



REPUBLIC OF KENYA

TWELFTH PARLIAMENT (FOURTH SESSION)

THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 38 of 2020)

REGARDING ALTERATION OF THE BOUNDARY OF MARSABIT FOREST BY DEGAZZETMENT OF 60 ACRES AND GAZETTMENT OF THE ENTIRE 112, 998.9 ACRES OF THE INDIGENOUS MT. KULAL FOREST

Honorable Members, pursuant to Standing Order 225(2)(b) requiring the Speaker to report to the House any Petition, other than those presented by a Member, I wish to report to the House that I have received a Petition from Captain (Rtd.) Abdullah Molu Mamo, a resident of Marsabit County.

Honourable Members, the Petitioner affirms that Marsabit Forest was created as a Forest Reserve with an area of 152.2 km² in 1932, while the Marsabit National Park was established in 1940 with an area of 395 km². In 1949, a large area measuring 2,020 km² was established as Marsabit National Reserve in order to create a buffer zone therefore reducing the possibility of human-wildlife conflict. Due to increased population over the years around Marsabit Mountain, an area measuring 534 km² was de-gazetted in 1982 to create room for more human settlement.

Honourable Members, the Petitioner asserts that Mt. Kulal Forest is a biosphere reserve and thus forms an important ecosystem having been recognized by UNESCO in 1978. Being un-gazetted, it is difficult for the Kenya Forest Services (KFS) to effectively transfer imperative

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guiding policies and recommendations for proper conservation and management. The Petitioner considers this approach as beneficial to the residents as well as the KFS with the view that KFS will have increased its areas of conservation while the residents will have adequate place for settlement without any encroachment.

The Petitioner prays that this House, pursuant to Section 34 of the Forest Conservation and Management Act, 2016, and the Cabinet Secretary responsible for environment, initiates the process of de-gazetting 60 acres of land in Marsabit Forest with a view to allocating it to the community and gazetting the whole of Mt. Kulal Forest measuring 112,998.9 acres to allow for proper conversation and management.

Honourable Members, pursuant to the provisions of Standing Order 227, this Petition stands committed to the Departmental Committee on Environment and Natural Resources for consideration. The Committee is required to consider the Petition and report its findings to the House and the Petitioners in accordance with Standing Order 227(2).

I thank you!


THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Date.....17th November, 2020......

② 010 - L&P
to process, paying attention
to sec. 34 & 35 of
the Forest Mgmt Act
process 7/10/20

The Clerk, National Assembly
Parliament Buildings
P.O. Box 41842 – 00100
NAIROBI

① L&P
pse process.
③ Petition
Please deal
with app Kiri
6/10/20

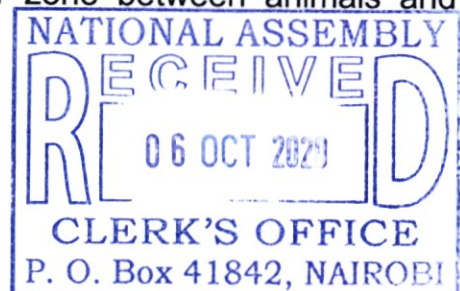
Email: clerk@parliament.go.ke

RE: PETITION TO THE NATIONAL ASSEMBLY ON ALTERATION OF MARSABIT FOREST BOUNDARIES FOR DE-GAZETTEMET OF 24.28HECTARES (60 ACRES) AND GAZETTEMET OF NATURAL INDIGENOUS MT KULAL FOREST 45,730 HECTARES (112,998.9 ACRES)

We, the undersigned, Citizens of the Republic of Kenya, and resident of Marsabit County;

DRAW the attention of the National Assembly in line with Part IV, Clause 34 of the Kenya Forest and Management Act of 2016 on the following;

1. That, we fully support the Government's efforts in the conservations and Forest Management.
2. That, Marsabit Forest was created as Forest Reserve with an area of 152.2KM² in 1932.
3. That, Marsabit National Park was established in 1940 with an area of 395KM².
4. That, in 1949, large area of 2,020KM² was established as Marsabit National Reserve in order to create buffer zone between animals and human habitation.



5. That, in 1982, Due to human settlement around Marsabit Mountain, an area of 534KM² of was de-gazetteed to create Marsabit Town.
6. That, in 1991, the settled area to the South and East of the Marsabit National Park were de-gazetted for more human settlement.
7. That, Marsabit Town being a center of business for the four constituency in Marsabit County has limited expansion space for human settlement;
8. That, most of the residential places within Marsabit are limited due to surrounding National Parks and National Reserves;
9. That, we have the following petition which we wish to have addressed by the National Assembly:
 - a) Mt Kulal Forest is a natural indigenous forest currently managed by the community and therefore not gazetted.
 - b) It covers an area of 45,730Hectares (112,998.9Acres) of land and is a biosphere reserve and thus forms an important ecosystem which has been recognized by UNESCO and designated as such in 1978.
 - c) The fact that it is not gazetted makes it difficult for Kenya Forest Services to effectively transfer imperative guiding policies and recommendations for proper conservation and management service for the benefit of future posterity.

- d) The national forest policies draw an overall forest management practice on forest protection and conservation of biodiversity and forest development. It also stipulates the benefit-sharing mechanism and types of forest products that both Kenya Forest Service and Locals in forest management can benefit from such as sustainable forest finance and revenue from the forest resources;
 - e) These include benefits related to capacity-building in job creation that strengthen local community's self-perception in relation to working with KFS on conservation and community reinvestment in education and other programs through logistical support by the KFS.
10. Local Intent and of mutual benefits to all stake holders including KFS, Locals and County Government can be interpreted as follows;
- a. We the locals agree to pave ways for the KFS to undertake the conservation in Mt Kulal fully with the blessing of all young and old on condition that the KFS facilitates the provision as endowment for the residents of Marsabit Sixty (60) Acres of land closer to Marsabit Town and human habitation out of Marsabit Forest.
 - b. The subject area we request for as per the sketch plan attached does not affects its value as a water catchment area and prejudice biodiversity conservation, cultural site protection of the forest or its use for educational, recreational, health or research purposes since it is within already inhabited areas by the local populace.

- c. Due to population increase and lack of enough space for human habitation, illegal encroachment has been seen taking place and may rise to an alarming level if necessary fundamental approach of this nature is not taken into account.
- d. The alteration and subsequent de-gazettement of that very section for human settlement will provide locals with the sense of attachment towards working with KFS on its endeavors on establishing uninterrupted and well-coordinated conservation approach towards achieving the targeted goals.
- e. This approach would be seen as a win-win situation for KFS, the Locals and Marsabit County in that KFS would increase its areas of conservation with a magnitude of 45,730 Hectares which translate to 112,998.8 Acres of new area of interest compared to 24.28 Hectares translating to 60 Acres of hived and de-gazetted portion for human settlement.
- f. The locals will feel honored by such incentives which boosts the outmost relations between the locals and KFS in all sphere of understanding.
- g. The County would have achieved by having its population granted their wish to legally have a settlement space without confrontational approach with various stake holders on security and administrative related issues on encroachment and thus henceforth give value to a designated KFS boundary.

Therefore, In view of the above factors, as local community from Marsabit, we propose that boundaries of Marsabit Forest Reserve be altered to exclude,

- i. Approximately 24.28 Hectares (60 Acres) as shown on the sketch map **MARKED 'A'** attached to ease congestions and accommodate local residents for resettlement;
- ii. A section on the western side of the forest along the highway as a buffer zone to avoid further encroachment due to the fact that the town is growing towards that direction, area **MARKED 'B'**

Subsequently, the Kenya Forest Service be authorized to gazette natural indigenous Mount Kulal Forest for proper conservation and management.

Annex 'A' attached to this petition is list of local residents who constitutes part of the beneficiaries and of petitioners to this cause.

Presented by:


Capt. Abdullah Molu Mamo (Rtd KN)

Marsabit Resident.

Cell Phone: +254 722 78 76 58

+254 733 78 76 58

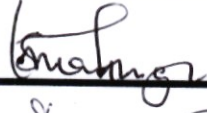
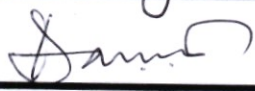

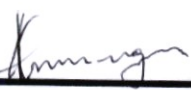


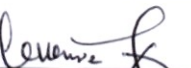




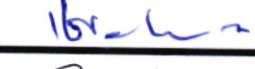

Email: mamo@tafricanresource.com

Dated this 06th day of October 2020.

ANNEX 'A'

PETITION TO THE SENATE ON ALTERATION OF MARSABIT FOREST BOUNDARIES FOR DE- GAZETTEMET OF 24.28 HECTARES (60 ACRES) AND GAZETTEMET OF NATURAL INDIGENIOUS MT KULAL FOREST 45,730 HECTARES (112,998.9 ACRES).

LIST OF PETITIONERS

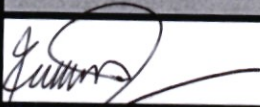
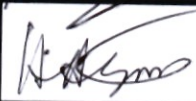
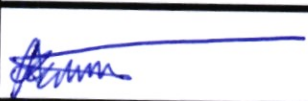
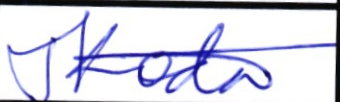
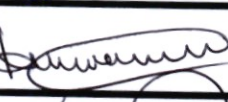
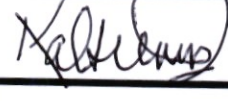
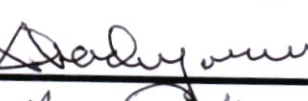
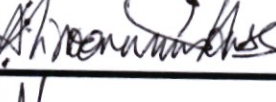




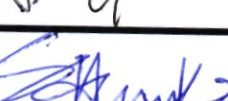
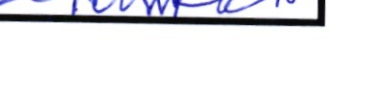
S/NO	NAME	NATIONAL ID CARD NO.	SIGNATURE
1	ISMAIL ITALIAN ILCHAGI	0211033	
2	ANDREW DEBELICHO GARGULE	0060441	
3	BARU DAHAROWA CHANA	0026987	
4	ABDUL MALIK ADILE GUDERE	7101981	
5	MADINA HUSSEIN	13729771	
6	GODANA GUYO MALICHA	0628059	
7	KHOBOSO LEKEREN EISIMSIDELE	9559667	
8	ABDI AZIZ ALI LERUK	22826460	
9	SHUKRI ABDI NGOLEY	24034035	
10	BASHIR ISACK SOMO	22477394	
11	MOHAMED GALGALO GODANA	11504653	
12	IBRAHIM NUNO YERO	20527289	Xxxxxx 
13	FATUMA SUBHADAYE ARBELE	33319894	

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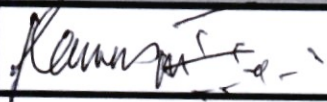
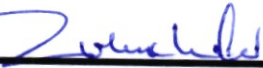
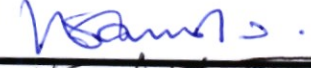


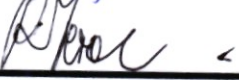




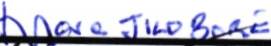

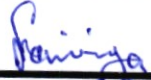
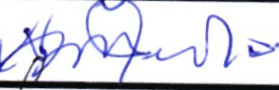
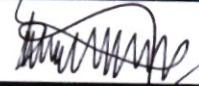
S/NO	NAME	NATIONAL ID CARD NO.	SIGNATURE
14	RUTH HIRBO CHIDO	24299642	
15	HALIMA HUSSEIN SARBO	0632550	
16	AISHA HUSSEIN	38772000	
17	JAMILA KOMBA ODA	26080041	
18	AMINA DABASSO WABERA	21208935	
19	KALTHUM ABDULLAH	38593499	
20	KHADIJAH ABDULLAH	34266071	
21	ALINOOR DIDA HUSSEIN	22288764	
22	WAKO ALI	21327778	
23	SOFIA NANYU LEREO	24877701	
24	HASSAN QUMBI	12754851	
25	SAFIA KATELO DOTI	24319029	
26	AMINA MOHAMED GODANA	13729575	
27	SAID HUSSEIN KOCHORE	23894355	

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S/NO	NAME	NATIONAL ID CARD NO.	SIGNATURE
28	ZAHARA KABADA	20054643	
29	ZULEKHA IBRAHIM	20046627	
30	WARIO SORA MOLU	30508438	
31	SHARMIM ELGIDA	29868733	
32	HALIMA BAGAJO	9290539	
33	RABIA YERO	9559979	
34	ABDI HASSAN HUSSEIN	12755400	
35	ALI JILO HUSSEIN	22623649	
36	HASSAN WABERA	37317446	
37	ABDIKHER ABDI DIBA	38231941	
38	MARE JILLO BORE	33444793	
39	CHAME HAIDE CHAME	27302167	
40	SADIA MALICHA BAGAJA	31459902	
41	WANDIMU WANAGO	0022052	
42	SALAH MUKBIL SAID	24914842	

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B



SKETCH MAP OF PROPOSED AREAS

