REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: csenate@parliament.go.ke

Clerk's Chambers
The Senate
Parliament Buildings
P. O. Box 41842 –00100
Nairobi, Kenya

PARLIAMENT
OFFICE OF THE CLERK OF THE SENATE

Ref. SEN./PETITIONS/CORR./2017

30th March, 2017

The Petitioners,
C/o Mr. Kipruto Kimosop,
P.O. Box 400,
KABARNET.
Tel: 0726533851

PARLIAMENT OF KENYA LIBRARY

Dear Petitioners,

RE: PETITION TO THE SENATE ON THE STATE OF INSECURITY IN BARINGO, ELGEYO MARAKWET AND LAIKIPIA COUNTIES

I acknowledge, with thanks, receipt of your Petition on the above subject matter.

Upon reviewing the Petition in terms of Senate Standing Order 220 (3), it is advised that the Petition, though it raises important issues for consideration by the Senate, is not admissible in its present form. This is for the reasons that –

i) the Petition does not indicate whether any efforts have been made to have the subject matter of the Petition addressed by a relevant body and whether there has been any response from that body or whether the response has been unsatisfactory. This is a requirement under Section 3 (f) of the Petition to Parliament (Procedure) Act (No. 22 of 2012), and Senate Standing Order 223 (f); and

ii) the Petition fails to state whether the issues in respect of which it is made are pending before any court of law or other constitutional or legal body, as required under Section 3 (g) of the said Act, and Senate Standing Order 223 (g).

In the circumstances, it is requested that you amend the petition to comply with the said requirements, and re-submit for consideration by the Senate.

Mrs. Serah Kioko, Director, Legislative & Procedural Services (Tel No. 0722881777 and Email, skioko@parliament.go.ke or kiokoserah@gmail.com) is the officer responsible for facilitating this matter.

Yours Sincerely,

[illegible]
[illegible]

PETITION TO THE NATIONAL ASSEMBLY OF KENYA UNDER ARTICLES 37, 94, 96 & 119 OF THE CONSTITUTION OF KENYA; THE PETITION TO PARLIAMENT (PROCEDURE) ACT OF 2012; AND STANDING ORDER NO. 219 AND 220 OF THE SENATE APPEALING TO SENATE TO ADDRESS THE STATE OF INSECURITY IN BARINGO, ELGEYO MARAKWET AND LAIKIPIA COUNTIES AND TO DEMAND GOVERNMENT ACTION IN RESTORATION OF PEACE IN THE AREAS

THE SENATE CLERK'S OFFICE
RECEIVED
16 MAR 2017
P.O. Box 41842 - 00100, NAIROBI

The Senate,

C/O The Clerk, Senate

Parliament Building

P.O. Box 41842 – 00100

Nairobi, Kenya

(2) Charles
Please deal
27/03/17

VERY URGENT

(1) DLPS
Please deal.
27/3/17

THE SENATE
RECEIVED
27 MAR 2017
DIRECTOR LEGISLATIVE AND PROCEDURAL SERVICES

Dear Sir,

PETITION TO THE SENATE UNDER ARTICLES 37, 94, 96 AND 119 OF THE CONSTITUTION OF KENYA; THE PETITION TO PARLIAMENT (PROCEDURE) ACT OF 2012, AND STANDING ORDER NO. 219 AND 220 OF THE SENATE APPEALING TO THE SENATE OF KENYA TO ADDRESS THE STATE OF INSECURITY IN BARINGO, ELGEYO MARAKWET AND LAIKIPIA COUNTIES AND TO DEMAND GOVERNMENT ACTION IN RESTORATION OF PEACE IN THE AREAS

We, the undersigned,

Citizens of Kenya, and representatives of the Baringo Human Rights Consortium, community members and victims from the North Rift, and the Kenya Human Rights Commission being guided by

the provisions enshrined under Articles **10, 26, 27, 29, 35, 232 and 238** of the Constitution of Kenya wish to state that it is in the public interest that we, formally lodge this petition concerning the acute insecurity situation in Baringo, Elgeyo Marakwet and Laikipia Counties where armed groups, bandits, and cattle rustlers have continued to viciously conduct raids on neighboring communities a ' as such have destroyed property, looted cattle and caused massive displacement of over 17,000people.

WE DRAW the attention of the House to the following:

1. Dating as far back as the year 2005, the Rift Valley region particularly the Counties of Baringo, Elgeyo Marakwet and Laikipia have experienced acute insecurity the perpetrators being armed groups, bandits, and cattle rustlers. These groups continue to engage in savage attacks on community members and as such have destroyed property, looted cattle and caused massive displacement of over 17,000 people.
2. These latest incidents are part of a long history of violence instigated by Politicians who have on numerous occasions incited the different communities against each other. In Baringo South for instance, insecurity started in the year 2005 when the Pokot invaded the Ilchamus, Tugensand thereafter started invading Endorois in 2014. The Pokot have over time moved more than 60Km and 30km into Baringo South and North respectively covering an area of more than 900 sq. Km. The raids are ongoing despite police deployment in the area. The

raids have persisted to date despite the deployment of officers from the National Police Service and National Police Reservists.

3. Many people from the communities within the North Rift have lost their lives, displaced and have had their property equally destroyed by the suspected Pokot and Ilchamus raiders. Since 2005 in Baringo North & South over 95 people are reported to have been killed, 65people injured, over 5000 Houses burned, over 17,000 displaced and 35,198Livestock stolen and over Ksh. 600Million worth of property destroyed. This disaster has impacted negatively on the socio-economic development of the people

4. These communities have been adversely affected as children are no longer able to access quality education as over 40 schools have been closed. In Baringo South & North specifically, 41primary schools and 8 secondary schools have been closed down.

   Hassan Noor Hassan, the then Rift Valley Provincial Commissioner, while speaking to IRIN News, stated the number of youngsters out of school as at the year 2007 stood at 3800 owing to clashes between communities in Laikipia.

   "The high number of school age children not attending classes and [school] dropouts must be addressed to stop this trend and keep them away from the conflicts," he said. "The Ministry of Education and Youth Affairs must urgently initiate programmes to enrol and take these children back to school."

5. Violence in these areas has also led to closure of health facilities in fear of attacks. In Baringo South & North, 6Health centers have been shut down so far.
6. The communities that dwell in these three regions require access to water and pasture to sustain their way of life have been left to wallow in poverty and have since sought temporary refuge in abandoned schools. In addition, the Embosos, Laramoru, Mbechot Irrigation Schemes have been vandalized hence reducing food production.
7. The perpetrators of this violence have been able to acquire firearms with great ease hence escalating the state of insecurity and unrest.
8. In the recent past, various media houses have reported that there are about 5000 to 6000 illegal firearms within the North Rift, a fact that was confirmed by Baringo County Commissioner Samuel Okwanyo during his brief to the Star Newspaper on the 1st of March 2017.
9. These sporadic incidents of insecurity by armed groups, bandits, and cattle rustlers within the region have led to: the death of two politicians, Loyamorok member of County Assembly Fredrick Cheretei and Tiaty Parliamentary aspirant Simon Pepee Kitambaa: a teacher at Kapendusum Primary School, Philemon Chetalam Kemei; two National Police Reservists: a university student, a mother and her 3 day old baby, Ngororo Chief Thomas Rutop Chebor and Sosian Ranch Director Tristan Voorspuy among scores more.

10. Despite government efforts to deploy security personnel, recruiting National Police Reservists and employing the use of surveillance and air support with the stated aim of restoring peace within the region, there is still dire need for more involvement by Government.

HEREFORE your humble petitioner(s) Pray that Parliament directs—

1. That the current security operation have a clear and comprehensive mechanism for disarmament of all communities involved in the conflict;
2. That the National Police Service Commission presides over the transfers of the County Commissioners, Deputy County Commissioners, Officers Commanding Police Divisions and the Administration Police Commandants within the North Rift region for failing to comprehensively address this critical insecurity situation (These include but are not limited to the following: County Commissioner, Deputy County Commissioner Tiaty sub-county, OCPD Baringo South Sub-County and Administration Police Commandant Baringo South Sub-County);
3. That there be action towards immediate reopening of schools and dispensaries, and that adequate security be provided in these facilities.
4. That concerted efforts should be made to resettle and compensate the IDPs and furthermore address the prevailing humanitarian situation;

5. That the Government gazettes more security personnel and facilities within the North Rift region and deploy more security agents to ensure that peace and stability prevail;
6. That ongoing investigations by the police to establish those responsible for incitement and violence be concluded as a matter of urgency and lead to prosecution of those culpable in court regardless of the office or titles they may hold;
7. That the immediate recovery of all the 35,198 livestock stolen (Cows9,155, goats & sheep25,906 , Donkeys137) by armed groups, bandits, and cattle rustlers commence as soon as possible to enable the affected communities sustain their livelihood;
8. That the compensation scheme to be undertaken by the government be transparent, consultative, non-discriminatory and comprehensive to cover all forms losses suffered and provide durable solutions to victims; and
9. That the National and County Governments, Parliament and the County Assemblies concerned investigate and initiate disciplinary action against any of their members linked with these sporadic incidents of insecurity. This should include suspension from responsibilities that could hamper investigations;

LASTLY:

We urge implore the National Assembly to initiate a process that would see the current chairperson of the Departmental Committee on Administration & National Security; Hon. Asman Kamama step aside with immediate effect. This is premised on the following;

a) Since he became the Member of Parliament for Tiaty Constituency in 2002, there has been a drastic increase in insecurity that has directly been attributed to armed groups, bandits and cattle rustlers

b) Two of the 5 suspects arrested for the murder of 2 politicians (Loyamorok Member of County Assembly; Fredrick Cheretei & Tiaty Parliamentary Aspirant; Simon Pepee Kitambaa) are close associates of Hon Asman Kamama.

c) The 20 administrative locations declared by the government as dangerous and disturbed fall within Hon Kamama's constituency. As such it would not be possible to restore peace and stability within the affected locations as his position as the Chair of the Departmental Committee on Administration & National Security unfettered discretion to conduct oversight of security operations thus hindering security agencies from effectively discharging their duties.

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And your PETITIONER(S) will ever Pray.

NO.	NAME OF PETITIONER	POSTAL ADDRESS	I.D / P. P NO.	SIGNATURE
				p0726533851
01	KIPRUTO KIMOSOP	BHRC, BOX 400 KABARNET	ID. 22624451	
02	Lawrence Kiplagat	BHRC Box 400 KBT	A2283592	
03	WILLIAM TENGEHA	BOX 92 Nairiya	10941645	
04	KIBII TOROITICH	PO BOX 101, KINAMBA	A2433719	
05	KIPKOECH KIMAIYWA	P.O BOX 672 NYH	20642417	
06	SAMATI KEMBOI	P.O BOX 94 MARIGAT	23464124	
07	ISAIAH BIWOTT	BOX 426 KABARNET	20367996	
08	WILSON KIPSOI	BOX 1172 NYH	40143992	
09	LEMELUK MOSES	BOX 601 NYAHURU	25084422	
10	MARK KIPTOO	BOX 12 MARIGAT	23732262	
11	Janet Kipteniw	BOX 1272 NYA	21145859	
12	Salome Cherop	BOX 212 KBT	11841970	
13	Sophie KIPKWONY	BOX 60, Marigat	27137893	
14	ROBERT KULEI	BOX 173 Marigat	28074470	

NO.	NAME OF PETITIONER	POSTAL ADDRESS	I.D / P. P NO.	SIGNATURE
	Kipkurumka Kessel	18248 Nakuru	23434273	
	Raphael Tonoitich	1172 Nyahururu	30231898	
	Zephania Kibet	161, KBO	30082804	
	Brian Kiptoo	210 Kabarnet	13067469	
	Lily Sego	75914 Nairobi	29112680	
	Lesaris Bonface	Box 56 Ma	26695466	
	Weslin Kavir	Box 172 44	28756975	
	Amos Tator	144 Kabarnet	24232077	
	Pavel Kurson	5734-00506 NB	29589035	
	Dominic Biwott	1272 Nakuru	28894768	
	Kiplagat Onesmus	601-20300 Nakuru	28367354	
	Mary J Korir	96 Karandi	4014162	
	Mariamu Lekuseman	171 Moigut	20093270	
	Wendort John	119 Moigut	4536556	
	Kibet Bereke	3859	25246587	
	Samwel Chelango	601 Nakuru	9172053	
	Raubert Kiboot	601 Nakuru	28371314	
	Kipkorir Newton	132 Kabartonjo	28509388	
	Albert Kimatia	141 Kabartonjo	27480560	
	Konen Solomon	skonen@gmail.com	26151134	
	Raphael Tonoitich	1172 Nyahururu	30231898	
	Chandria Lawrence	92-30400 Kisumu	30192121	
	Amos Aengwo	11587-001	23485874	