September, 2009* to establish the causes of inter-clan conflict and banditry in the region.**

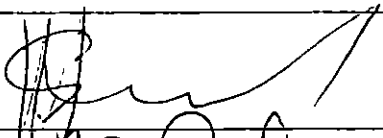
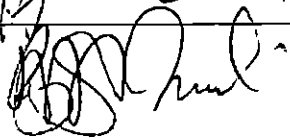
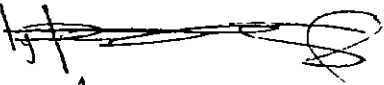
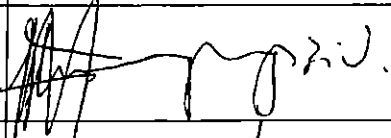

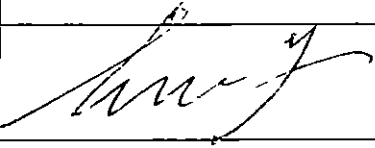




APPENDIX I

ADOPTION LIST

We Members of the Departmental Committee on Administration and National Security have pursuant to Standing Order 199 adopted this report on the Petition by the Hon. Alois Lentoimaga on behalf of Samburu North Constituency Regarding Action towards recovery of illegal firearms within the North Rift Region

DATE: 28th August 2015 TIME: 3: pm VENUE: Flamengo Hotel

S/NO.	NAME	SIGNATURE
1.	The Hon. Kamama Asman, MGH,OGW,MP - Chairperson	
2.	The Hon. Alois M. Lentoimaga, MP - Vice-Chairperson	
3.	The Hon. Ababu Namwamba, EGH, MP	
4.	The Hon. Alice Wahome, MP	
5.	The Hon. Joseph Lekuton, MP	
6.	The Hon. Mohamed Shidiye, MP	
7.	The Hon. Jane Machira, MP	
8.	The Hon. Joseph Kahangara, MP	
9.	The Hon. Zakayo K. Cheruiyot, MP	
10.	The Hon. James Bett, MP	
11.	The Hon. Patrick Ole Ntutu, MP	
12.	The Hon. Shaaban Ali Isaack, MP	
13.	The Hon. Grace Kiptui, MP	

14.	The Hon. Samuel Moroto, MP	
15.	The Hon. Benard Shinali, MP	
16.	The Hon. Humphrey Njuguna, MP	
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23.	The Hon. Akuja Protus Ewesit, MP	
24.	The Hon. Ahmed Abdikadir Ore, MP	
25.	The Hon. David Gikaria, MP	
26.	The Hon. Timothy W. Wetangula, MP	
27.	The Hon. Wanjiku Muhia, MP	
28.	The Hon. George Theuri, MP	

PUBLIC PETITION

*Mr. Speaker
Please approve
29/11*

BY THE RESIDENTS OF SAMBURU NORTH CONSTITUENCY
FOR ACTION TOWARDS RECOVERY OF ILLEGAL FIREARMS WITHIN THE NORTH
RIFT REGION

I, THE UNDERSIGNED, on behalf of the residents of Samburu North Constituency,

DRAW the attention of the House to the following;

- i) THAT, aware that security is a key component for growth and development;
- ii) NOTING, that insecurity incidences have risen in the recent past in the North Rift region and specifically Samburu County leading to loss of lives and livestock, and forcing a large number of residents to relocate;
- iii) THAT, in the past twenty-four (24) months, there have been numerous attacks including an attack in Suguta Valley where more than forty (40) security personnel were slain and their firearms stolen;
- iv) THAT, aware that the situation has been made worse by the large number of illegal arms in the hands of the civilians, and that the firearms stolen from the police may be among those being used by bandits to terrorize residents;
- v) THAT, the presence of sophisticated government firearms in the hands of the bandits has led to fear and heightened tension among residents leading to despondency;
- vi) THAT, efforts to have the matter addressed including the formation of peace committees and government-led negotiations have borne no fruits;
- vii) THAT, the matter in respect of which this Petition is made is not pending before any court of law or tribunal.

Approved *[Signature]* S.N.A.

PUBLIC PETITION

BY THE RESIDENTS OF SAMBURU NORTH CONSTITUENCY
FOR ACTION TOWARDS RECOVERY OF ILLEGAL FIREARMS WITHIN THE NORTH
RIFT REGION

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

- (I) Intervenes to have the National Government conduct continuous, forceful disarmament in the North Rift Region in a bid to recover the Government's and other illegal firearms currently in the hands of bandits, and sets up measures toward recovery of all stolen livestock in Samburu North; and
- (II) Compels the Government to put mechanisms that ensure that these disarmaments are conducted in adherence to the Bills of Rights as provided for in the Constitution.

And your PETITIONERS will ever pray.

PRESENTED BY,



HON. ALOIS LENTOIMANGA, MP
MEMBER FOR SAMBURU NORTH CONSTITUENCY

DATE: 28/4/2015.....

NAME:	Mobile No	ID #	CONSTITUENCY	SIGNATURE	
1. Mary-nne Rofian	Lechoe	22696060	Samburu North	MPA	
2. Ltaipi	Lengumeti	0711031724276400	" "	teripi	
3. Dams	Letiwa	01103179683046200	" "	Dams	
4. Parisa	Letiwa	7964021	" "	Parisa	
5. Lojingu	Letiwa	072055122428119577	Samburu North	Lojingu	
6. Adison	Letiwa	28136203	Samburu North	Adison	
7. Philip	Lekadaa	12451680	Samburu North	Philip	
8. Latemu	Lenaropi	30480363	" "	Latemu	
9. Lenton Jackson	Samuel	25071431	" "	Lenton	
10. Lkitari	Letiwa	4201435	" "	Lkitari	
11. Ntiriankon	Lenaropi	07296176789845277	" "	Ntiriankon	
12. Julius	Laitipit	Lenaseyan	26629350	" "	Julius
13. Joseph	Saipimae	Lengokvani	22774643	Samburu North	Joseph
14. Pius	Lentoimaga	07110356015	27882039	Samburu North	Pius
15. Edward	Lalaki Piani	23315132	Samburu North	Edward	
16. Richard	Lengusvanga	31625423	Samburu North	Richard	
17. Peter	Lenaseyan	31594692	" "	Peter	
18. Simon	Le Pakiyo	30269488	" "	Simon	
19. Shadiack	Lekisaat	26425824	" "	Shadiack	
20. Solomon	Lemunew	07248234121432581	" "	Solomon	
21. Gabriel	(072176086) Lenengwesi	20245318	" "	Gabriel	
22. Charles	Leshimpiso	07269144423584473	" "	Charles	
23. Lino	Letura	24895988	" "	Lino	

ORDER OF SAMBURU NORTH ATTACKS AS FROM OCTOBER 2012 TO DATE

DATES	ATTACKS/INCIDENTS	DEATHS/INJURIES	NO. OF ANIMALS STOLEN	ACTION TAKEN/COMMENTS
0/10/2012	Ndoto attack. Bandits from Turkana community attacked Letipila family in Lesirikan, Ndoto Ward.	-No deaths/Injuries	501 cows	Attempt to recover by the local KPR was overpowered by the bandits.
0/10/2012	Retaliation in Lomirok Village on follow-up of the stolen Letipila herd of cattle.	█ Kpr killed, █ Turkana killed	-	The government deployed Regular & Administration Police, Anti-Stock theft Police to recover the stolen animals.
0/11/2012	Lamirok-Suguta valley Operation to recover the stolen animals	█ police officers and █ Kpr killed	-	<p>The government sent the Anti-stock theft and other police Units to Suguta Valley where the bandits with the stolen animals migrated to.</p> <p>KDF was deployed in the area immediately following the order by President Mwai Kibaki.</p> <p>They camped at Kampi Nyoka & Baragoi Girls for 6 months. No animals recovered, no stolen weapons recovered. No arrests of the bandits made.</p>

20/11/2012	Donkeys stolen by Turkana bandits at Masikita, El-barta Ward.	-No deaths/Injuries	20 donkeys	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
30/11/2012	Donkeys stolen by Turkana bandits at Masikita, El-barta Ward.	- No deaths/Injuries	15 donkeys	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
22/12/2012	Attack by Turkana bandits to Lenturkan and Lesirite families in Masikita, El-barta ward	- No deaths/Injuries	247 cows	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
26/12/2012	Cows belonging to Laltangwas family stolen by Turkana bandits at Ngilai Village, El-barta Ward.	- No deaths/Injuries	3 cows	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
17/12/2012	Attempted raid at Lesoloyia family Ngilai	- No deaths/Injuries	-	No animals stolen. The bandits were repulsed.
7/1/2013	A Taxi-driver (Pastor) killed at Ngoriche on his way to Baragoi from South-Horr.			No action taken to apprehend the killers.
5/1/2013	Lekupe's cow stolen by Turkana bandits at Mnanda, Baragoi town.	- No deaths/Injuries	1 cow	The stolen cow was never returned.
10/3/2013	Attempted raid by Turkana bandits on Bendera cattle at Lboi	- No deaths/Injuries	1 cow killed	Samburu herders defended their animals. No action taken by

	Oibor next to Baragoi High School.			security agents to follow up and flush the bandits from their hide-outs.
3/04/2013	Calves stolen by Turkana bandits at Bendera	- No deaths/Injuries	14 calves	The stolen calves were never returned.
7/4/2013	A school pupil killed by Turkana bandits at Masikita	1 dead	300 goats taken away	No arrests made on the killers of the school child.
13/4/2013	Kalenjin fundi killed next to Soito e Lkokoyo on his way to Baragoi	1 dead	-	No arrests made. No action taken to prevent road users from further attacks.
17/08/2013	Munanda village attack, Baragoi town.	1 dead 1. Lomeera Lelesiit	-	The killers were never brought to book.
18/08/2013	Attempted attack by Turkana bandits on Lemaron family camels	1 Injured. 14-year old girl	-	The bandits were repulsed.
19/08/2013	Attempted raid on Ngilai/Bendera cattle by Turkana bandits on El-barta plains next to Ndongyio e Lkuroto.	2 Injured 1. Lesarau 2. Lengirau Leleruk	-	The bandits were repulsed.
09/09/2013	A raid on Loonjorin village, Ngiro Ward	2 critically injured (Injured are from Lesingiran family)	56 cows	Animals stolen never recovered.
19/09/2013	2 boys shot at Nkorishe, 3Km from	2 Injured. 1. Sabaya	-	The killers were never arrested.

	Baragoi town	lentoimaga 2. Lesepe		
2/ 09/2013	A standard 7 pupil was shot dead herding goats near Lboo Oibor, 2 Kms from Baragoi town	1 dead	52 goats	The killers were never arrested.
2/ 10/2013	Attack in a manyatta in Suyan,El barta Ward	1 dead. (16 yr old from Lewarani family and 47 yr old man from Lentiro family. 3 other herders Injured	307 cows 642 goats 80 camels 32 donkeys	No attempt to recover the stolen animals was made despite the heavy security personnel in Baragoi. The administration police in Marti sub-location didn't react to it either.
8/10/2013	Wuaso Rongai Attack	1 dead. 2 Injured	341 cows	The stolen animals were never returned. No compensation or arrests made on behalf of the affected families.
2 2/2013	Goats belonging to Kitalamu Lekisaat family stolen	No deaths	44 goats stolen	The stolen animals never recovered.
7. 2/2013	Attempted raid by bandits in Bendera	1 death reported 1. Leparie	-	The killers were never arrested.
3. 2/2014	A 2 nd raid on Lekisaat goats in Bendera village.	-	48 goats stolen, 17 recovered	17 goats recovered by owners
5/ 2/2014	CCF workers attacked on their way to town at Paramount Lenaitorono's Farm	2 Injured. 1. Lekiiito 2. Alex Leleina	-	The killers were never brought to book.

1/01/2015	Attempted attack by Turkana bandits on Ngilai Cattle at El barta plains	<ul style="list-style-type: none"> ■ bandits killed. 2 herders injured. <ul style="list-style-type: none"> 1. Lenadokie Leleruk 2. Lebaati lechoe 	-	The local KPR managed to prevent the attack and repulse the bandits.
9/03/2015	Attack by Turkana bandits on Suyan Village, El barta ward	<ul style="list-style-type: none"> ■ dead 2 Injured 	<ul style="list-style-type: none"> 193 cows 47 camels 343 goats 21 Donkeys 	No follow up made to recover the stolen animals.
10/03/2015	Bendera cattle raided near Nkorishe by Turkana bandits.	<ul style="list-style-type: none"> 1 Injured. <ul style="list-style-type: none"> 1. Lesuruan 	93 cows	The animals were never returned.
10/03/2015	Attack by Turkana bandits on Bendera cattle next to Nkorishe hill, 3Kms from Baragoi town.	<ul style="list-style-type: none"> ■ killed 6 Injured 	1310 cows	No attempt by the government to return the stolen animals and apprehend the culprits. Chiefs from Nachola and Logetei tasked to follow up the stolen animals were futile.
10/03/2015	Attack by Turkana bandits on Lewarani family, Suyan, El barta Ward	<ul style="list-style-type: none"> ■ dead (Lewarani family) 	62 cows	72 cows recovered by the owners. No attempt by the government to recover the rest.
10/03/2015	A high school student killed, 700m from Baragoi town	<ul style="list-style-type: none"> ■ dead 1. Lealmusia 	-	No arrest made on the killers.
10/04/2015	Unsuccessful raid at Leakono family in Bendera village, El-	-No deaths/Injuries	6 camels, but all recovered.	Recovered successfully by owners.

	barta ward.			
23/04/2015	Murder at loonjorin, Ngiro Ward. A mother looking at her goats attacked and slaughtered before animals are driven away by the bandits.	1 dead	232 goats	No arrests made. Goats never returned.
24/04/2015	Attack on a vehicle near Sarima, on its way to Loyangalani for a wedding.	5 Injured	-	No arrests made on the bandits.

TOTAL NUMBER OF DEATHS SINCE OCT, 2012 = 2

TOTAL NUMBER OF DEATHS AFTRE POLICE MASSACRE= 2

TOTAL NUMBER OF INJURIES=30

Total number of livestock tolen;

Cattle=3129

Camels=127

Goats/Sheep=1644

Donkeys=88

APPENDIX II
PETITION

PUBLIC PETITION

BY THE RESIDENTS OF SAMBURU NORTH CONSTITUENCY
FOR ACTION TOWARDS RECOVERY OF ILLEGAL FIREARMS WITHIN THE NORTH
RIFT REGION

M. S. SPEARE
01622 *Agree*
29/11

I, THE UNDERSIGNED, on behalf of the residents of Samburu North Constituency,

DRAW the attention of the House to the following;

- i) THAT, aware that security is a key component for growth and development;
- ii) NOTING, that insecurity incidences have risen in the recent past in the North Rift region and specifically Samburu County leading to loss of lives and livestock, and forcing a large number of residents to relocate;
- iii) THAT, in the past twenty-four (24) months, there have been numerous attacks including an attack in Suguta Valley where more than forty (40) security personnel were slain and their firearms stolen;
- iv) THAT, aware that the situation has been made worse by the large number of illegal arms in the hands of the civilians, and that the firearms stolen from the police may be among those being used by bandits to terrorize residents;
- v) THAT, the presence of sophisticated government firearms in the hands of the bandits has led to fear and heightened tension among residents leading to despondency;
- vi) THAT, efforts to have the matter addressed including the formation of peace committees and government-led negotiations have borne no fruits;
- vii) THAT, the matter in respect of which this Petition is made is not pending before any court of law or tribunal.

Approved *[Signature]* S.N.A.

PUBLIC PETITION

BY THE RESIDENTS OF SAMBURU NORTH CONSTITUENCY
FOR ACTION TOWARDS RECOVERY OF ILLEGAL FIREARMS WITHIN THE NORTH
RIFT REGION

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

- (I) Intervenes to have the National Government conduct continuous, forceful disarmament in the North Rift Region in a bid to recover the Government's and other illegal firearms currently in the hands of bandits, and sets up measures toward recovery of all stolen livestock in Samburu North; and
- (II) Compels the Government to put mechanisms that ensure that these disarmaments are conducted in adherence to the Bills of Rights as provided for in the Constitution.

And your PETITIONERS will ever pray.

PRESENTED BY,



HON. ALOIS LENTOIMANGA, MP
MEMBER FOR SAMBURU NORTH CONSTITUENCY

DATE: 28/4/2015.....

NAME:	Mobileno	ID#	CONSTITUENCY	SIGNATURE
1. Mary-nne Rofian Lechoe		22696060	Samburu North	MRE
2. Ltaipi Lengumet	071031724276400		" "	terupi
3. Darnis Letiwa	07103179683046200		" "	Darnis
4. Parisa Letiwa		7964021	" "	Parisa
5. Lojingu Letiwa	072058122426119577		Samburu North	Lojingu
6. Adison Letiwa		28136203	Samburu North	Adison
7. Philip Lekadaa		12451680	Samburu North	Philip
8. Latemu Lenaropi		30480363	" "	Latemu
9. Lenton Jackson Samuel		25071431	" "	Lenton
10. Lkitari Letiwa		4201435	" "	Lkitari
11. Ntiriankon Lenaropi	0729617678	9845277	" "	Ntiriankon
12. Julius Loitiptip Lenaseyan		26629350	" "	Julius
13. Joseph Saipimae Lengokvani		22774643	Samburu North	Joseph
14. Pius Lentoimaga	0710356015	27882039	Samburu North	Pius
15. Edward Lalaki Piani		23315132	Samburu North	Edward
16. Richard Lengusuranga		31625423	Samburu North	Richard
17. Peter Lenaseyan		31594692	" "	Peter
18. Simon Lepakiyo		30269488	" "	Simon
19. Shadrack Lekisaat		26425824	" "	Shadrack
20. Solomon Lemunen	07248234	21432581	" "	Solomon
21. Gabriel (072176086) Lenengwesi		20245318	" "	Gabriel
22. Charles Leshimpiso	072691444	22584473	" "	Charles
23. Lino Letura		24895988	" "	Lino

ORDER OF SAMBURU NORTH ATTACKS AS FROM OCTOBER 2012 TO DATE

DATES	ATTACKS/INCIDENTS	DEATHS/INJURIES	NO. OF ANIMALS STOLEN	ACTION TAKEN/COMMENTS
20/10/2012	Ndoto attack. Bandits from Turkana community attacked Letipila family in Lesirikan, Ndoto Ward.	-No deaths/Injuries	501 cows	Attempt to recover by the local KPR was overpowered by the bandits.
0/10/2012	Retaliation in Lomirok Village on follow-up of the stolen Letipila herd of cattle.	- Kpr killed, Turkana killed	-	The government deployed Regular & Administration Police, Anti-Stock theft Police to recover the stolen animals.
0/11/2012	Lamirok-Suguta valley Operation to recover the stolen animals	- police officers and Kpr killed	-	<p>The government sent the Anti-stock theft and other police Units to Suguta Valley where the bandits with the stolen animals migrated to.</p> <p>KDF was deployed in the area immediately following the order by President Mwai Kibaki.</p> <p>They camped at Kampi Nyoka & Baragoi Girls for 6 months. No animals recovered, no stolen weapons recovered. No arrests of the bandits made.</p>

20/11/2012	Donkeys stolen by Turkana bandits at Masikita, El-barta Ward.	-No deaths/Injuries	20 donkeys	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
30/11/2012	Donkeys stolen by Turkana bandits at Masikita, El-barta Ward.	- No deaths/Injuries	15 donkeys	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
22/12/2012	Attack by Turkana bandits to Lenturkan and Lesirite families in Masikita, El-barta ward	- No deaths/Injuries	247 cows	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
26/12/2012	Cows belonging to Laltangwas family stolen by Turkana bandits at Ngilai Village, El-barta Ward.	- No deaths/Injuries	3 cows	No action taken to recover the stolen animals despite the heavy presence of the security personnel in the area.
17/12/2012	Attempted raid at Lesoloyia family Ngilai	- No deaths/Injuries	-	No animals stolen. The bandits were repulsed.
7/1/2013	A Taxi-driver (Pastor) killed at Ngoriche on his way to Baragoi from South-Horr.			No action taken to apprehend the killers.
5/1/2013	Lekupe's cow stolen by Turkana bandits at Mnanda, Baragoi town.	- No deaths/Injuries	1 cow	The stolen cow was never returned.
10/2/2013	Attempted raid by Turkana bandits on Bendera cattle at Lboi	- No deaths/Injuries	1 cow killed	Samburu herders defended their animals. No action taken by

	Oibor next to Baragoi High School.			security agents to follow up and flush the bandits from their hide-outs.
13/04/2013	Calves stolen by Turkana bandits at Bendera	- No deaths/Injuries	14 calves	The stolen calves were never returned.
7/4/2013	A school pupil killed by Turkana bandits at Masikita	1 dead	300 goats taken away	No arrests made on the killers of the school child.
8/4/2013	Kalenjin fundi killed next to Soito e Lkokoyo on his way to Baragoi	1 dead	-	No arrests made. No action taken to prevent road users from further attacks.
4/08/2013	Munanda village attack, Baragoi town.	1 dead 1. Lomeera Lelesiit	-	The killers were never brought to book.
5/08/2013	Attempted attack by Turkana bandits on Lemaron family camels	1 Injured. 14-year old girl	-	The bandits were repulsed.
5/08/2013	Attempted raid on Ngilai/Bendera cattle by Turkana bandits on El-barta plains next to Ndongyio e Lkuroto.	2 Injured 1. Lesarau 2. Lengirau Leleruk	-	The bandits were repulsed.
10/09/2013	A raid on Loonjorin village, Ngiro Ward	2 critically injured (Injured are from Lesingiran family)	56 cows	Animals stolen never recovered.
10/09/2013	2 boys shot at Nkorishe, 3Km from	2 Injured. 1. Sabaya	-	The killers were never arrested.

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28/09/2013	A standard 7 pupil was shot dead herding goats near Lboo Oibor, 2 Kms from Baragoi town	1 dead	52 goats	The killers were never arrested.
2/10/2013	Attack in a manyatta in Suyan, El barta Ward	1 dead. (16 yr old from Lewarani family and 47 yr old man from Lentiro family. 3 other herders Injured	307 cows 642 goats 80 camels 32 donkeys	No attempt to recover the stolen animals was made despite the heavy security personnel in Baragoi. The administration police in Marti sub-location didn't react to it either.
8/10/2013	Wuaso Rongai Attack	1 dead. 2 Injured	341 cows	The stolen animals were never returned. No compensation or arrests made on behalf of the affected families.
2/12/2013	Goats belonging to Kitalamu Lekisaat family stolen	No deaths	44 goats stolen	The stolen animals never recovered.
7/12/2013	Attempted raid by bandits in Bendera	1 death reported 1. Leparie	-	The killers were never arrested.
3/12/2014	A 2 nd raid on Lekisaat goats in Bendera village.	-	48 goats stolen, 17 recovered	17 goats recovered by owners
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01/01/2015	Attempted attack by Turkana bandits on Ngilai Cattle at El barta plains	<ul style="list-style-type: none"> ■ bandits killed. 2 herders injured. <ul style="list-style-type: none"> 1. Lenadokie Leleruk 2. Lebaati lechoe 	-	The local KPR managed to prevent the attack and repulse the bandits.
09/03/2015	Attack by Turkana bandits on Suyan Village, El barta ward	<ul style="list-style-type: none"> ■ dead 2 Injured 	<ul style="list-style-type: none"> 193 cows 47 camels 343 goats 21 Donkeys 	No follow up made to recover the stolen animals.
14/03/2015	Bendera cattle raided near Nkorishe by Turkana bandits.	<ul style="list-style-type: none"> 1 Injured. <ul style="list-style-type: none"> 1. Lesuruan 	93 cows	The animals were never returned.
15/03/2015	Attack by Turkana bandits on Bendera cattle next to Nkorishe hill, 3Kms from Baragoi town.	<ul style="list-style-type: none"> ■ killed 6 Injured 	1310 cows	No attempt by the government to return the stolen animals and apprehend the culprits. Chiefs from Nachola and Logetei tasked to follow up the stolen animals were futile.
17/03/2015	Attack by Turkana bandits on Lewarani family, Suyan, El barta Ward	<ul style="list-style-type: none"> ■ dead (Lewarani family) 	62 cows	72 cows recovered by the owners. No attempt by the government to recover the rest.
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19/04/2015	Unsuccessful raid at Leakono family in Bendera village, El-	-No deaths/Injuries	6 camels, but all recovered.	Recovered successfully by owners.

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24/04/2015	Attack on a vehicle near Sarima, on its way to Loyangalani for a wedding.	5 Injured	-	No arrests made on the bandits.

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APPENDIX I

Cabinet Secretary Ministry of Interior
and Coordination of National
Government Submissions

APPENDIX III
SUBMISSIONS BY THE CABINET
SECRETARY MINISTRY OF INTERIOR
AND COORDINATION OF NATIONAL
GOVERNMENT

PETITION BY THE RESIDENTS OF SAMBURU NORTH CONSTITUENCY

Introduction

The residents of Samburu North Constituency, has petitioned the Government, through the National Assembly, to;

- i. conduct continuous , forceful disarmament in the North Rift Region in a bid to recover the Government's and other illegal firearms currently in the hands of bandits, and sets up measures toward recovery of all stolen livestock in Samburu North;and
- ii. Compels the Government to put mechanisms that ensure that these disarmaments are conducted in adherence to the Bills of Rights as provided for in the Constitution.

Background

The recurrent violent conflicts that are experienced in North Rift Region are caused by cattle rustling compounded by the proliferation of small arms and light weapons. The drought situation has also precipitated resource based conflicts among the communities living in the region. This state of affairs has seriously undermined peace, safety and security of the affected communities, resulting to conflicts, deaths, destruction of properties and retarding the socio-economic and political development in the region.

The pastoral communities have been involved in a long-standing and complex pattern of raids and counter raids. Traditionally, cattle rustling among the pastoral communities was considered as a cultural practice and was sanctioned and controlled by elders. Currently, the phenomenon of cattle rustling is causing a great concern owing to emergent new trends, tendencies and dynamics leading to commercialization and internationalization within

communities in practice. This commercialization of cattle has given cattle rustling a complete redefinition.

The stolen livestock are disposed off as quickly as possible and those which are driven away end up in remote places or across District or Country borders. This has led to inter-communal conflicts that have tended to persist due to illiteracy, high level of mistrust between neighbouring communities and lack of alternative means of livelihood in these areas.

Measures employed

The Government has continued to raise public awareness on the issues surrounding the illicit Small Arms and Light Weapons. This has resulted into cases of voluntary surrender of arms. The Government has also carried various disarmament operations.

Further, the Government has been facilitating leaders to enable them undertake peace building and conflict resolution activities(peace caravans) as well as opening police posts in the identified hot spot areas across the region to address issues of insecurity.

In a meeting held on 7th January, 2015 at Boma Hotel between leaders from North Rift and Upper Eastern regions, it was resolved, among others, that Parliament should fast tract enactment of legislation to make cattle rustling a capital offence. It was also resolved that there is need to register all illegal firearms as a starting point towards disarmament, an exercise which has commenced. Immediately the registration is concluded, Community members possessing illegal firearms will be disarmed. Voluntary disarmament will be prioritized but if it fails, the Government will embark on forceful disarmament.

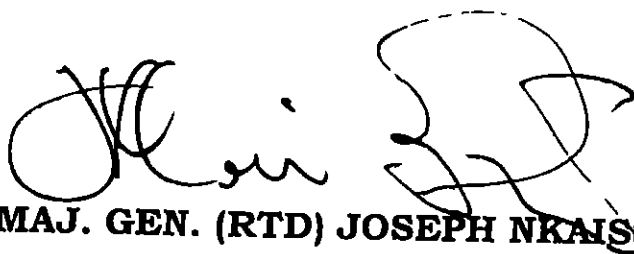
Challenges

However, the following challenges have been hampering the efforts to tackle the cattle rustling and proliferation of small arms menace in Samburu County.

- The members of both Turkana and Samburu community conduct raids and counter raids.
- Availability of cheap firearms from the neighbouring countries exacerbates cattle rustling.
- The rugged terrain compounded by poor infrastructure hampers the effective performance of our security services.
- Lack of political goodwill to complement Government's efforts in addressing cattle rustling

Way forward

- The Government will sustain the ongoing security arrangements to ensure the peaceful coexistence of the communities residing in the North Rift Region.
- Community leaders, particularly political leadership from both communities should directly take charge and spearhead dialogue for peaceful co-existence amongst all residents of Samburu County.



HON. MAJ. GEN. (RTD) JOSEPH NKAISSERRY, MGH, CBS
CABINET SECRETARY
MINISTRY OF INTERIOR AND
COORDINATION OF NATIONAL GOVERNMENT

14th August, 2015

Approved for tabling.

REPUBLIC OF KENYA



NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – THIRD SESSION – 2015



Bal
SNA
22/10/15

Paper laid
By Hon. David Gikaria, MP
(on behalf of the Chairperson)
under Order No. 05 of
1500 Hrs on 22-10-2015
18m

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

REPORT ON THE PETITION BY HON. SAMMY MWAITA, MP ON BEHALF OF MR. R. O. ABEDNEGO ETYANGA ON ALLEGED INTIMIDATION AND VICTIMIZATION THROUGH IRREGULAR TRANSFER/POSTING BY THE PRINCIPAL SECRETARY FOR INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT, DR. (AMB.) MONICA K. JUMA

DIRECTORATE OF COMMITTEE SERVICES,
CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,
NAIROBI

OCTOBER, 2015

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1.0 PREFACE

On behalf of the Departmental Committee on Administration and National Security and pursuant to the provisions of Standing Order No. 227(2), it is my pleasant privilege and honour to present to the House the Report of the Committee on the Petition by Hon. Sammy Mwaita, MP on behalf of MR. R. O. Abednego Etyanga on alleged intimidation and victimization through irregular transfer/posting by the Principal Secretary For Interior And Coordination Of National Government, Dr.(Amb.) Monica K. Juma.

The petition was tabled before the House pursuant to Standing Order No. 225(2) (a) by the Hon. Sammy Mwaita, MP on behalf of MR. R. O. Abednego Etyanga on Wednesday 2nd July, 2015.

1.1 Mandate of the Committee

The Committee is established pursuant to the provisions of Standing Order No. 216 with the following terms of reference:-

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

The Committee under Standing Order No. 227 is mandated to consider petitions committed to it by the House.

1.2 Committee Membership

The Committee comprise of the following Members:-

1. The Hon. Asman Kamama, MGH, OGW, MP - **Chairperson**
2. The Hon. Alois M. Lentoimaga, MP - **Vice Chairperson**
3. The Hon. Ababu Namwamba, EGH, MP
4. The Hon. Joseph Lekuton, MP

5. The Hon. Alice Wahome, MP
6. The Hon. Zakayo K. Cheruiyot, MP
7. The Hon. Timothy W. Wetangula, MP
8. The Hon. Patrick Ole Ntutu, MP
9. The Hon. Ali IsaackShaaban, MP
10. The Hon. Samuel Moroto, MP
11. The Hon. Humphrey Njuguna, MP
12. The Hon. Francis K. Mwangangi, MP
13. The Hon. Rashid J. Bedzimba, MP
14. The Hon. David Gikaria, MP
15. The Hon. Mohamed Shidiye, MP
16. The Hon. Jane Machira, MP
17. The Hon. Regina NthambiMuia, MP
18. The Hon. Ibrahim AbdiSaney, MP
19. The Hon. Joseph O. Ndiege, MP
20. The Hon. (Maj. Rtd.) John K. Waluke, MP
21. The Hon. WanjikuMuhia, MP
22. The Hon. AkujaProtusEwesit, MP
23. The Hon. Joseph M. Kahangara, MP
24. The Hon. Ahmed Abdikadir Ore, MP
25. The Hon. Grace Kiptui, MP
26. The Hon. George Theuri, MP
27. The Hon. James Bett, MP
28. The Hon. BenardShinali, MP

1.3 Committal and Consideration of the Petition

Pursuant to Standing Order 227(1), the petition was referred to the Departmental Committee on Administration and National Security for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227 (1) and (2).

The Committee proceeded with the consideration of the petition by holding meetings to set up the terms of reference and scheduling of meetings.

In considering the petition, the Committee held one meeting and wrote to the Ministry of Interior and Coordination of National Government to obtain a response to the issues raised by the petitioner.

1.4 Committee Observations

THE Committee held one meeting to considered the submissions presented on the petition, the Committee observed that:-

The matter was pending in the High Court in Milimani) J.R Misc.Civil Application No.202 of 2015- Republic-vs- Cabinet Secretary, Ministry of Interior and Coordination of National Government, the Secretary, Public Service Commission and the Chief of Staff and Head of Public Service, on 1st July,2015.

The matter was transferred to the Employment and Labour Relations Court in Nairobi on 27th July, 2015 and registered as JR No. 7 of 2015. The matter was still pending before this Court and the hearing date for a Notice of Motion was fixed for August 13th August, 2015.

Therefore since the matter was pending in Court, it falls under the sub judice rule in accordance with Standing Order 89. Further according to Standing Order 223(g), the petitioner was required to state in the petition whether the matter was pending in a court of law or other constitutional or legal body. The Petitioner stated that the matter was not pending before a court of law; however this was not the case. Hence the Committee could not proceed with the consideration of the petition

1.5 Response to the prayers in the petition

The petitioner had prayed that the National Assembly through the Departmental Committee on Administration and National Security:-

- (i) Ensures that the petitioner's plight is addressed;
- (ii) Establishes whether due process was followed in the transfer of the petitioner;
- (iii) Intervenes and ensures that the irregular transfer is revoked;and
- (iv) Makes any other order or direction that it deems fit in the circumstances of the case.

In response to the above prayers, the Committee recommends that: - The Committee recommends that since the matter was pending before court, and was therefore *sub judice*. The petitioner should exhaust the judicial process in addressing the prayers.

1.6 Adoption of the Report

We Members of the Departmental Committee on Administration and National Security have pursuant to Standing Order 199 adopted this report on the Petition by Hon. Sammy Mwaita, MP on behalf of Mr. R. O. Abednego Etyanga on alleged intimidation and victimization through irregular transfer/posting by the Principal Secretary for Interior and Coordination of National Government, Dr. (Amb.) Monica K. Juma and affix our signatures to confirm our approval and confirm its accuracy, validity and authenticity today 28th August, 2015 as per the attached list (Appendix I).

1. The Hon. Asman Kamama, MGH, OGW, MP - **Chairperson**
2. The Hon. Jane Machira, MP
3. The Hon. Zakayo K. Cheruiyot, MP
4. The Hon. James Bett, MP
5. The Hon. Benard Shinali, MP
6. The Hon. Grace Kiptui, MP
7. The Hon. George Theuri, MP
8. The Hon. Samuel Moroto, MP
9. The Hon. Humphrey Njuguna, MP
10. The Hon. Francis K. Mwangangi, MP
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12. The Hon. David Gikaria, MP
13. The Hon. (Maj. Rtd.) John K. Waluke, MP
14. The Hon. Wanjiku Muhia, MP
15. The Hon. Ahmed Abdikadir Ore, MP

1.7 Acknowledgement

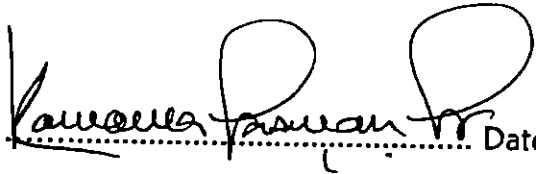
The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.

The Committee wishes to record its appreciation for the services rendered by the staff of the National Assembly attached to this Committee. Their efforts made the work of the Committee and the production of this Report possible.

I take this opportunity to thank all the Members of the Committee for their patience, sacrifice, endurance and hard work, which enabled the Committee to complete the tasks within the stipulated period.

The Committee is also grateful to all the witnesses/ general public who made submissions and presentations before the Committee during the meetings. Their contributions gave the Committee the much needed insights into the issues raised in the petition and possible solutions.

Finally, it is now my pleasant duty, on behalf of the Departmental Committee on Administration and National Security to present this report to the House pursuant to the provisions of Standing Order 227(2).

Signed.....  Date..... 21/10/2015

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

2.0 BACKGROUND INFORMATION

2.1 Article 37 and 119 of the Constitution provides that any person has the right to petition Parliament to consider any matter within its authority as contemplated in Articles 94 and 95 of the Constitution, including enactment, amending or repealing any legislation. Standing Order 227(2) provides that, *“whenever a petition is committed to the a Departmental Committee, the Committee shall, in not more than sixty calendar days from the time of reading of the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the House...”*

2.2 The Petition by Hon. Sammy Mwaita, MP on behalf of Mr. R. O. Abednego Etyanga on alleged intimidation and victimization through irregular/transfer/posting by the Principal Secretary for Interior and Coordination of National Government, Dr. (Amb.) Monica K. Jumawas tabled before the House on Wednesday 2nd July, 2015 pursuant to Standing Order No. 225 (2) (a).

2.3 Pursuant to House rules, the petition was referred to the Committee on 2nd July, 2015 for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.

2.4 The petitioners wished to draw the attention of the House to the following, that:-

- (i) Mr. Abednego Etyanga, the petitioner, was a senior Deputy Secretary in the Directorate of Immigration and Registration of Persons, Ministry of Interior and Coordination of National Government;
- (ii) Article 236 of the Constitution provides for the protection of public officers from victimization, discrimination and removal from office subject to disciplinary action without due process of law;
- (iii) The Principal Secretary for Interior victimized the petitioner by transferring him from the Ministry of Interior and Coordination of National Government to the Ministry of Agriculture, Livestock and

Fisheries;

- (iv) The Public Service Commission delegates human resource function to Cabinet Secretaries of respective Ministries in line with the Constitution and the policy on decentralization of human resource management in the Civil Service;
- (v) The Public Service Commission had placed a caveat on inter-ministerial transfers unless in situation where a vacancy has been advertised;
- (vi) Due process was not followed in the transfer of the petitioner and that the transfer was not recommended by the Central Human Resource Committee;
- (vii) The transfer of the petitioner was as a result of a proposal on virtual border management made to the Ministry of Interior with regard to the management of the porous Kenya- Somali border ;
- (viii) The posting /transfer and subsequent directive by the Principal Secretary to the petitioner to proceed on leave pending re-deployment amounts to intimidation and harassment of a public officer and contravened the Constitution, labour laws and Public Service regulations;
- (ix) The petitioner lodged several appeals with the Ministry regarding the matter but efforts to resolve the matter had been futile; and
- (x) The matters presented in the petition were not pending before any Court of law or tribunal

3.0 SUBMISSIONS AND EVIDENCE

Having been seized of the Petition, the Committee commenced its consideration by holding a meeting to consider the petition.

3.1 Meeting to consider the petition

The Committee held one meeting to consider the petition, during the meeting; the Committee was made aware, through a letter from the Principal Secretary for Interior, of an ongoing case in the High Court regarding the same matter. The Committee established that the matter was pending in the High Court in (Milimani) J.R Misc. Civil Application No.202 of 2015- Republic -vs- Cabinet Secretary, Ministry of Interior and Coordination of National Government, the Secretary, Public Service Commission and the Chief Staff and Head of Public Service, on 1st July,2015.

The matter was transferred to the Employment and Labour Relations Court in Nairobi on 27th July, 2015 and registered as JR No. 7 of 2015. The matter was still pending before the Court and the hearing date for a Notice of Motion was fixed for 13th August, 2015.

4.0 COMMITTEE OBSERVATIONS

The Committee noted that:-

The matter was pending in the High Court in (Milimani) J.R Misc. Civil Application No.202 of 2015- Republic -vs- Cabinet Secretary, Ministry of Interior and Coordination of National Government, the Secretary, Public Service Commission and the Chief Staff and Head of Public Service, on 1st July,2015.

The matter was transferred to the Employment and Labour Relations Court in Nairobi on 27th July, 2015 and registered as JR No. 7 of 2015. The matter was still pending before this Court and the hearing date for a Notice of Motion was fixed for August 13th August, 2015.

The Committee therefore observed that the matter was *sub judice rule* as it was pending in Court in accordance to Standing Order 89. Furthermore in accordance with ~~to~~ Standing Order 223(g), the petitioner was required to state in the petition whether the matter was pending in a court of law or other constitutional or legal body. The Petitioner failed to disclose the factors in the petition.

5.0 COMMITTEE RECOMMENDATION

In response to the prayers by the petitioner, the Committee recommends that since the matter was pending before Court, and was therefore *sub judice*, the petitioner should exhaust the judicial process in addressing the prayers.

MINUTES

MINUTES OF THE 45TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
ADMINISTRATION AND NATIONAL SECURITY HELD ON 28TH AUGUST, 2015 AT
FLAMINGO HOTEL, MOMBASA AT 3.00 P.M.

PRESENT

1. The Hon. Asman Kamama, MGH, OGW, MP - Chairperson
2. The Hon. Alois Lentoimaga, MP - Vice Chairperson
3. The Hon. Wanjiku Muhia, MP
4. The Hon. Grace Kiptui, MP
5. The Hon. George Theuri, MP
6. The Hon. Ahmed Abdikadir Ore, MP
7. The Hon. Zakayo Cheruiyot, MP
8. The Hon. Humphrey Njuguna, MP
9. The Hon. Francis Mwangangi, MP
10. The Hon. (Maj. Rtd) J. K. Waluke, MP
11. The Hon. Patrick Ole Ntutu, MP
12. The Hon. Benard Shinali, MP
13. The Hon. Joseph Lekuton, MP
14. The Hon. James Bett, MP
15. The Hon. Ababu Namwamba, MP
16. The Hon. Rashid Bedzimba, MP
17. The Hon. Shaaban Ali Isaack, MP
18. The Hon. Jane Machira, MP
19. The Hon. Samuel Moroto, MP

ABSENT WITH APOLOGY

1. The Hon. Alice Wahome, MP
2. The Hon. Joseph Ndiege, MP
3. The Hon. Mohamed Shidiye, MP
4. The Hon. Protus Akuja Ewesit, MP
5. The Hon. Regina Nthambi Muia, MP
6. The Hon. David Gikaria, MP
7. The Hon. Joseph Kahangara, MP
8. The Hon. Ibrahim Saney, MP
9. The Hon. Timothy Wetangula, MP

IN ATTENDANCE - NATIONAL ASSEMBLY

- | | | |
|------------------------|---|---------------------------------|
| 1. Mr. Leonard Machira | - | First Clerk Assistant |
| 2. Ms. Hellen Lokwang | - | Third Clerk Assistant |
| 3. Mr. Mohamed Boru | - | Third Clerk Assistant |
| 4. Mr. Eugene Apaa | - | Research and Policy Analyst III |
| 5. Mr. Salem Lorot | - | Legal Counsel |
| 6. Mr. Abdi Salat | - | Sergeant At Arms |

MIN.NO. 163 /ANS/2015 - PRELIMINARIES

The Chairperson called the meeting to order at 3.15 p.m. with a prayer by Hon. James Bett MP

MIN.NO. 164 /ANS/2015 - ADOPTION OF REPORTS

The Committee adopted the following reports:-

- (i) **The Report on the petition by the Hon. Alois Lentoimaga MP on behalf of residents of Samburu North Constituency regarding action towards recovery of illegal firearms within the North Rift region.**

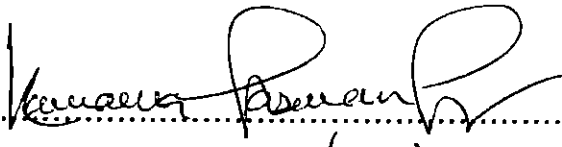
In response to the above prayers, the Committee recommended that:-

1. The Government continues with the disarmament and registration of illegal firearms in the North Rift region.
 2. The Government conducts a joint security operation, comprising of specialised police units and the Kenya Defence Force in Lamirok village, Samburu North Constituency within the next three (3) months to disarm bandits who killed 42 police officers in Baragoi in 2012 and were allegedly hiding in the village.
 3. The Government should implement the recommendation on the National Assembly report *on a fact finding visit to Samburu East and Isiolo North Districts; 21st to 23rd September, 2009* to establish the causes of inter-clan conflict and banditry in the region.
- (ii) **The Report on the petition by Mr. Abednego Etyang'a on alleged intimidation and victimization through irregular transfer/posting by Principal Secretary of Interior, Ms. Monica K. Juma.**

The Committee recommended that since matter was pending before court, the petition falls within the sub judice rule hence no further discussion would be held on the on the matter

MIN.NO.165/ANS/2015 - ADJOURNMENT OF THE MEETING

There being no other business the meeting was adjourned at 5.00 p.m. The next meeting will be held on 10th September, 2015.

Signed..........

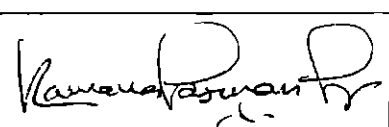
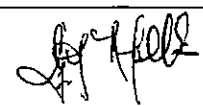
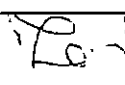
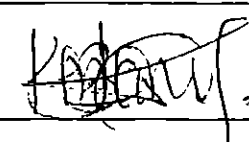
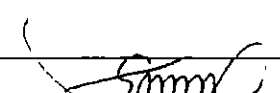
(Chairperson)

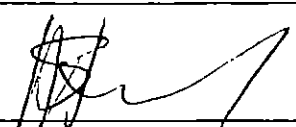
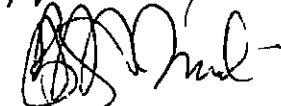

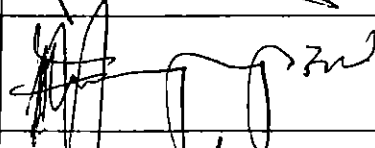
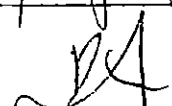
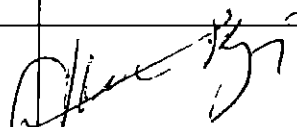
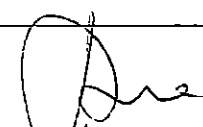
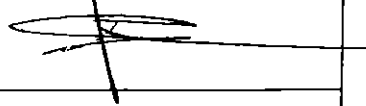
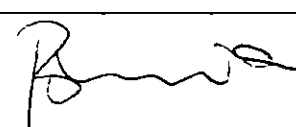

Date.....21/10/2015.....

APPENDIX I
ADOPTION LIST

We Members of the Departmental Committee on Administration and National Security have pursuant to Standing Order 199 adopted this report on the Petition Mr. R.O. Abednego Etyang'a on alleged intimidation and victimization through irregular transfer/posting by the Principal Secretary of Interior, Ms. Monica K. Juma

DATE: 28th August 2015 TIME: 3:00pm VENUE: FLAME 60 HOTEL

S/NO.	NAME	SIGNATURE
1.	The Hon. Kamama Asman, MGH,OGW,MP – Chairperson	
2.	The Hon. Alois M. Lentoimaga, MP – Vice-Chairperson	
3.	The Hon. Ababu Namwamba, EGH, MP	
4.	The Hon. Alice Wahome, MP	
5.	The Hon. Joseph Lekuton, MP	
6.	The Hon. Mohamed Shidiye, MP	
7.	The Hon. Jane Machira, MP	
8.	The Hon. Joseph Kahangara, MP	
9.	The Hon. Zakayo K. Cheruiyot, MP	
10.	The Hon. James Bett, MP	
11.	The Hon. Patrick Ole Ntutu, MP	
12.	The Hon. Shaaban Ali Isaack, MP	
13.	The Hon. Grace Kiptui, MP	

14.	The Hon. Samuel Moroto, MP	
15.	The Hon. Benard Shinali, MP	
16.	The Hon. Humphrey Njuguna, MP	
17.	The Hon. Francis K. Mwangangi, MP	
18.	The Hon. Rashid J. Bedzimba, MP	
19.	The Hon. Ibrahim Abdi Saney, MP	
20.	The Hon. Joseph O. Ndiege, MP	
21.	The Hon. Regina Nthambi Muia, MP	
22.	The Hon. (Maj. Rtd.) John K. Waluke, MP	
23.	The Hon. Akuja Protus Ewesit, MP	
24.	The Hon. Ahmed Abdikadir Ore, MP	
25.	The Hon. David Gikaria, MP	
26.	The Hon. Timothy W. Wetangula, MP	
27.	The Hon. Wanjiku Muhia, MP	
28.	The Hon. George Theuri, MP	

APPENDIX II
PETITION

REPUBLIC OF KENYA



Approved
SNA
2/7/15

THE NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT
(THIRD SESSION)

PUBLIC PETITION
BY MR. R.O. ABEDNEGO ETYANG'A ON ALLEGED INTIMIDATION AND
VICTIMIZATION THROUGH IRREGULAR TRANSFER/POSTING BY THE PRINCIPAL
SECRETARY OF INTERIOR, MS. MONICA K. JUMA

I, the UNDERSIGNED, on behalf of Mr. Abednego Etyang'a, a citizen of Kenya,
DRAW the attention of the House to the following;

- i. THAT, Mr. Abednego Etyang'a is a Senior Deputy Secretary in the Directorate of Immigration and Registrar of Persons, Ministry of Interior and Coordination of National Government;
- ii. THAT, Article 236 of the Constitution provides for protection of public officers from victimization, discrimination and removal from office or subjection to disciplinary action without due process of law;
- iii. THAT, the Principal Secretary for Interior victimized the Petitioner by transferring him from the Ministry of Interior and National Coordination to the Ministry of Agriculture, Livestock and Fisheries (State Department of Agriculture);
- iv. THAT, the Public Service Commission delegates human resource function to Cabinet Secretaries of respective Ministries in line with the Constitution and policy on decentralization of human resource management in the Civil Service;
- v. THAT, the Public Service has in place a caveat on inter-ministerial transfers unless in situations where a vacant position has been advertised;
- vi. THAT, due process was not followed in the transfer of the Petitioner and that the transfer was not recommended by Central Human Resource Committee;

A handwritten signature in black ink, appearing to be 'R. O. Abednego Etyang'a'.

PUBLIC PETITION
BY MR. R.O. ABEDNEGO ETYANG'A ON ALLEGED INTIMIDATION AND
VICTIMIZATION THROUGH IRREGULAR TRANSFER/POSTING BY THE
PRINCIPAL SECRETARY OF INTERIOR, MS. MONICA K. JUMA

- vii. THAT, the transfer of the Petitioner was as a result of a proposal on virtual border management made to the Ministry of Interior and Nationals Coordination with regard to the security management of the porous Kenya Somali Border;
- viii. THAT, the posting/transfer and subsequent directive by the Principal Secretary to Petitioner to proceed on leave pending re-deployment amounts to intimidation and harassment of a public officer and is in contravention of the Constitution, Labour Laws and the Public Service regulations.
- ix. THAT, the Petitioner lodged several appeals with Ministry officials regarding the matter but efforts to resolve the matter have been futile;
- x. THAT, the matter presented in this petition is not pending before any tribunal or court of law;

THEREFORE, your humble Petitioner **PRAYS** that the National Assembly through the Departmental Committee on Administration and National Security:

- (i) Ensures that the Petitioner's plight is addressed;
- (ii) Establishes whether due process was followed in the transfer of the Petitioner;
- (iii) Intervenes and ensures that this irregular transfer is revoked; and
- (iv) Makes any other order or direction that it deems fit in the circumstances of the case.

And your PETITIONER will ever pray.

PRESENTED BY,


HON. SAMMY MWAITA, MP

MEMBER FOR BARINGO CENTRAL CONSTITUENCY

DATE ... 27/7/2015

PUBLIC PETITION

BY MR. ABEDNEGO R.O ETYANG'A

ON

THE INTIMIDATION AND VICTIMIZATION OF MR. R.O. ABEDNEGO ETYANG'A THROUGH IRREGULAR TRANSFER/POSTING BY THE PRINCIPAL SECRETARY - INTERIOR, MS. MONICA K. JUMA

I the undersigned, on behalf of **Mr. Abednego R. O. Etyang'a**, Senior Deputy Secretary, Directorate of Immigration and Registration of Persons, Ministry of Interior and Coordination of National Government;

Draw the attention of the House to the following,

1. **THAT**, while Article 236 provides for the protection of public officers from victimization, discrimination and removal from office or subjection to disciplinary action without due process of law, the Principal Secretary victimized the petitioner through irregular transfer/posting from the Ministry of Interior and Coordination of National Government (Directorate of Immigration and Registration of Persons) to the Ministry of Agriculture, Livestock and Fisheries (State Department of Agriculture);
2. **THAT**, the Public Service Commission has delegated human resource functions to Cabinet Secretaries of respective ministries pursuant to Article 234 (5) of the Constitution and in line with the policy on decentralization of human resource management in the Civil Service;
3. **THAT**, such delegation shall be exercised in accordance with the provisions of the Constitution, relevant labour laws and any regulations and or guidelines issued by the Public Service Commission;

[Handwritten signature]

4. **THAT**, the Public Service Commission had put a caveat on inter-ministerial transfers unless in situations where a vacant position has been advertised;
5. **THAT**, the Central Human Resource Management Posting Committee (CHRMPC) is tasked with the mandate of recommending transfer of officers on Job Group Q and above for approval of the Public Service Commission;
6. **THAT**, the re-designation of staff in Job Group Q and above shall remain the responsibility of the Public Service Commission while the Cabinet Secretary shall have the power to re-designate officers from job group A to P upon recommendation of the Ministerial Human Resource and Development Advisory Committee (MHRMAC);
7. **THAT**, the posting of Mr. Abednego R. O. Etyang'a to the Ministry of Agriculture, Livestock and Fisheries (State Department of Agriculture) was not discussed and recommended by the Central Human Resource Committee or approved by the Public Service Commission as required;
8. **THAT**, the posting of Mr. Abednego R.O Etyang'a, Senior Deputy Secretary, Immigration and Registration of Persons, was as a result of a proposal on virtual border management made to the Ministry with regard to the security management of the porous Kenya Somali Border; and
9. **THAT**, the said posting and subsequent directive by the Principal Secretary to the said officer (Mr. Abednego R.O Etyang'a, Senior Deputy Secretary) to proceed on leave pending re-deployment amounts to intimidation and harassment of a



senior public officer and is in contravention of the Constitution, labour laws and the public service regulations.

That, the issues raised in this petition are not pending in any court of law or constitutional body.

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

1. Investigates the conduct of the Principal Secretary Interior in the transfer of the petitioner and whether due process was followed in the transfer;
2. Intervenes with the relevant authorities to ensure the payment of the June, 2015 salary and May 2015 salary arrears for Mr. Abednego R. O. Etyang'a;
3. Intervenes with the relevant authorities to ensure that the irregular transfer is revoked and the petitioner reinstated and protected at his work station; and
4. Intervenes with the relevant authorities to ensure protection of career civil servants in the execution of their duties without fear of intimidation.

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

Presented by

Hon. Sammy Mwaita, MP

Member for Baringo Central Constituency

Sign: 

Date: 

PUBLIC PETITION

BY MR. ABEDNEGO R. O. ETYANG'A

ON

THE INTIMIDATION AND VICTIMIZATION OF MR. ABEDNEGO
R.O. ETYANG THROUGH IRREGULAR TRANSFER/POSTING BY
THE PRINCIPAL SECRETARY - INTERIOR, MS. MONICA K.
JUMA

The Petitioner

Name

ID. No.

SIGNATURE

ABEDNEGO R. O. ETYANG'A

7421670

Abund

25/06/2015

P.O. BOX 36985-00100

Nairobi

TEL. 0923207347

**APPENDIX III
SUBMISSIONS BY THE PRINCIPAL
SECRETARY STATE DEPARTMENT OF
INTERIOR**

①

D/Committees

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URGENT



② MACHIA

pls deaf
FA 13/18

OFFICE OF THE PRESIDENT

Telegraphic address: "Rais"
Telephone: Nairobi 2227411
When replying, please quote

MINISTRY OF INTERIOR
AND CO-ORDINATION
OF
NATIONAL GOVERNMENT

P.O. Box 30510-00100
Nairobi

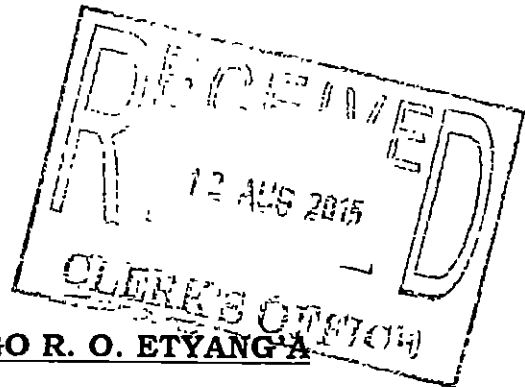
Ref No **OP/209/015/NB/778**
and date

11th August, 2015

Mr. Justin Bundi, CBS
Clerk of the National Assembly
Parliament Buildings
NAIROBI

Dear

Mr. Bundi,



RE: PUBLIC PETITION BY MR. ABEDNEGO R. O. ETYANG'A

This is to acknowledge your Summons dated 6th August, 2015 for the Cabinet Secretary to appear before the Departmental Committee on Administration and National Security on Tuesday, 18th August, 2015 to answer to Notice of Motion dated 2/7/2015 filed with the House regarding the transfer of one Mr. Abednego R. O. Etyang'a through Hon. Sammy Mwaita, Member of Parliament for Baringo Central Constituency.

The Motion among other things seeks to have the House investigate the transfer of Mr. Etyang'a from the Ministry of Interior and Coordination of National Government to the Ministry of agriculture, Livestock and Fisheries.

The Petition states that the transfer of Mr. Abednego Etyang'a is in violation of the Constitution, Labour Laws and the Public Service regulations. The Petitioner further states at paragraph x that, "the matter presented in this petition is not pending before any tribunal or court of law".

We wish to draw your attention to the fact that this matter was filed in the High Court in Nairobi (Milimani) J. R. Misc. Civil Application No. 202 of 2015 - Republic - vs - Cabinet Secretary Ministry of Interior & Coordination of National Government, The Secretary Public Service Commission, The Chief of Staff & Head of Public Service on 1 July, 2015.

The High Court Miscellaneous Civil Application 202 of 2015 was transferred to the Employment & Labour Relations Court at Nairobi on 27th July, 2015 and registered as JR No.7 of 2015. The Matter is still pending before the Employment and Labour Relations Court and the Hearing date for a Notice of Motion is fixed for Thursday, 13th August, 2015. Attached hereto is the photocopy of the communication from the Attorney-General on notice for the Hearing of the matter.

is being offered for guidance.

Yours



AMB. MONICA JUMA, DPhil., MBS
PRINCIPAL SECRETARY - INTERIOR

CC:

Hon. Maj. Gen. (Rtd.) Joesph Nkaisserry, MGH
Cabinet secretary
Ministry of Interior & Coordination of
National Government
NAIROBI

} for information.



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY-GENERAL

DEPARTMENT OF JUSTICE

AG/LIC/OP/80/15

7th August, 2015

Principal Secretary
Ministry of Interior & Coordination of
National Government
P.O. Box 30510 – 00100
NAIROBI

NAIROBI HCC JR 7/2015
ABEDNEGO REUBEN OKARIKODI ETYANG VS.
THE ATTORNEY GENERAL
CABINET SECRETARY MINISTRY OF INTERIOR &
CO-ORDINATION OF NATIONAL GOVERNMENT,
PRINCIPAL SECRETARY MINISTRY OF INTERIOR &
CO-ORDINATION OF NATIONAL GOVERNMENT
THE SECRETARY PUBLIC SERVICE COMMISSION,
CHIEF OF STAFF AND HEAD OF PUBLIC SERVICE

We refer to the above matter and advise that the case is scheduled for hearing on **13-8-2015**

We further inform that we have fully appraised the issues and intend to prepare Replying Affidavits in response to the claim.

The affidavits will in essence set out the facts and further amplify and clarify the respective mandates of 2nd -4th respondents. This is very critical to enable the Court appreciate the rationale of the guidelines in the National Executive Public Service (Civil Service).

SHERA HOUSE, HARAMBEE AVENUE

P.O. Box 40112 - 00100, NAIROBI, KENYA TEL +254 20 2227461/2251355/07119445555 / 0732529995

E-MAIL: info.state.lawoffice@kenya.go.ke WEBSITE www.attorney-general.go.ke

DEPARTMENT OF JUSTICE

CO-OPERATIVE BANK HOUSE, HAILESELASSIE AVENUE

P.O. Box 56057-00200, Nairobi- Kenya TEL Nairobi 2224029 / 2240337

To this end, please note that we are preparing three (3) affidavits to be sworn by:-

1. Principal Secretary, Ministry of Interior & Coordination of National Government.
2. Secretary, Public Service Commission.
3. Director, Human Resource Manager, Ministry of Interior & National Government.

We have attached a bound copy of the claimant's Memorandum of Claim together with the Amended Notice of Motion and Supporting Affidavit for record.



Ms. Wanjiku A. Mbiyu (OGW)

Chief State Counsel

FOR: HON ATTORNEY GENERAL

C.C.

Office of the Chief of Staff &
Head of Public Service
HARAMBEE HOUSE