



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION 2026

PUBLIC PETITIONS COMMITTEE



REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 13 OF 2025 REGARDING REVOCATION
OF THE GAZETTEMMENT OF MUKOGODO FOREST RESERVE AS A PUBLIC FOREST
BY HON. SARAH KORERE, MP

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 28 MAY 2026	DAY: Thursday
TABLED BY:	Hon. Maisori Marwa, MP Member, Public Petitions Committee
CLERK-AT-THE-TABLE:	Irene Nduku

Directorate of Audit Appropriations &
General-Purpose Committees
Clerk's Chambers
Main Parliament Buildings
NAIROBI

MAY, 2026

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ACRONYMS

CCF	Chief Conservator of Forests
CFA	Community Forest Association
KFS	Kenya Forest Service
CFA	Community Forest Association
PFMP	Participatory Forest Management Plan

CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasure and honour to present to the House the Report of the Public Petitions Committee on its consideration of Public Petition No. 13 of 2025 regarding the revocation of the gazettelement of Mukogodo Forest Reserve as a public forest, submitted by Hon. Sarah Korere, M.P., Member for Laikipia North Constituency.

The Petitioners prayed that the National Assembly recommends the revocation of Gazette Notice No. 174 of 1964 and the subsequent gazettelement of 20,189 hectares of Mukogodo Forest as a community forest, allocation of the remaining 10,000 hectares for the resettlement of the Il Ngwesi and Yaaku communities, and any other appropriate interventions to address the challenges faced by the communities.

In considering the Petition, the Committee received submissions from the Petitioner and relevant stakeholders including the Ministry of Environment, Climate Change and Forestry, the National Land Commission, and the Ministry of Lands, Public Works, Housing and Urban Development. The Committee also reviewed the applicable legal and policy framework governing public forests in Kenya.

The Committee observed that Mukogodo Forest Reserve, covering approximately 30,189 hectares, is a gazetted public forest managed by the Kenya Forest Service as part of the national forest estate. The Committee further noted that the Il Ngwesi and Yaaku communities have historically interacted with the forest and currently participate in its management through the Ilmamusi-Mukogodo Community Forest Association under the existing Participatory Forest Management Plan.

While acknowledging the concerns raised by the Petitioners, the Committee found that revocation of the gazettelement of Mukogodo Forest would be inconsistent with the constitutional and statutory framework for the protection of public forests and the achievement of national forest cover targets. The Committee therefore recommends strengthening the existing participatory forest management framework, enhancing community benefits within the current legal structure, and addressing security challenges affecting the area; and enhanced multi-agency security operations, strengthened presence of the Kenya Forest Service within the forest, and a review of the Participatory Forest Management Plan to improve community participation and address implementation gaps.

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support provided during the consideration of this Petition. The Chairperson also wishes to thank the Members of the Committee and the Secretariat for their dedication and commitment throughout the process.

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 199, it is my privilege to table this Report before the House for consideration.

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

PART ONE

1. PREFACE

1.1 Establishment and Mandate of the Committee

The Public Petitions Committee was established under the provisions of Standing Order 208A with the following terms of reference:

- i) considering all public petitions tabled in the House;
- ii) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- iii) recommending whether the findings arising from consideration of a petition should be debated; and
- iv) advising the House and reporting on all public petitions committed to it.

1.2 Committee Membership

The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

Chairperson

Hon. Muchangi Karemba, CBS, M.P.
Runyenjes Constituency
United Democratic Alliance (UDA)

Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.
Turbo Constituency
United Democratic Alliance (UDA)

Hon. Patrick Makau King'ola, M.P.
Mavoko Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Ntwiga Patrick Munene, M.P.
Chuka Igambang'ombe Constituency
United Democratic Alliance (UDA)

Hon. Maisori Marwa Kitayama, M.P.
Kuria East Constituency
United Democratic Alliance (UDA)

Hon. Joshua Chepyegon Kandie, M.P.
Baringo Central Constituency
United Democratic Alliance (UDA)

Hon. Beatrice Kadeveresia Elachi, M.P.
Dagoretti North Constituency
Orange Democratic Movement (ODM)

Hon. Bernard Muriuki Nebart, M.P.
Mbeere South Constituency
Independent

Hon. Biego Paul Kibichy, M.P.
Chesumei
United Democratic Alliance (UDA)

Hon. Peter Irungu Kihungi, M.P.
Kangema Constituency
Maendeleo Chap Chap Party (MCCP)

Hon. John Bwire Okano, M.P.
Taveta Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Peter Mbogho Shake, M.P.
Mwatate Constituency
Jubilee Party (JP)

Hon. Sloya Clement Logova, M.P.
Sabatia Constituency
United Democratic Alliance (UDA)

Hon. Suzanne Ndunge Kiamba, M.P.
Makueni Constituency
Wiper Democratic Movement-Kenya (WDM-K)

1.3 Committee Secretariat

The Public Petitions Committee is facilitated by the following members of the secretariat:

Lead Clerk
Mr. Victor Weke
Principal Clerk Assistant II

Ms. Miriam Modo
First Clerk Assistant

Ms. Kafuyai Wamae
Third Clerk Assistant

Ms. Nancy Akinyi
Research Officer III

Ms. Roselyne Njuki
Principal Serjeant-at-Arms

Mr. Pascal Valerian
Hansard Officer III

Ms. Felistus Muiya
Public Communication Officer

Mr. Benard Toroitich
Third Clerk Assistant

Mr. Clinton Sindiga
Legal Counsel II

Mr. Arkan Mumin
Research Officer III

Mr. Paul Shana
Serjeant-at-Arms

Mr. Collins Mahamba
Audio Officer III

Ms. Fridah Ngari
Media Relations Officer III

PART TWO

2. BACKGROUND OF THE PETITION

2.1 Introduction

- 1 The Mukogodo Forest Reserve, covering an area of 30,189 hectares, was declared a public forest through Gazette Notice LN. 174 of 1964. It is located on the northwestern side of Mt. Kenya within the expansive plains of Laikipia County.
- 2 The Mukogodo Forest borders four areas designated as community land: Il Ng'wesi to the southeast, Mayianat to the southwest, Shulumai to the northwest, and Lekurruki to the north. It also neighbours the Borana Wildlife Conservancy. The surrounding communities, including the Il Ng'wesi and Yaaku, have safeguarded approximately 10,000 hectares of this forest land since the 14th Century.
- 3 In recognition of the forest's importance as a place of residence, a sanctuary for cultural and religious practices, and a source of livelihood, the Il Ng'wesi and Yaaku communities formed the Ilmamusu-Mukogodo Forest Association in 1998 to manage the forest. The Community Forest Association was formally registered in 2008 and became fully operational in 2016 with a duly constituted management committee comprising twenty-four (24) members.
- 4 Due to persistent insecurity, including killings and livestock banditry, the Il Ng'wesi and Yaaku communities were forced to flee the forest. As a result, the area has been occupied illegally, leading to widespread destruction of the forest.
- 5 The displacement of these communities due to banditry has resulted in the loss of lives and property, disruption of education due to school closures, increased livestock theft, and destruction of flora and fauna, among other hardships.
- 6 The Government's efforts to address insecurity in the region have been hindered by numerous challenges, including the rugged terrain, lack of full control, and unclear ownership of the Mukogodo Forest.
- 7 Revoking the gazettement of Mukogodo Forest as a public forest and reclassifying it as a community forest would significantly benefit the Il Ng'wesi and Yaaku communities. These benefits include enhanced control and management of forest resources, increased community participation in conservation, protection of indigenous rights, promotion of devolved natural resource governance, and improved conflict resolution and social cohesion.
- 8 Despite repeated efforts by the Il Ng'wesi and Yaaku communities to seek redress from relevant authorities, no tangible results have been achieved to date.

2.2 Petitioners' Prayers

9 The Petitioners pray that the National Assembly, through the Public Petitions Committee—

- i) Recommends that the Gazette Notice No. 174 of 1964 be revoked and the 20,189 hectares of Mukogodo Forest be subsequently gazetted of as a community forest;
- ii) Recommends that the remaining 10,000 hectares of Mukogodo Forest be allocated for the resettlement of the Il Ng'wesi and Yaaku communities; and
- iii) Makes any other recommendations it may deem appropriate to address the plight of the Petitioners.

PART THREE

3. STAKEHOLDERS' SUBMISSIONS

3.1 The Petitioners

On Thursday, 12th February, 2026, the Petitioner, Hon. Sarah Korere, M.P, alongside members of the Mukogodo Community Forest Association (CFA), appeared before the Committee and submitted as follows—

- 10 The Mukogodo Forest Reserve, covering an area of 30,189 hectares, was declared a public forest through Gazette Notice LN. 174 of 1964. It is located on the northwestern side of Mt. Kenya within the expansive plains of Laikipia County.
- 11 The Mukogodo Forest borders four areas designated as community land: Il Ng'wesi to the southeast, Mayianat to the southwest, Shulumai to the northwest, and Lekurruki to the north. It also neighbours the Borana Wildlife Conservancy. The surrounding communities, including the Il Ng'wesi and Yaaku, have safeguarded approximately 10,000 hectares of this forest land since the 14th Century.
- 12 In recognition of the forest's importance as a place of residence, a sanctuary for cultural and religious practices, and a source of livelihood, the Il Ng'wesi and Yaaku communities formed the Ilmamusu-Mukogodo Forest Association in 1998 to manage the forest. The Community Forest Association was formally registered in 2008 and became fully operational in 2016 with a duly constituted management committee comprising twenty-four (24) members.
- 13 Due to persistent insecurity, including killings and livestock banditry, the Il Ng'wesi and Yaaku communities were forced to flee the forest. As a result, the area has been occupied illegally, leading to widespread destruction of the forest.
- 14 The displacement of these communities due to banditry has resulted in the loss of lives and property, disruption of education due to school closures, increased livestock theft, and destruction of flora and fauna, among other hardships.
- 15 The Government's efforts to address insecurity in the region have been hindered by numerous challenges, including the rugged terrain, lack of full control, and unclear ownership of the Mukogodo Forest.
- 16 Revoking the gazetterment of Mukogodo Forest as a public forest and reclassifying it as a community forest would significantly benefit the Il Ng'wesi and Yaaku communities. These benefits include enhanced control and management of forest resources, increased community participation in conservation, protection of indigenous rights, promotion of devolved natural resource governance, and improved conflict resolution and social cohesion.
- 17 Regarding the gazetterment of Mukogodo Forest Reserve through Gazette Notice LN.174 of 1964, the Il Ngwesi and Yaaku communities were not aware that the forest had been designated, as the exercise was carried out without community involvement and lacked political goodwill.
- 18 The land is entirely managed by the communities themselves, with no Kenya Forest Service (KFS) offices present within the forest. The forest rangers currently operating in the area are remunerated by the communities. The communities actively manage and conserve the forest through nature-

based activities such as beekeeping and livestock rearing. Additionally, they have implemented zoning strategies to facilitate natural regeneration and ensure the long-term preservation of the forest.

- 19 The petitioners emphasised that the current population of the petitioners is approximately thirty thousand. Within Mukogodo Forest's 10,000 hectares, there are various operational public facilities, including schools and churches. Allocating portions of the forest for the resettlement of the Il Ng'wesi and Yaaku communities would not only secure the land for these communities but also benefit the larger population by formalising access to these existing facilities.
- 20 The petitioners further emphasised that the Government's prolonged neglect of the forest had created a dangerous vacuum, despite the area previously providing significant benefits to the local community. In the absence of any Kenya Forest Service (KFS) presence, the forest has become a refuge for bandits, who exploit the lack of oversight to engage in cattle rustling, violent attacks, and other criminal activities. The situation underscores the urgent need for effective forest management, law enforcement, and community protection measures.
- 21 Additionally, the revocation of Gazette Notice No. LN. 174 of 1964, which designated Mukogodo Forest as a forest reserve, would enable its reclassification as a community forest. This would, in turn, allow the community to revert the area into a conservancy model aimed at promoting eco-tourism and sustainable livelihood initiatives, including beekeeping and other nature-friendly initiatives.
- 22 Despite efforts by the Il Ngwesi and Yaaku communities to seek redress from relevant authorities, no tangible results have been achieved to date.

3.2 Ministry of Lands, Public Works, Housing and Urban Development

- 23 The Principal Secretary, Ministry of Lands, Public Works, Housing and Urban Development, Hon. Nixon Korir, vide letter dated 3rd March, 2026, forwarded written submissions and stated that matters relating to the management of forests in Kenya fall within the mandate of the Kenya Forest Service (KFS). Further, the reclassification of Mukogodo Forest is a matter that falls within the purview of the Chief Conservator of Forests (CCF).

3.3 National Land Commission

The Chief Executive Officer of the National Land Commission, Ms. Kabale Tache Arero, EBS, vide written submissions dated Tuesday, 10th March, 2026, submitted as follows -

- 24 The petition seeking the revocation of the gazettelement of Mukogodo Forest Reserve as a public forest raises several legally sustainable grounds that demonstrate its merit within the framework of environmental governance and community participation in forest management. The petition is anchored on the historical relationship between the local communities and the forest, the principles of sustainable forest management, and the statutory provisions of the Forest Conservation and Management Act, 2016.
- 25 One of the central merits of the petition is the recognition of the historical and customary relationship between the Il'ngwesi and Yaaku communities and the Mukogodo Forest. The petition demonstrates that the communities have inhabited and protected the forest for several

centuries, maintaining a deep cultural, economic and spiritual connection with the forest ecosystem. Such longstanding occupation and stewardship provide a strong basis for the assertion that the community qualifies as a forest-dependent community whose rights and interests ought to be considered in forest governance. The continuous protection of the forest by the community further illustrates that the forest has historically been preserved through indigenous conservation practices and local knowledge systems.

- 26 Another significant merit of the petition lies in the existence of organized community institutions dedicated to forest management. The Ilmamusu-Mukogodo Forest Association, established in 1998 and formally registered in 2008, represents a structured mechanism through which the local community participates in forest conservation and management. The establishment of such an association demonstrates the community's willingness to cooperate with the State and relevant authorities in ensuring the sustainable utilization of forest resources. The presence of a community forest association also reflects the growing recognition within Kenyan environmental law that effective conservation often requires the participation of local communities who directly depend on the forest resources for their livelihood and cultural identity.
- 27 The petition further highlights the importance of community-based forest management in promoting environmental conservation. It is argued that the displacement of indigenous communities from the forest area has contributed to the emergence of illegal occupation, environmental degradation and destruction of biodiversity within the forest. In this regard, the petition contends that empowering the local community to resume a central role in forest management would strengthen conservation efforts. Community stewardship is often more effective in preventing illegal exploitation because local communities possess intimate knowledge of the forest ecosystem and have a vested interest in ensuring its sustainability for future generations.
- 28 Additionally, the petition raises concerns regarding governance and security challenges affecting the forest area. According to the petitioners, the absence of effective local management structures has made it difficult for the government to address issues such as insecurity and illegal activities within the forest. By granting the community greater control over the forest, the petition suggests that local participation could improve surveillance, enhance accountability and contribute to the protection of the forest against illegal encroachment.
- 29 Section 33 of the Forest Conservation and Management Act, 2016. Recognizes the role of individuals and entities in the management and conservation of forests. The section provides that a person who owns a private forest may apply for its registration and may receive technical assistance from the Kenya Forest Service as well as financial support from the Forest Fund for purposes of conservation and development. This provision reflects the legislative intention to promote decentralized and participatory forest management, thereby encouraging private and community involvement in forest conservation.
- 30 Furthermore, Section 34 of the Forest Conservation and Management Act, 2016 provides a legal mechanism through which the status of a public forest may be altered. The section states that any person may petition Parliament for the variation of boundaries of a public forest or the revocation of the registration of a public forest or a portion of a public forest. This provision clearly establishes the legal basis upon which the petitioners seek the intervention of Parliament. It also sets out the conditions under which such a revocation may be considered, including the

requirement that the proposed variation must not endanger biodiversity, water catchment areas, or other critical ecological functions of the forest.

- 31 The issues raised in the Petition, particularly those relating to the revocation of the gazettement of Mukogodo Forest Reserve as a public forest and any consequent variation of its legal status, fell primarily within the mandate of the Ministry of Environment, Climate Change and Forestry and the institutions established under the Forests Conservation and Management Act, including the framework set out under sections 33 and 34 relating to the declaration, variation, and revocation of public forests.
- 32 Accordingly, the matter was best addressed by the Ministry and the relevant forest sector agencies, which were the competent authorities responsible for the gazettement or degazettement of public forests and any related administrative or legal processes.

3.4 Ministry of Environment, Climate Change and Forestry

- 33 Mukogodo Forest Reserve is located in Laikipia County, within Laikipia North Sub- County. Mukogodo Forest Reserve was originally defined by boundary plan no.75/68 LN 89 of 1937 as a forest reserve covering an area of 30,189 Ha. The Forest Reserve was gazetted through a legal notice number 174 of 1964. The forest is a mix of Natural Forest, woodlands, and grassland.
- 34 The forest is managed jointly by Kenya Forest Service as per the Forest Conservation and Management Act Cap 385 and the Mukogodo Community Forest Association (Ilmamusi) which was formed in 2008 with a view to working collaboratively with Kenya Forest Service in the management of the Forest in line with the Mukogodo Participatory Forest Management Plan 2023-2027.
- 35 Mukogodo Forest is an important water catchment area to the surrounding communities as its drained by seasonal rivers which include: Losigiria draining from East of Soisambu Hills and tributaries of Kispising river such as Sieku Peleta, Sinyai, Katonga and Kopia. In addition, there are several springs within the forest.
- 36 It is a protective forest which has a diverse range of Flora species dominated by indigenous tree species and shrubs including *Olea africana*, *Juniperous procera*, *Croton megalocarpus*, *Acacia abyssinica*, *Teclea simplisifolia* etc.
- 37 The Forest has a diverse range of fauna species which include rare/endangered mammals, birds, reptiles and insects. The animals include: elephant, buffalo, bushbuck, Red Duiker, Impala and Small mammals/rodents.
- 38 The landscape has a high potential for eco-tourism as it lies on an important historical elephant migratory corridor route between the Northern Rangelands and Laikipia, traversing Borana and Lewa Conservancies; Ngare Ndare Forest leading to Mt. Kenya Forest Reserve.
- 39 Under the management agreement signed between Kenya Forest Service and the Community Forest Association (CFA); the community enjoys a number of user rights which include:
 - i) Eco-tourism and recreational facilities;
 - ii) Seedling production and seeds collection;
 - iii) Scientific and Educational activities;
 - iv) Water abstraction;
 - v) Collection of wild fruits, vegetables and roots;

- vi) Grass/fodder harvesting and grazing; and
- vii) Beekeeping and honey harvesting.

- 40 Mukogodo Forest Reserve is a gazetted forest under the management of Kenya Forest Service (KFS) with the responsibility of sustainable management and conservation of the forest. The Ministry is aware of the security challenges affecting Laikipia County; however, insecurity and banditry are matters falling under national security agencies, an issue that is currently being addressed by the multi-agency security operations to contain the situation. In the spirit of multi-agency approach, Kenya Forest Service is working closely with these security agencies and remains committed to ensure normalcy is restored.
- 41 The Ministry is aware that the said communities mentioned above have historically occupied the forest on a seasonal and migratory basis, primarily in search of pasture for their livestock. Consequently, the allegation that the area is illegally occupied is not factual, as the same community has traditionally utilized the forest on a seasonal basis, as provided in the Participatory Forest Management Plan.
- 42 The Ministry is aware of the existence of schools and other social amenities within Mukogodo Forest. The presence of these facilities demonstrates structured community engagement and continued socio-economic benefits under the framework of participatory forest management. The Ministry through the Service is in the process of regularizing these institutions through issuance of Special Use Licence.
- 43 The Ministry is not aware of, nor has it sanctioned, any displacement of the Il Ng'wesi and Yaaku communities from Mukogodo Forest. There has been no eviction, removal, or administrative action undertaken by the Kenya Forest Service that would amount to the displacement of the community as alleged in the Petition.
- 44 On matters relating to alleged loss of life, livestock theft, banditry, and destruction of property falls within the mandate of national security and law enforcement agencies. Such matters are outside the statutory mandate of the Kenya Forest Service as established under Section 8 of the Forest Conservation and Management Act.
- 45 In respect to environmental degradation, the Kenya Forest Service continues to undertake conservation, protection, and surveillance activities within Mukogodo Forest in accordance with the law. Any incidents of illegal activities are addressed through existing enforcement mechanisms provided under the Forest Conservation and Management Act, Cap 385. In light of the foregoing, the Ministry maintains that the allegations of displacement attributed to forest management actions are unfounded and not supported by any official action undertaken by the Service.
- 46 Security matters of this nature fall under the mandate of the Ministry of Interior and National Administration, which is responsible for addressing issues such as banditry, displacement, and general security concerns. Kenya Forest Service will enhance security in the forest. On ownership, Mukogodo is a public forest managed, conserved and protected by Kenya Forest Service.
- 47 Mukogodo Forest Reserve is a gazetted forest vide gazette Notice number 174 of 1964. Under the current arrangements, the community enjoys access and benefits of the forest, as per the existing legal framework. This arrangement does not deny community the right to forest resources in a regulated and sustainable manner while maintaining the status of the forest. This, therefore, negates the need for forest reclassification.

- 48 The plea by the Petitioners for the de-gazettement of Mukogodo forest Reserve would be contrary to:
- i) Article 69 of the Kenyan constitution obligates the state to work to achieve and maintain a tree cover of at least ten per cent (10%) of the land area of Kenya. Any revocation of the gazetted forest would be detrimental to this constitutional requirement;
 - ii) The current Government plans and Presidential Directive on landscape restoration which requires growing of 15 billion trees by 2032, to achieve 30% tree cover with the objective of addressing climate change and livelihood improvement;
 - iii) International Legal Framework, that is United Nations Framework Convention on Climate Change and United Nations Convention to Combat Desertification, to which the Government of Kenya is a Signatory;
 - iv) The current Forest Management Agreement and the Participatory Forest Management Plan entered into between Kenya Forest Service and Ilmamusu Mukogodo Forest Association, as provided for in the Forest Conservation and Management Act Cap 385; and
 - v) Section 8 of the Forest Conservation and Management Act on conservation, management and protection of public forest.
- 49 The benefits requested in the Petition have already been provided for in the Participatory Forest Management Plan for Mukogodo Forest and the community is currently enjoying those benefits.
- 50 The proposed de-gazettement of this forest will undermine Kenya's Constitutional and statutory duty to protect its natural heritage for present and future generations, therefore denying the local community and the larger population the enhanced environmental, economic, social and ecological benefits that include carbon sequestration, climate amelioration, biodiversity and water conservation, as well as the creation of green jobs, among others.

PART FOUR

4. COMMITTEE OBSERVATIONS

Upon hearing from the Petitioner and other stakeholders, the Committee observed that—

- 51 Mukogodo Forest Reserve is a gazetted public forest under Gazette Notice No. 174 of 1964, covering 30,189 hectares. The Ministry has clarified that the forest is currently managed jointly by the Kenya Forest Service (KFS) and the Ilmamusi-Mukogodo Community Forest Association (CFA) under a formal management agreement and the Mukogodo Participatory Forest Management Plan 2023-2027.
- 52 The Ministry confirmed that the Il Ng'wesi and Yaaku communities already enjoy extensive user rights under the existing legal framework, including: eco-tourism and recreational facilities; seedling production and seed collection; scientific and educational activities; water abstraction; collection of wild fruits, vegetables and roots; grass/fodder harvesting and grazing; and beekeeping and honey harvesting. These benefits are formally provided for in the Participatory Forest Management Plan.
- 53 The Ministry categorically stated that it was not aware of, nor had it sanctioned, any displacement of the Il Ng'wesi and Yaaku communities from Mukogodo Forest. No evictions, removals, or administrative actions had been undertaken by KFS that would amount to displacement. The Ministry contends that the communities have historically occupied the forest on a seasonal and migratory basis for livestock grazing, which continues under the Participatory Forest Management Plan.
- 54 The Ministry clarified that matters of banditry, killings, livestock theft, and general insecurity fall within the mandate of the Ministry of Interior and National Administration, not the Kenya Forest Service. KFS was collaborating with security agencies through a multi-agency approach to address these challenges.
- 55 The Ministry emphasized that de-gazettement of Mukogodo Forest would contravene:
 - i) Article 69 of the Constitution, which obligates the state to achieve and maintain at least 10% tree cover;
 - ii) The Presidential Directive on landscape restoration targeting 15 billion trees by 2032 and 30% tree cover;
 - iii) International obligations under the UN Framework Convention on Climate Change and UN Convention to Combat Desertification; and
 - iv) Section 8 of the Forest Conservation and Management Act on conservation, management and protection of public forests.
- 56 Mukogodo Forest serves as a critical water catchment area with seasonal rivers and springs, hosts diverse flora and fauna including endangered species, and lies on an important historical elephant migratory corridor connecting Northern Rangelands to Mt. Kenya Forest Reserve. De-gazettement would undermine these ecological functions.
- 57 The Ministry acknowledged the existence of schools and other social amenities within the forest and confirms that KFS is in the process of regularizing these institutions through issuance of Special Use Licences, demonstrating structured community engagement rather than neglect.

- 58 The Committee noted that vide gazette notice No. 54 dated 26th March 2026 issued by the Cabinet Secretary for Interior and National Administration, Mukogodo Forest was declared as ‘disturbed and dangerous’. This has the effect of increasing police operations in the area.

PART FIVE

5. COMMITTEE RECOMMENDATIONS

59 Pursuant to the provisions of Standing Order 227, the Committee responds to the petitioners as follows;

- i) On the Prayer that the Committee recommends revocation of Gazette Notice No. 174 of 1964 and subsequent gazettment of 20,189 hectares of Mukogodo Forest as a community forest; **the Committee rejects this prayer for revocation and reclassification.**

The Committee however recommends that the Ministry of Environment, Climate Change and Forestry should implement the existing joint management framework with the Ilmamsi-Mukogodo Community Forest Association (CFA) under the Forest Conservation and Management Act, 2016 and the Participatory Forest Management Plan 2023-2027. A report on the same should be submitted to the National Assembly within six (6) months upon tabling of this report.

- ii) On the Prayer that the Committee recommends allocation of the remaining 10,000 hectares of Mukogodo Forest for the resettlement of the Il Ngwesi and Yaaku communities; **the Committee rejects the prayer for allocation of forest land for resettlement.**

The Committee however recommends that the National Land Commission, in collaboration with the Ministry of Lands, Public Works, Housing and Urban Development and the County Government of Laikipia, should investigate any outstanding historical land claims outside the forest reserve. The Committee further recommends that the Ministry of Environment, Climate Change and Forestry should expedite regularization of schools and social amenities through Special Use Licences to secure community access, within three (3) months upon tabling of this report.

- iii) On the prayer that the Committee makes any other recommendations to address the plight of the Petitioners, **the Committee recommends that the Ministry of Interior and National Administration sustains and institutionalizes the ongoing "disturbed and dangerous area" security operations in Mukogodo Forest, including establishment of permanent security infrastructure in the forest, deployment of adequate personnel to ensure long-term stabilization beyond temporary operations; and coordination with the Kenya Forest Service and local community structures to enable safe resumption of participatory forest management once security is restored.**

Signed:.....
THE HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Date: 28/05/28.....

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THE NATIONAL ASSEMBLY PAPERS LAD	
DATE: 28 MAY 2025	
Thursday	
TABLED BY:	Hon. Maisori Marwa, MP
CLERK-AT-TABLE	Member, Public Petitions Committee
	Irene Nduku

ANNEXURES

- Annex 1: The Adoption List
- Annex 2: Public Petition No. 13 of 2025 regarding revocation of the gazettelement of Mukogodo Forest Reserve as a public forest by Hon. Sarah Korere, MP
- Annex 3: Minutes of proceedings.

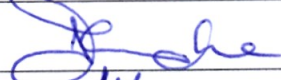
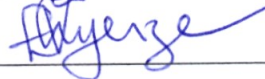
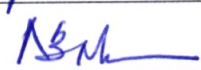
PUBLIC PETITIONS COMMITTEE

ADOPTION LIST

- (i) Consideration and adoption of the P/No. ¹³ 18 of 2025 Revocation of the gazettelement of Mukogodo Forest Reserve as a public forest by Hon. Sarah Korere, MP.

We, the undersigned, hereby affix our signatures to this Report to affirm our approval:

DATE: 7/5/2026

	HON. MEMBER	SIGNATURE
1.	Hon. Muchangi Karemba, CBS, M.P. (Chairperson)	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P. (Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
6.	Hon. Maisori Marwa Kitayama, M.P.	
7.	Hon. Edith Vethi Nyenze, M.P.	
8.	Hon. Patrick Ntwiga Munene, M.P.	
9.	Hon. Paul Biego Kibichy, M.P.	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	
11.	Hon. Peter Mbogho Shake, M.P.	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	
13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (FOURTH SESSION)

PUBLIC PETITION

(No. 13 of 2025)

**REGARDING REVOCATION OF THE GAZETTMENT OF
MUKOGODO FOREST RESERVE AS A PUBLIC FOREST**

I, the **UNDERSIGNED**, on behalf of the Il'ngwesi and Yaaku Communities in Laikipia North Constituency;

DRAW the attention of the House to the following:

1. **THAT**, the Mukogodo Forest Reserve, covering an area of 30,189 hectares, was declared a public forest through Gazette Notice LN. 174 of 1964. It is located on the northwestern side of Mt. Kenya within the expansive plains of Laikipia County.
2. **THAT**, the Mukogodo Forest borders four areas designated as community land: *Il Ng'wesi* to the southeast, *Mayianat* to the southwest, *Shulumai* to the northwest, and *Lekurruki* to the north. It also neighbours the Borana Wildlife Conservancy. The surrounding communities, including the *Il Ng'wesi* and *Yaaku*, have safeguarded approximately 10,000 hectares of this forest land since the 14th Century.
3. **THAT**, in recognition of the forest's importance as a place of residence, a sanctuary for cultural and religious practices, and a source of livelihood, the *Il Ng'wesi* and *Yaaku* communities formed the *Ilmamusi-Mukogodo* Forest Association in 1998 to manage the forest. The Community Forest Association was formally registered in 2008 and became fully operational in 2016 with a duly constituted management committee comprising twenty-four (24) members.
4. **THAT**, due to persistent insecurity, including killings and livestock banditry, the *Il Ng'wesi* and *Yaaku* communities were forced to flee the forest. As a result, the area has been occupied illegally, leading to widespread destruction of the forest.
5. **THAT**, the displacement of these communities due to banditry has resulted in the loss of lives and property, disruption of education due to school closures, increased livestock theft, and destruction of the forest's flora and fauna, among other hardships.

12 AUG 2025

Approved
SNA
12/8/25

for Speaker,
for not approve
12/8.

**REGARDING REVOCATION OF THE GAZETTMENT OF
MUKOGODO FOREST RESERVE AS A PUBLIC FOREST**

6. THAT, the Government's efforts to address insecurity in the region have been hindered by numerous challenges, including the rugged terrain, lack of full control, and unclear ownership of the Mukogodo Forest.

7. THAT, revoking the gazettment of Mukogodo Forest as a public forest and reclassifying it as a community forest would significantly benefit the *Il Ng'wesi* and *Yaaku* communities. These benefits include enhanced control and management of forest resources, increased community participation in conservation, protection of indigenous rights, promotion of devolved natural resource governance, and improved conflict resolution and social cohesion.

8. THAT, despite repeated efforts by the *Il Ng'wesi* and *Yaaku* communities to seek redress from relevant authorities, no tangible results have been achieved to date.

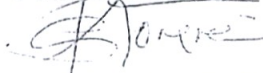
9. AND THAT, the issues raised in this Petition are not pending before any court of law, constitutional body, or other legal institution.

THEREFORE, your humble petitioners pray that the National Assembly, through the Public Petitions Committee:

- (i) Recommends that the Gazette Notice No. 174 of 1964 be revoked and the 20,189 hectares of Mukogodo Forest be subsequently gazetted of as a community forest;
- (ii) Recommends that the remaining 10,000 hectares of Mukogodo Forest be allocated for the resettlement of the *Il Ng'wesi* and *Yaaku* communities; and
- (iii) Makes any other recommendations it may deem appropriate to address the plight of the Petitioners.

And your **PETITIONER** will ever pray.

PRESENTED BY:



**THE HON. SARAH KORERE, MP
MEMBER FOR LAIKIPIA NORTH CONSTITUENCY**

DATE: 12th AUGUST 2022

MINUTES OF THE 35TH SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON THURSDAY, 7TH MAY, 2026 IN BAOBAB CONFERENCE ROOM, SERENA HOTEL, MOMBASA COUNTY AT 9:00 A.M.

PRESENT

- | | | |
|--|---|-------------------------|
| 1. Hon. Eric Muchangi Karemba, CBS M.P. | - | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. | - | Vice-Chairperson |
| 3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P. | | |
| 4. Hon. Joshua Chepyegon Kandie, M.P. | | |
| 5. Hon. Maisori Marwa Kitayama, M.P. | | |
| 6. Hon. (Eng.) Bernard Nebart Muriuki, M.P. | | |
| 7. Hon. Edith Vethi Nyenze, M.P. | | |
| 8. Hon. Paul Biego Kibichiy, M.P. | | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Suzanne Ndunge Kiamba, M.P.
3. Hon. Peter Irungu Kihungi, M.P.
4. Hon. Peter Mbogho Shake, M.P.
5. Hon. Sloya Clement Logova, M.P.
6. Hon. Patrick Ntwiga Munene, CBS, M.P.
7. Hon. John Bwire Okano, M.P.

IN-ATTENDANCE

SECRETARIAT

- | | | |
|--------------------------|---|-------------------------------|
| 1. Mr. Victor Weke | - | Principal Clerk Assistant II |
| 2. Ms. Miriam Modo | - | Clerk Assistant I |
| 3. Mr. Bernard Toroitich | - | Clerk Assistant III |
| 4. Ms. Kafuyai Wamae | - | Clerk Assistant III |
| 5. Mr. Clinton Sindiga | - | Legal Counsel II |
| 6. Ms. Nancy Akinyi | - | Research Officer III |
| 7. Mr. Arkan Mumin | - | Research Officer III |
| 8. Mr. Collins Mahamba | - | Audio Officer |
| 9. Ms. Felistas Muiya | - | Public Communications Officer |
| 10. Mr. Rose Njuki | - | Serjeant-at-Arms |

MIN./PPC/2026/181:

PRELIMINARIES

The Chairperson called the meeting to order at 9:00 am and Hon. Beatrice Elachi said the opening prayer.

MIN./PPC/2026/182:

ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Hon. Joshua Kandie, M.P and seconded by, Hon. Maisori Kitayama, M.P.

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising
5. **Consideration and Adoption of the following Reports on: -**
 - (i) **Public Petition No. 18 of 2025 by Hon. John Machua Waithaka regarding road reserve boundaries and protection of ancestral land by residents of Gitei Village, Kiambu County;**
 - (ii) **Public Petition No. 19 of 2024 by Hon. Brighton Yegon, M.P regarding Hydropower Generation by Kenya Tea Development Authority;**
 - (iii) **Public Petition No. 18 of 2025 by Hon. Sarah Korere, M.P regarding the revocation of the gazettelement of Mukogodo Forest Reserve as a public forest; and**
 - (iv) **Public Petition No. 15 of 2025 regarding the enactment of legislation to regulate theological colleges in the country, by Rev. Josiah Njiru Wajoshuah Chairman of the Association of Pentecostal Vocational Training Institutions of Kenya (APVOTIK).**
6. Any Other Business
7. Adjournment and Date of the Next Meeting

MIN./PPC/2026/183: CONFIRMATION OF MINUTES

This agenda item was deferred.

MIN./PPC/2026/184: CONSIDERATION AND ADOPTION OF REEPORTS ON VARIOUS PUBLIC PETITIONS

- a) **Public Petition No. 18 of 2025 by Hon. John Machua Waithaka, M.P regarding road reserve boundaries and protection of ancestral land by residents of Gitei Village, Kiambu County**

The adoption of the Draft Report was deferred pending receipt of a written response from the National Land Commission concerning the title deeds and land ownership documents allegedly held by the villagers.

- b) **Public Petition No. 19 of 2024 by Hon. Brighton Yegon, M.P regarding hydropower generation by Kenya Tea Development Authority**

The Committee considered and adopted the Draft Report unanimously with amendments to recommendation (1) having been proposed by the Hon. Joshua Kandie, MP and seconded by the Hon. Nerbert Muriuki, MP as follows –

- i) On the prayer that the Committee engages the Ministry of Agriculture and Livestock, Ministry of Energy and Petroleum; and, other relevant authorities with a view of investigating the alleged financial mismanagement in regard to generating power by KTDA on behalf of small holder tea farmers in Bomet County and other surrounding

counties in the West of Rift; **The Committee recommends that within thirty (30) days upon tabling of this report, the KTDA should convene a multi-sectoral public engagement and participation exercise, including local political leadership, farmers and those persons whose land are affected by the Kipsonoi project with a view of resolving all outstanding issues.**

ii) On the prayer that the Committee makes recommendation compelling KTDA to provide a detailed report within 30 days on the status of the hydro- power projects, including how the funds were invested and the reasons for the inordinate delay of the project; **The Committee confirms that Kenya Tea Development Agency (KTDA) and Tea Board of Kenya furnished the Committee with the report. The Committee recommends that the KTDA must ensure completion of the Chemosit power plant and submit a commissioning report by 31st October 2026;**

iii) On the prayer that the Committee recommends the due compensation of all small holder tea farmers in the affected region where more than Kshs 3 billion have been deducted since 2014; **The Committee reiterates its recommendations (i) and (ii) above.**

iv) Make any other necessary recommendation the Committee deems fit to address the issues raised in this Petition; **The Committee recommends that within ninety (90) days upon tabling of this report the Ministry of Energy and Petroleum in liaison with KTDA should negotiate favourable rates similar to those of other Independent Power Producers.**

c) Public Petition No. 18 of 2025 by the Hon. Sarah Korere, M.P regarding the revocation of the gazettelement of Mukogodo Forest Reserve as a public forest

The Committee unanimously considered and adopted the Draft Report with the following recommendations having been proposed by the Hon. Janet Sitienei, MP and seconded by the Hon. Marwa Kitayama, MP –

(i) **On the Prayer that the Committee recommends revocation of Gazette Notice No. 174 of 1964 and subsequent gazettelement of 20,189 hectares of Mukogodo Forest as a community forest;** the Committee rejects this prayer for revocation and reclassification. The Committee however recommends that the Ministry of Environment, Climate Change and Forestry strengthens and fully implements the existing joint management framework with the Ilmamusu-Mukogodo Community Forest Association (CFA) under the Forest Conservation and Management Act, 2016. The Ministry should enhance community decision-making authority within the current legal structure, expand benefit-sharing mechanisms already provided in the Participatory Forest Management Plan 2023-2027, and ensure the community's existing user rights for eco-tourism, beekeeping, grazing, water abstraction, seed collection, and educational activities are fully realized and monitored. A report on the same should be submitted to the National Assembly within six (6) months of tabling of this report.

(ii) **On the Prayer that the Committee recommends allocation of the remaining 10,000 hectares of Mukogodo Forest for the resettlement of the Il Ngwesi and Yaaku**

communities; the Committee rejects the prayer for allocation of forest land for resettlement. The Committee however recommends that the National Land Commission, in collaboration with the Ministry of Lands, Public Works, Housing and Urban Development and the County Government of Laikipia, investigates any outstanding historical land claims outside the forest reserve through proper legal channels. The Committee further recommends that the Ministry of Environment, Climate Change and Forestry expedites regularization of schools and social amenities through Special Use Licences to secure community access, within three (3) months of tabling of this report.

d) Public Petition No. 15 of 2025 regarding the enactment of legislation to regulate theological colleges in the country by Rev. Josiah Njiru Wajoshuah, Chairman of the Association of Pentecostal Vocational Training Institutions of Kenya (APVOTIK).

The Committee considered and adopted the Draft Report unanimously with the following recommendation having been proposed by the Hon. Edith Nyenze and seconded by the Hon. Beatrice Elachi, MP -

1. On the prayers that the National Assembly considers enacting a legislation expressly providing for regulation of theological training and education within the Pentecostal, Charismatic and Indigenous church community, standardization of curricula; accreditation of Spirit filled, biblically faithful and academically sound institutions; accountability and integrity in ministerial training; facilitation of contextual theological research; regional and global networking for academic and ministerial excellence; **The Committee recommends that within ninety (90) days upon tabling of this report, the Ministry of Education should establish/map out all theological training institutions countrywide and enforce compliance within the prevailing laws;**

The Committee further recommends that within ninety (90) days of tabling of this report, the Ministry of Education should convene a multi-faith forum to address gaps identified in the practice of faith-based training and consideration of the draft bill presented by the petitioners for purposes of public participation.

MIN./PPC/2026/185:

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 4:30 p.m.

Sign: 

Date 28/05/26

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

**MINUTES OF THE 14TH SITTING OF THE PUBLIC PETITIONS COMMITTEE
HELD ON WEDNESDAY, 12TH MARCH, 2026 IN COMMITTEE ROOM ON THE 5TH
FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 11.30 A.M.**

PRESENT

- | | | |
|--|---|-------------------------|
| 1. Hon. Eric Muchangi Karemba, CBS M.P. | - | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. | - | Vice-Chairperson |
| 3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P. | | |
| 4. Hon. Joshua Chepyegon Kandie, M.P. | | |
| 5. Hon. Edith Vethi Nyenze, M.P. | | |
| 6. Hon. Peter Irungu Kihungi, M.P. | | |
| 7. Peter Mbogho Shake, M.P. | | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Patrick Ntwiga Munene, CBS, M.P.
3. Hon. Suzanne Ndunge Kiamba, M.P.
4. Hon. (Eng.) Bernard Nebart Muriuki, M.P.
5. Hon. Paul Biego Kibichiy, M.P.
6. Hon. John Bwire Okano, M.P.
7. Hon. Maisori Marwa Kitayama, M.P.
8. Hon. Sloya Clement Logova, M.P.

IN-ATTENDANCE

NATIONAL ASSEMBLY

Hon. (Capt.) Ruweida Obo, MP - Member for Lamu East Constituency

SECRETARIAT

- | | | |
|--------------------------|---|-----------------------------|
| 1. Ms. Miriam Modo | | Clerk Assistant I |
| 2. Mr. Bernard Toroitich | - | Clerk Assistant III |
| 3. Ms. Kafuyai Wamae | - | Clerk Assistant III |
| 4. Mr. Clinton Sindiga | - | Legal Counsel II |
| 5. Ms. Nancy Akinyi | - | Research Officer III |
| 6. Ms. Rehema Koech | - | Audio Officer |
| 7. Mr. Calvin Karungo | - | Media Relations Officer III |
| 8. Mr. Paul Shana | - | Serjeant at arms |

PETITIONERS

1. Mr. Hashim Zeid Bwana
2. Mr. Adam Kombo
3. Mr. Mark Odhiambo Odega
4. Ms. Shali Shee
5. Mr. Abubakar Bwana
6. Ms. Zahora Mohammed
7. Mr. Bwana Bwana
8. Ms. Sharifa Abdalla
9. Mr. Hashim Lali

MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND FORESTRY

1. Ms. Deborah Barasa	-	Cabinet Secretary
2. Mr. Mugambi Gitonga	-	Principal Secretary, Forestry
3. Mr. Francis Kariuki	-	Ag. DCCF-KFS
4. Ms. Fatma Ali	-	PSC-MECC&F
5. Ms. Daisy Santana	-	Legal Counsel
6. Dr. Thomas Kiptoo	-	KFS
7. Mr. Kennedy Olwasi	-	Technical Advisor
8. Mr. Mohammed Omar	-	SDF
9. Ms. Beth Chiuri	-	PS Office
10. Mr. Rodney Omari	-	Parliamentary Liaison Officer

MIN./PPC/2026/073:

PRELIMINARIES

The Chairperson called the meeting to order at 11:30 am and said a word of prayer.

MIN./PPC/2026/074:

ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Edith Vethi Nyenze, M.P and seconded by, Hon. Peter Irungu Kihungi, M.P

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising
5. **Meeting with the Petitioners on a Public Petition by Hon. (Capt.) Ruweida Obo, M.P regarding recognition and protection of the traditional and cultural rights of the Kiwayu Island Community.**
6. **Meeting with the Cabinet Secretary, Ministry of Environment, Climate Change and Forestry on a Public Petition by Hon.Sarah Korere regarding Revocation of the Gazettement of Mukogodo Forest Reserve as a Public Forest.**
7. Any Other Business (A.O.B)
8. Adjournment and date for the next Sitting

MIN./PPC/2026/075:

CONFIRMATION OF MINUTES

This agenda item was deferred to the next sitting.

MIN./PPC/2026/076:

MEETING WITH THE PETITIONERS ON PUBLIC PETITION BY HON. (CAPT) RUWEIDA OBO, M.P REGARDING RECOGNITION AND PROTECTION OF THE TRADITIONAL AND CULTURAL RIGHTS OF THE KIWAYU ISLAND COMMUNITY

The petitioners appeared before the Committee and submitted as follows -

- a) Kiwayu island, located within Kiunga Marine National Reserve, is ancestral land. In recent years, private developers have encroached upon the protected marine reserve areas, carrying out unauthorized developments and commercial activities that contravene conservation laws and undermine the rights of the local community.
- b) There are reports of fraudulent title deed and irregular land allocations purporting to grant private ownership within the marine reserve despite the area being protected under the

Wildlife Conservation and Management Act, the Environmental Management and Coordination Act and related regulations. These illegal encroachments have led to marine habitat degradation, loss of coral reefs and fish breeding zones, and destruction of mangrove forests thereby threatening both biodiversity and the community's source of livelihood.

- c) The activities of the private developers' further risk displacing the Kiwayu community disrupting cultural heritage sites and community settlements that have existed in harmony with the marine environment for centuries.

Petitioners Prayers

The Petitioners prayed that the Committee conduct an investigation and recommend for-

- i. Recognition and protection of the traditional and cultural rights of the Kiwayu island community as environmental custodians and stakeholders in the marine conservation;
- ii. Investigation into encroachment, fraudulent land allocations and illegal developments within Kiunga Marine National Reserve with a view to restoring compliance with environmental and conservation laws;
- iii. The immediate revocation of any fraudulent or irregular title deeds or leases issued within the Marine Reserve and ensures the removal of illegal investors and developments from the protected area;
- iv. Development of a community-based co-management framework between the Kenya Wildlife Service, the Ministry of Environment, and the local Kiwayu community to promote sustainable use, protection and equitable benefit sharing from marine resources; and
- v. Measures to be put in place to strengthen marine reserve governance systems so as to prevent future encroachments, enhance environmental protection and uphold the integrity of protected marine ecosystems in Kenya.

Clarifications by the petitioner

- a) The petitioners submitted that 62% of Lamu East is a reserve and the residents live on the island like squatters.
- b) The petitioners informed the committee that currently there are foreigners and investors who come into the island with title deeds yet the locals and residents of Kiwayu are not permitted to have title deeds on the land since it is a gazetted forest reserve. It is unclear why foreigners and investors have deeds yet the locals are not permitted or given deeds.
- c) When locals want to develop or invest on the island, they are faced with resistance and conflicts with the Kenya Wildlife Service. The residents want Kiwayu to be a tourist destination and the villagers benefit from tourism. Currently there is no formula for resource sharing between the residents and the KWS.

Committee's Observations

The Committee observed as follows: -

THAT-

- a) There exists uncertainty regarding the nature of the title deeds issued specifically, whether these constitute absolute title deeds or special use leases subject to specific time limitations and conditions.
- b) Title deeds are being issued to foreign nationals and investors for the establishment of resorts and commercial developments, while local residents are simultaneously prohibited from obtaining such title deeds. Furthermore, those locals who do possess title deeds are engaging in the sale of their land, suggesting potential irregularities or pressures in the current land tenure system.
- c) Land parcels that have been formally gazetted as reserves should not, by legal definition and purpose, be eligible for the issuance of individual title deeds, as this undermines the protected status and conservation objectives of such reserves.
- d) A jurisdictional conflict has emerged between the county government and the Kenya Wildlife Service (KWS) regarding control and management of the land. This conflict is particularly problematic given that gazetted reserves fall under the mandate and authority of the national government, not county administrations, thereby raising questions about the legal basis of county government involvement.

Committee's Resolution

The Committee resolved –

1. To engage -
 - a) The Ministry of Lands, Public Works, Housing & Urban Development;
 - b) The Ministry of Gender, Culture, Arts & Heritage;
 - c) The National Environment Management Authority;
 - d) County government of Lamu;
 - e) The Kenya Wildlife Service; and
 - f) National Land Commission (NLC).
2. To conduct a site, visit to ascertain the status of the KWS and the community land.

MIN./PPC/2026/077:

MEETING WITH CABINET SECRETARY, MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND FORESTRY REGARDING PUBLIC PETITION BY HON.SARAH KORERE ON REVOCATION OF THE GAZETEMENT OF MUKOGODO FOREST AS A PUBLIC FOREST

The Cabinet Secretary, Ministry of Environment, Climate Change and Forestry, Ms. Deborah Barasa, appeared before the Committee and submitted as follows –

The benefits requested in the Petition have already been provided for in the Participatory Forest Management Plan for Mukogodo Forest and the community is currently enjoying those benefits.

- a) The proposed de-gazetement of this forest will undermine Kenya's Constitutional and statutory duty to protect its natural heritage for present and future generations, therefore denying the local community and the larger population the enhanced environmental, economic, social and ecological benefits that include carbon sequestration, climate

amelioration, biodiversity and water conservation, as well as the creation of green jobs, among others.

- b) The plea by the Petitioners for the de-gazettement of Mukogodo forest Reserve would be contrary to:
- Article 69 of the Kenyan constitution obligates the state to work to achieve and maintain a tree cover of at least ten per cent (10%) of the land area of Kenya. Any revocation of the gazetted forest would be detrimental to this constitutional requirement;
 - The current Government plans and Presidential Directive on landscape restoration which requires growing of 15 billion trees by 2032, to achieve 30% tree cover with the objective of addressing climate change and livelihood improvement;
 - International Legal Framework, that is United Nations Framework Convention on Climate Change and United Nations Convention to Combat Desertification, to which the Government of Kenya is a Signatory;
 - The current Forest Management Agreement and the Participatory Forest Management Plan entered into between Kenya Forest Service and Ilmamusu Mukogodo Forest Association, as provided for in the Forest Conservation and Management Act Cap 385; and
 - Section 8 of the Forest Conservation and Management Act on conservation, management and protection of public forest.

Committee Observations

The Committee made the following observations:

- Government institutions, including hospitals and schools, are currently operating within the forest area.
- The Cabinet Secretary's submissions were found to be inadequate and deficient in current information. The Committee noted that the Cabinet Secretary appeared to lack awareness regarding the various institutions located within the forest and the government facilities present there. This is particularly concerning given that the petitioners have provided evidence of receiving government services within the forest boundaries.
- Multiple schools situated within the forest have yet to be formally regularized or officially recognized.
- The regulations governing forests and gazetted reserves lack clarity and specificity regarding human settlement within forest areas. This regulatory ambiguity appears to have contributed significantly to the current challenges being experienced, as the absence of clear guidelines has likely facilitated unauthorized occupation and the establishment of structures within these protected zones.

Committee Resolutions

The Committee resolved to undertake a site visit for the purpose of verifying and establishing the actual status of the Kenya Wildlife Service (KWS) operations and the community land in question.

MIN./PPC/2026/078: ADJOURNMENT AND DATE OF NEXT MEETING

There being no other business, the meeting was adjourned at 2:00 p.m. The next meeting will be communicated on notice.

Sign:
HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Date 01/04/2026

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**MINUTES OF THE 12TH SITTING OF THE PUBLIC PETITIONS COMMITTEE
HELD ON TUESDAY, 10TH MARCH, 2026 IN COMMITTEE ROOM ON THE
5TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 2.30
P.M.**

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Hon. Eric Muchangi Karemba, CBS M.P. | - | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. | - | Vice-Chairperson |
| 3. Hon. Joshua Chepyegon Kandie, M.P. | | |
| 4. Hon. Edith Vethi Nyenze, M.P. | | |
| 5. Hon. (Eng.) Bernard Nebart Muriuki, M.P. | | |
| 6. Hon. Peter Irungu Kihungi, M.P. | | |
| 7. Hon. Paul Biego Kibichiy, M.P. | | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Patrick Ntwiga Munene, CBS, M.P.
3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
4. Hon. Suzanne Ndunge Kiamba, M.P.
5. Hon. Peter Mbogho Shake, M.P.
6. Hon. John Bwire Okano, M.P.
7. Hon. Maisori Marwa Kitayama, M.P.
8. Hon. Sloya Clement Logova, M.P.

IN-ATTENDANCE

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Victor Weke | - | Principal Clerk Assistant II |
| 2. Ms. Miriam Modo | - | Clerk Assistant I |
| 3. Mr. Bernard Toroitich | - | Clerk Assistant III |
| 4. Ms. Kafuyai Wamae | - | Clerk Assistant III |
| 5. Mr. Clinton Sindiga | - | Legal Counsel II |
| 6. Mr. Arkan Mumin | - | Research Officer III |
| 7. Mr. Nancy Akinyi | - | Research Officer III |
| 8. Mr. Collins Mahamba | - | Audio Officer |
| 9. Mr. Calvin Karungo | - | Media Relations Officer III |
| 10. Mr. Valerian Pascal | - | Hansard Officer |
| 11. Mr. Paul Shana | - | Serjeant at arms |

MIN./PPC/2026/060: PRELIMINARIES

The Chairperson called the meeting to order at 2:30 pm and said a word of prayer. He informed the meeting that the delay in commencing the meeting was due to the scheduled United Democratic Alliance(UDA)- Orange Democratic Movement(ODM) joint Parliamentary Group meeting that had the attendance of majority of the Committee Members.

MIN./PPC/2026/061: ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Hon. (Eng.) Bernard Nebart Muriuki, M.P and seconded by, Hon. Paul Biego Kibichiy, M.P

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising;
5. **Meeting with the Principal Secretary, Ministry of Lands, Public Works, Housing & Urban Development; Chief Executive Officer, National Land Commission; and Director-General, Kenya National Highways Authority, regarding the following:-**
 - i. Public Petition by landowners affected by the construction of the Embu Ring/Connector Road project in Embu County;
 - ii. Public Petition by Mr. Ibrahim Nthitu Makwattah, regarding compensation of compulsory acquired land and properties along Kibwezi - Kitui Road;
 - iii. Public Petition by residents of Gitei Village, Kiambu County Road reserve boundaries and protection of ancestral land;
 - iv. Public Petition by Hon. (Prof) Phyllis Bartoo, MP, regarding waiver of the Elgeyo Border Settlement Scheme No. 45 Settlement Fund Trustees Loan;
 - v. Public Petition by workers of Nyario ya Kididi cha Bhatubheta culture community in Taveta Constituency regarding alleged acquisition of Trust Land L.R. No 249 of 1963 by the Government in Taita Taveta County;
 - vi. Public Petition by Hon. Sarah Korere, MP, regarding revocation of the gazettement of Mukogodo forest reserve as a public forest;
 - vii. Public Petition by Hon. Rahim Dawood, MP, regarding compensation and Land allocation to Mau Mau War Veterans of Meru County.
6. Any Other Business
7. Adjournment and date for the next Sitting

MIN./PPC/2026/062:

CONFIRMATION OF MINUTES

This agenda item was deferred to the next sitting.

MIN./PPC/2026/063:

**MEETING WITH THE PRINCIPAL SECRETARY,
MINISTRY OF LANDS, PUBLIC WORKS,
HOUSING & URBAN DEVELOPMENT, CHIEF
EXECUTIVE OFFICER, NATIONAL LAND
COMMISSION AND THE DIRECTOR GENERAL,
KENYA NATIONAL HIGHWAYS AUTHORITY.**

The Chairperson informed the meeting that the Principal Secretary, Ministry of Lands, the Chief Executive Officer, National Land Commission, and the Director General, Kenya National Highways Authority had each submitted their written responses on the

petitions. The Chairperson further stated that, due to other exigencies, they were unable to attend the meeting.

Committee Resolution

The Committee resolved that the written submissions by the three entities sufficed and would be considered and adopted into the reports, which were scheduled to be reviewed the following week during the report writing retreat to be held in Mombasa County from 15th to 22nd March, 2026.

MIN./PPC/2026/064: **ANY OTHER BUSINESS**

Regarding the public petition by landowners affected by the construction of the Embu Ring/Connector Road project in Embu County, the meeting was informed that the matter fell under the mandate of the Kenya Rural Roads Authority and not the Kenya National Highways Authority. The meeting therefore resolved that KeRRA be invited to provide information on the petition.

MIN./PPC/2026/065: **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 3:00 p.m. The next meeting will be held on Wednesday, 11th March, 2026 at the same venue.

Sign:.......... Date01/04/2026.....
HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

**MINUTES OF THE 12TH SITTING OF THE PUBLIC PETITIONS COMMITTEE
HELD ON TUESDAY, 10TH MARCH, 2026 IN COMMITTEE ROOM ON THE
5TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 2.30
P.M.**

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Hon. Eric Muchangi Karemba, CBS M.P. | - | Chairperson |
| 2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. | - | Vice-Chairperson |
| 3. Hon. Joshua Chepyegon Kandie, M.P. | | |
| 4. Hon. Edith Vethi Nyenze, M.P. | | |
| 5. Hon. (Eng.) Bernard Nebart Muriuki, M.P. | | |
| 6. Hon. Peter Irungu Kihungi, M.P. | | |
| 7. Hon. Paul Biego Kibichiy, M.P. | | |

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Patrick Ntwiga Munene, CBS, M.P.
3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
4. Hon. Suzanne Ndunge Kiamba, M.P.
5. Hon. Peter Mbogho Shake, M.P.
6. Hon. John Bwire Okano, M.P.
7. Hon. Maisori Marwa Kitayama, M.P.
8. Hon. Sloya Clement Logova, M.P.

IN-ATTENDANCE

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Victor Weke | - | Principal Clerk Assistant II |
| 2. Ms. Miriam Modo | - | Clerk Assistant I |
| 3. Mr. Bernard Toroitich | - | Clerk Assistant III |
| 4. Ms. Kafuyai Wamae | - | Clerk Assistant III |
| 5. Mr. Clinton Sindiga | - | Legal Counsel II |
| 6. Mr. Arkan Mumin | - | Research Officer III |
| 7. Mr. Nancy Akinyi | - | Research Officer III |
| 8. Mr. Collins Mahamba | - | Audio Officer |
| 9. Mr. Calvin Karungo | - | Media Relations Officer III |
| 10. Mr. Valerian Pascal | - | Hansard Officer |
| 11. Mr. Paul Shana | - | Serjeant at arms |

MIN./PPC/2026/060: PRELIMINARIES

The Chairperson called the meeting to order at 2:30 pm and said a word of prayer. He informed the meeting that the delay in commencing the meeting was due to the scheduled United Democratic Alliance(UDA)- Orange Democratic Movement(ODM) joint Parliamentary Group meeting that had the attendance of majority of the Committee Members.

MIN./PPC/2026/061: ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Hon. (Eng.) Bernard Nebart Muriuki, M.P and seconded by, Hon. Paul Biego Kibichiy, M.P

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising;
5. **Meeting with the Principal Secretary, Ministry of Lands, Public Works, Housing & Urban Development; Chief Executive Officer, National Land Commission; and Director-General, Kenya National Highways Authority, regarding the following:-**
 - i. Public Petition by landowners affected by the construction of the Embu Ring/Connector Road project in Embu County;
 - ii. Public Petition by Mr. Ibrahim Nthitu Makwattah, regarding compensation of compulsory acquired land and properties along Kibwezi - Kitui Road;
 - iii. Public Petition by residents of Gitei Village, Kiambu County Road reserve boundaries and protection of ancestral land;
 - iv. Public Petition by Hon. (Prof) Phyllis Bartoo, MP, regarding waiver of the Elgeyo Border Settlement Scheme No. 45 Settlement Fund Trustees Loan;
 - v. Public Petition by workers of Nyario ya Kididi cha Bhatubheta culture community in Taveta Constituency regarding alleged acquisition of Trust Land L.R. No 249 of 1963 by the Government in Taita Taveta County;
 - vi. Public Petition by Hon. Sarah Korere, MP, regarding revocation of the gazettement of Mukogodo forest reserve as a public forest;
 - vii. Public Petition by Hon. Rahim Dawood, MP, regarding compensation and Land allocation to Mau Mau War Veterans of Meru County.
6. Any Other Business
7. Adjournment and date for the next Sitting

MIN./PPC/2026/062:

CONFIRMATION OF MINUTES

This agenda item was deferred to the next sitting.

MIN./PPC/2026/063:

MEETING WITH THE PRINCIPAL SECRETARY, MINISTRY OF LANDS, PUBLIC WORKS, HOUSING & URBAN DEVELOPMENT, CHIEF EXECUTIVE OFFICER, NATIONAL LAND COMMISSION AND THE DIRECTOR GENERAL, KENYA NATIONAL HIGHWAYS AUTHORITY.

The Chairperson informed the meeting that the Principal Secretary, Ministry of Lands, the Chief Executive Officer, National Land Commission, and the Director General, Kenya National Highways Authority had each submitted their written responses on the

petitions. The Chairperson further stated that, due to other exigencies, they were unable to attend the meeting.

Committee Resolution

The Committee resolved that the written submissions by the three entities sufficed and would be considered and adopted into the reports, which were scheduled to be reviewed the following week during the report writing retreat to be held in Mombasa County from 15th to 22nd March, 2026.

MIN./PPC/2026/064: ANY OTHER BUSINESS

Regarding the public petition by landowners affected by the construction of the Embu Ring/Connector Road project in Embu County, the meeting was informed that the matter fell under the mandate of the Kenya Rural Roads Authority and not the Kenya National Highways Authority. The meeting therefore resolved that KeRRA be invited to provide information on the petition.

MIN./PPC/2026/065: ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 3:00 p.m. The next meeting will be held on Wednesday, 11th March, 2026 at the same venue.

Sign:.....
HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Date 01/04/2026



REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

MEETING WITH THE PUBLIC PETITIONS COMMITTEE ON VARIOUS PETITIONS

Honourable Chair,

Pursuant to a letter Ref. NA/DAA&GPC/PPC/2026/014 dated 18th February, 2026, the Committee invited the Principal Secretary State Department for Lands and Physical Planning to a meeting to provide information on the petitions.

PETITIONS;

- I. P/No.32/2025 by landowners affected by the construction of the road regarding compensation for residents of the Embu Ring /Connectors Roads projects in Embu County.
- II. P/No.35/2023 By Mr. Ibrahim Nthitu Makwattah regarding compensation of compulsory acquired land and properties along Kibwezi -Kitui Road.
- III. P/No.18/2025 by residents of Gitei Village, Kiambu County Road reserve boundaries and protection of ancestral land;
- IV. P/No. 11/2024 by (Prof.) Phyllis Bartoo, MP regarding waiver of the Elgeyo Border Settlement Scheme No. 45 Settlement Fund Trustees Loan;
- V. P/No. 03/2024 by workers of Nyario ya Kididi cha Bhatubheta culture community in Taveta constituency regarding alleged acquisition of Trust Land L.R. No 249 of 1963 by the Government in Taita Taveta County;
- VI. P/No. 13/2025 by Hon. Sarah Korere, MP regarding revocation of the gazettement of Mukogodo forest reserve as a public forest; and
- VII. P/No. 11/2025 by Hon. Rahim Dawood, MP regarding compensation and Land allocation to Mau Mau War Veterans of Meru County.

RESPONSE

We wish to respond as follows;

- I. P/No.32/2025 by landowners affected by the construction of the road regarding compensation for residents of the Embu Ring /Connector Road project in Embu County.**

The Petition

The Petitioners are residents and land owners affected by construction of the Embu Hospital-Kathangariri-Kianjokoma-Kanja-Runyenjes-Siakago (Embu Ring/Connector) Road Project in Embu County.

They aver that the Kenya National Highways Authority (KeNHA) and the National Land Commission (NLC) compulsorily acquired private land for the construction of the 63-kilometre Embu Ring/ Connector Road. They allege that implementation of the project adversely affected numerous households, farms and business premises along the project corridor resulting in economic hardship, disruption of livelihoods and displacement of families. They claim that on 23rd February 2024, a Gazette Notice was issued confirming the compulsory acquisition listing all parcels affected for compensation. They further claim that to date, many Project Affected Persons (PAPs) have remained uncompensated leading to loss of homes, agricultural land, sources of livelihoods, inability to relocate or rebuild serious financial distress among others.

They have therefore prayed that the National Assembly through the Public Petitions Committee;

- i) Investigates the status of compensation for all PAPs along the Embu Hospital-Kathangariri-Kianjokoma-Kanja-Runyenjes-Siakago Road including reasons for the delay or non-payment, the accuracy and fairness of valuation reports and legal status of the compulsory acquisition;
- ii) Recommends prompt and fair compensation for all PAPs in accordance with Article 40 (3) of the Constitution and the Land Act; and
- iii) Makes any other recommendation or takes any action it deems appropriate to address the plight of the Petitioners.

Response

Honourable Chair, we wish to respond as follows;

The issues raised in this petition fall within the mandate of the National Land Commission (NLC) and the Ministry of Roads and Transport who are best suited to provide a response.

II. P/No.35/2023 By Mr. Ibrahim Nthitu Makwattah regarding compensation of compulsory acquired land and properties along Kibwezi -Kitui Road.

The Petition

The Petitioner avers that the landowners he is representing were invited to a meeting in the office of the Deputy County Commissioner, Kibwezi Sub County on 7th October 2021 where they were notified of the Government's decision to acquire parcels of land for purposes of constructing a lorry park and other roadside amenities. The purported meeting was also attended by officers from the National and County Governments, the Kenya National Highways Authority (KeNHA) the NLC and APEC Consortium.

He further claims that the exercise was executed by the APEC Consortium instead of Government officers. He further states that KeNHA published a Gazette Notice indicating interest on the parcels of land and inviting the landowners for negotiations. The process was however unsuccessful. He avers that the NLC wrote to the affected landowners informing them that KeNHA had been granted full access to commence construction.

The Petitioner avers that all efforts to have the matter amicably including the including the intervention of the then Makueni Senator have all been unsuccessful.

The petitioner is requesting an investigation into the alleged illegal acquisition of their properties, investigation on why affected landowners were not compensated. what was the role of APEC consortium in the compulsory acquisition of the properties and whether National Land Commission shared the valuation report and any recommended offers to the affected landowners.

Response

Honourable chair. I wish to respond as follows;

The issues in this petition fall under the mandate of the National Land Commission (NLC) and KeNHA who are best suited to provide a response.

III. P/No.18/2025 by residents of Gitei Village, Kiambu County Road reserve boundaries and protection of ancestral land;

The Petition

The petitioners are residents of Gitei Village, Kirigiti Location, Riabai Ward, Kiambu County. They lament that KeNHA has recently placed new beacons along the road between KM12+800 (Kiu River) and KM14+500 (Kirigiti) with an intention to expand the road reserve from 40 metres to 60 metres contrary to long standing government assurances and community practice.

They claim that Survey Plan F/R 9/69 authenticated in 1914 forms the basis of KeNHA's decision despite being a colonial era plan which provides for inconsistent corridor widths along the same road. They further aver that the Kenya land demarcation of 1958 and subsequent developments, burials and investments were carried out with the assurance of a 40-metre reserve and extending the corridor to 60-metres would result in exhumations, demolitions, displacement and irreparable intergenerational losses. They further aver that Kenya Gazette Notice Vol. CV No. 59 of 6th June 2003 classified the Kiambu-Ruiru Road as C63 with a gazetted road reserve corridor of 40-metres which has consistently guided contractors and residents since independence.

The petitioners also claim that Kiu River which serves as the main water source for Gitei village has a 30-metre riparian reserve which when combined with KeNHA's 60-metre claim renders some parcels of land such as Ndumberi/ Riabai/ 14, 125 and 337 entirely consumed leaving landowners landless despite holding valid titles.

They therefore pray that the National Assembly through the Public Petitions Committee

- i. Directs the immediate review and revocation of reliance on Survey Plan FR No. 9/69 (1914), and adoption of current statutes, gazette notices, and recommends for gazette of the road reserve between KM 12+800 (Kiu River) and KM 14+500 (Kirigiti) as 40 metres, to ensure uniformity with the rest of the Kiambu-Ruiru road corridor;
- ii. Recognises and protects valid certificate of title holders, particularly where road reserves and riparian land overlap, with special attention to Ndumberi/Riabai parcels 14, 125, and 337;
- iii. Ensures that equitable and transparent compensation for any compulsory acquisition of land is carried out through a meaningful public participation and legal due process;
- iv. Makes any other recommendations it may deem appropriate to address the plight of the Petitioners.

Response

Honourable Chair, in response to questions i and ii, during the demarcation period, the adjudication team demarcated the ancestral land based on survey plan F/R 9/69 of 1914 which brought about Ndumberi/Riabai registration section. The survey plan F/R 9/69 was approved and authenticated by the Director of Surveys on 30th March, 1915 shows the road reserve (Old Fort Hall Road) was surveyed as a 60-Metre-wide Road Reserve. **Annexure 1** is a copy of the survey plan.

When the demarcation of boundary was carried out, the parcel boundaries (parcels 14, 125 and 337 among others) were surveyed up to the centre of Kiu River as depicted on the Registry Index Map (RIM) sheet 9 of Ndumberi /Riabai registration section.

Honourable Chair, the riparian reserve forms part of the total acreage of each parcel of land abutting Kiu River. However, the use of the riparian reserve is regulated by various statutes and players including WARMA, NEMA, County Government, Survey Act and Physical and Land use Planning Act.

Honourable Chair, in response to question iii, compensation for compulsory acquisition and requisite public participation are matters that fall under the purview of the National Land Commission (NLC).

IV. P/No. 11/2024 by (Prof.) Phyllis Bartoo, MP regarding waiver of the Elgeyo Border Settlement Scheme No. 45 Settlement Fund Trustees Loan;

The Petition

This petition is filed by the Hon. (Prof.) Phyllis Bartoo. MP on behalf of the residents of Moiben Constituency.

She avers that Elgeyo Border Settlement Scheme was established in 1963 under the Settlement Fund Trustees to facilitate settlement and development in the region.

Over the years however, due to social economic factors and changes in land ownership, the burden of arrears of loan repayment has become unmanageable for the current generation of residents.

She further claims that the debt owed has grown exponentially over time hence becoming a significant barrier to the economic progress and wellbeing of the community. At the same time the residents have received demand notices regarding the arrears of loan repayment with possibilities of repossession of the land if the outstanding amounts are not paid. It is against this background that the petition is anchored on with the prayer that the National Assembly through the Public Petitions Committee -

- (i) Engages the Settlement Fund Trustees with a view of seeking waiver of the accumulated debt of Elgeyo Boarder Settlement Scheme by the community;
- (ii) Makes any other recommendation or action it deems fit in addressing the plight of the petitioners.

Response

Honourable Chair, Elgeyo Border Settlement Scheme No.045, Uasin Gishu County was started in January, 1963 with the beneficiaries being allocated 25 acres each.

There are 428 land parcels allocated to families and 23 Public utilities which include schools, market centres, churches and a water dam.

Being a conventional scheme, the beneficiaries were required to pay an initial deposit and thereafter pay the balance in 28 half – yearly instalments after grace period of 2 years. They were required to meet these costs from the income generated from the land allocated to them.

Over the years, some beneficiaries have managed to clear the amounts owed to them and have been discharged.

To date, the status is as follows: -

- (a) Number of plots discharged and forwarded for titling – 148.
- (b) Number of discharges at the County Land Adjudication and Settlement office awaiting execution of transfer – 83. This mainly due to succession issues.
- (c) Number of plots with outstanding Loan balances – 186.

The total amount accruing is approximately Ksh.13 million.

Honourable Chair, the settlement programme in the country is managed by the Land Settlement Fund Board of Trustees which comprises of: -

- 1. Cabinet Secretary - Ministry of Lands and Physical Planning (Chair)
- 2. Cabinet Secretary – National Treasury
- 3. Cabinet Secretary – Ministry of Agriculture
- 4. Cabinet Secretary – Internal Security.
- 5. Cabinet Secretary – Ministry of Environment and National Resources
- 6. A Representative – National Land Commission

Honourable Chair, on 7th August, 2025, the Ministry of Lands, Public Works, Housing and Urban Development presented a Cabinet Memo for waiver of all outstanding land and development loan interests and related penalties for all settlement schemes amounting to Kshs. 5,342,797,484.39. The Cabinet approved the memo in November 2025 and a draft Gazette Notice was prepared and submitted to the Attorney General for Gazettement effective 13th February, 2026.

V. P/No. 03/2024 by workers of Nyario ya Kididi cha Bhatubheta culture community in Taveta constituency regarding alleged acquisition of Trust Land L.R. No 249 of 1963 by the Government in Taita Taveta County;

The Petitioner

The petitioner, Nyario ya Kididi cha Bhatubheta Culture Community is a registered and recognized community group from Taveta Constituency, registered under the Community Land Act and the Community Land Regulations. The Community is dedicated to preserving and advancing the welfare and culture of the Taveta people including the protection of the natives' land rights as guaranteed under Article 63 of the Constitution and the Community Land Act;

They claim that in 1963, the Government of Kenya reserved a Trust Land reference L.R. No. 249 of 1963 for the natives for purposes of grazing and farming. They claim that the Community occupied the Trust Land until sometime in 1982 when there was a severe drought that claimed human life and livestock and as a result, they left the area and relocated to the lowlands near River Lumi.

They further state that the Community continued using the said Trust land as a traditional shrine for prayers and circumcision until sometime in 2022 when they were arrested and harassed by Rangers from Kenya Wildlife Service (KWS) on allegations of trespass. After negotiations between local political leaders and KWS, the arrested members of the Community were released but on firm instructions that they should not trespass on the Trust Land on grounds that the area is part of Tsavo West National Park and is a protected area;

The petitioner notes that vide a letter dated 17th August 2023, the Community sought information from the Director for Land Administration on the legal status of the Trust Land and on 18th August 2023, they were expressly informed that the land is still Trust Land. The Community forwarded the aforesaid information from the said Director to the KWS and requested to be allowed to continue using the Trust Land as their shrines and grazing area. The KWS declined and insisted that the Trust Land is part of Tsavo West National Park and that it is a protected area.

They claim that in the recent past, the KWS has started fencing the Trust Land completely cordoning it off from the Community, and all efforts to have the matter resolved has not been fruitful and therefore pray that the National Assembly through the Public Petitions Committee;

- (i) inquiries into the legal status of the land L.N. No. 249 of 1963 and recommends for the settlement of the squatters within Taveta Constituency; and
- (ii) makes any other recommendations that it may deem fit in addressing the plight of the Petitioners.

Response

Honourable Chair, according to our records, the referenced parcel of land falls in Trust land (now Community Land) within Taita Taveta District. It is defined as L.N No. 249 of 1963(Legal Notice). It measures approximately 3723 Acres as defined by boundary plan 179/37.

The key steps of registering a Community Land are as follows;

- i. Presentation of the inventory through CLA 6 to the Cabinet Secretary.
- ii. Cabinet secretary to gazette an adjudication programme.
- iii. A notice of intention to survey through form CLA 7 for a period of 60 days.
- iv. After elapse of 60 days the surveyor prepares a cadastre
- v. Community land proceeds to registration.
- vi. Issuance of title deed (certificate of registration -Form CLA 4.

Honourable Chair, Nyario ya Kididi cha Bhatuweta community should liaise with the County Government of Taita Taveta to ensure that the inventory is forwarded to the Cabinet Secretary for Ministry of Lands, Public Works, Housing and Urban Development.

VI. P/No. 13/2025 by Hon. Sarah Korere, MP regarding revocation of the gazettment of Mukogodo forest reserve as a public forest.

The Petition

The petitioner observes that Mukogodo Forest Reserve, covering an area of 30,189 Hectares, was declared a public forest through Gazette Notice LN. 174 of 1964. It is located on the northwestern side of Mt. Kenya within the expansive plains of Laikipia County. Mukogodo Forest borders four areas designated as community land: Il Ng'wesito the Southeast, Mayianat to the Southwest, Shulumaito to the Northwest, and Lekurrukito the North. It also neighbours the Borana Wildlife Conservancy. The surrounding communities, including the Il Ng'wesi and Yaaku, have safeguarded approximately 10,000 Hectares of this forest land since the 14th Century.

He also states that in recognition of the forest's importance as a place of residence, a sanctuary for cultural and religious practices, and a source of livelihood, the Il Ng'wesi and Yaaku communities formed the Ilmamusi-Mukogodo Forest Association in 1998 to manage the forest. The Community Forest Association was formally registered in 2008 and became fully operational in 2016 with a duly constituted management committee comprising twenty-four (24) members.

However, due to persistent insecurity, including killings and livestock banditry, the Il Ng'wesi and Yaaku communities were forced to flee the forest. As a result, the area has been occupied illegally, leading to widespread destruction of the forest.

The displacement of these communities due to banditry has resulted in the loss of lives and property, disruption of education due to school closures, increased livestock theft, and destruction of the forest's flora and fauna, among other hardships.

He claims that the Government's efforts to address insecurity in the region have been hindered by numerous challenges, including the rugged terrain, lack of full control, and unclear ownership of the Mukogodo Forest.

They claim that revoking the gazettement of Mukogodo Forest as a public forest and reclassifying it as a community forest would significantly benefit the Il Ng'wesi and Yaaku communities. These benefits include enhanced control and management of forest resources, increased community participation in conservation, protection of indigenous rights, promotion of devolved natural resource governance, and improved conflict resolution and social cohesion.

Despite repeated efforts by the Il Ng'wesi and Yaaku communities to seek redress from relevant authorities, no tangible results have been achieved to date and therefore pray that the National Assembly, through the Public Petitions Committee;

(i) Recommends that the Gazette Notice No. 174 of 1964 be revoked and the 20,189 hectares of Mukogodo Forest be subsequently gazetted of as a community forest;

(ii) Recommends that the remaining 10,000 hectares of Mukogodo Forest be allocated for the resettlement of the Il Ng'wesi and Yaaku communities; and

(iii) Makes any other recommendations it may deem appropriate to address the plight of the Petitioners.

Response

Honourable Chair, the matters raised in questions 1,2 & 3 pertain to management of forests in Kenya which is the mandate of the Kenya Forest Service (KFS). Reclassification of Mukogodo Forest is a matter that can best be addressed by the Chief Conservator of Forests (CCF) in Kenya.

VII. P/No. 11/2025 by Hon. Rahim Dawood, MP regarding compensation and Land allocation to Mau Mau War Veterans of Meru County

The Petition

The petitioner points out that section 3 of the Kenya Heroes Act establishes a legal framework for the recognition and honour of national heroes, stipulating that a person shall be considered a hero if they have selflessly contributed and sacrificed for the nation in any of the functional areas, including the liberation struggle. Since Kenya attained independence in 1963, a section of Mau Mau veterans who

endured displacement by the colonial government, through discriminatory laws and flawed land policies, including forced evictions, have never received any form of reparation.

He says that despite the formation of the Mau Mau War Veterans Association (MMWVA) which was intended to unify all Mau Mau veterans, regional leaders of the association were never appointed, and the funds allocated by the Government were misappropriated, leaving veterans and their families without the desired economic relief. That while regional associations such as the Nakuru District Ex-Freedom Fighters Organisation (NDEFFO) were established to advocate for land rights and other forms of reparation, veterans from other regions, including Meru, were excluded from these initiatives. Previously, Mau Mau war veterans, notably through organisations like NDEFFO, were compelled to consolidate resources and fundraise to purchase land from white settlers, excluding many who could not afford to participate;

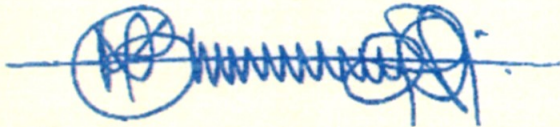
The petitioner avers that most of the land formerly held by white settlers has since exhausted lease periods as provided under Article 65 of the Constitution. However, the National Land Commission (NLC), despite its mandate to initiate investigations, either suo motu or upon complaints, into present or historical land injustices and recommend appropriate redress, has never investigated pre-independence land injustices perpetrated against the Mau Mau. The relentless efforts by Mau Mau war veterans to seek closure and obtain reparation for the violations of economic rights, evictions, forced labour, rape, and murder committed by the British colonial government have remained unaddressed reason why the petitioners pray that the National Assembly, through the Public Petitions Committee:

- (i) Intervenes to ensure that the Mau Mau War Veterans and their families are resettled on their ancestral land, which was alienated by the colonial government and white settlers;
- (ii) Recommends the establishment of regional representation of the Mau Mau war veterans within the Mau Mau War Veterans Association;
- (iii) Recommends the official recognition and commendation of the Mau Mau Movement under the First Schedule of the Kenya Heroes Act;
- (iv) Engages the National Land Commission to investigate pre-colonial land injustices committed against the Mau Mau veterans; and
- (v) Makes any other recommendations it deems appropriate in addressing the plight of the Petitioners.

Response

Honourable Chair, the issues raised in i, ii, iii, iv & v above is the mandate of the National Land Commission pursuant to Article 67 (2)(e) of the Constitution of Kenya and the National Land Commission Act, 2012. The National Land Commission is therefore best placed to respond to the issues raised in the petition.

Honourable Chair, I submit.



Hon. Generali Nixon Korir
PRINCIPAL SECRETARY

9th March 2026



REPUBLIC OF KENYA

NATIONAL LAND COMMISSION

COMMISSION'S RESPONSE TO THE PUBLIC PETITIONS COMMITTEE

PARLIAMENT BUILDINGS

TUESDAY, 10TH MARCH 2026

BY:

KABALETACHE ARERO, MBS,

COMMISSION SECRETARY/CHIEF EXECUTIVE OFFICER



NATIONAL LAND COMMISSION
*Office of the Secretary/
Chief Executive Officer*



National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 - 00100, Nairobi-KENYA, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/NA/PPC/2026/03(1)

9th March, 2026

Mr. Samuel Njoroge, CBS
Clerk of the National Assembly
Parliament Buildings
P.O. Box 41842-00100
NAIROBI

Dear *Clerk,*

**RE: INVITATION TO A MEETING WITH THE PUBLIC PETITIONS
COMMITTEE**

Reference is made to your letter Ref. NA/DAA&GPC/PPC/2026/014 dated **18th February 2026** inviting the National Land Commission to appear before the Public Petitions Committee on **Tuesday, 10th March 2026 at 11:30 a.m.** to make submissions on the petitions listed therein.

The Commission appreciates the importance of the matters before the Committee and the invitation to appear. However, we regret to inform you that the Commission was unable to attend the scheduled meeting due to unavoidable official commitments. We sincerely apologize to the Committee for the absence.

Nevertheless, the Commission has prepared and hereby submits its written responses to the matters raised in the petitions for the Committee's consideration. Should the Committee require any clarification on the submissions made, the Commission remains available to provide further information or to appear before the Committee at a future date as may be directed.

Yours

Sincerely,
Kabale Tache Arero, MBS

7 SECRETARY/CEO.

Encls

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, Off Ngong Road
P.O. Box 44417 - 00100, Nairobi-KENYA, Tel: 011142800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

INVITATION TO A MEETING OF THE NATIONAL ASSEMBLY'S PUBLIC PETITIONS COMMITTEE

Honourable Chair,

Pursuant to a letter **Ref: NA/DAA&GPC/PPC/2026/014** dated **18th February 2026**, the Committee invited the Commission Secretary/CEO of the National Land Commission to a meeting on **Tuesday, 10th March 2026** at Parliament Buildings at 11:30 am to respond to the following petitions.

- 1. PETITION BY LANDOWNERS AFFECTED BY THE CONSTRUCTION OF THE ROAD REGARDING COMPENSATION FOR RESIDENTS OF THE EMBU RING/CONNECTOR ROAD PROJECT IN EMBU COUNTY.**
- 2. PETITION BY MR. IBRAHIM NTHITU MAKWATTAH REGARDING COMPENSATION FOR COMPULSORILY ACQUIRED LAND AND PROPERTIES ALONG KIBWEZI-KITUI ROAD.**
- 3. PETITION BY RESIDENTS OF GITEI VILLAGE, KIAMBU COUNTY REGARDING ROAD RESERVE BOUNDARIES AND PROTECTION OF ANCESTRAL LAND.**
- 4. PETITION BY (PROF.) PHYLLIS BARTOO, MP REGARDING WAIVER OF THE ELGEYO BORDER SETTLEMENT SCHEME NO. 45 SETTLEMENT FUND TRUSTEES LOAN.**
- 5. PETITION BY WORKERS OF NYARIO YA KIDIDI CHA BHATHUBHETA CULTURE COMMUNITY IN TAVETA CONSTITUENCY REGARDING ALLEGED ACQUISITION OF TRUST LAND L.R. NO. 249 OF 1963 BY THE GOVERNMENT IN TAITA TAVETA COUNTY.**
- 6. PETITION BY HON. SARAH KORERE, MP REGARDING REVOCATION OF THE GAZETTEMMENT OF MUKOGODO FOREST RESERVE AS A PUBLIC FOREST.**
- 7. PETITION BY HON. RAHIM DAWOOD, MP REGARDING COMPENSATION AND LAND ALLOCATION TO MAU MAU WAR VETERANS OF MERU COUNTY.**

RESPONSES

1) PETITION BY LANDOWNERS AFFECTED BY THE CONSTRUCTION OF THE ROAD REGARDING COMPENSATION FOR RESIDENTS OF THE EMBU RING/CONNECTOR ROAD PROJECT IN EMBU COUNTY.

PETITIONERS CLAIM

The Petitioners, led by Mr. Francis Munene and other residents and landowners affected by the construction of the Embu Hospital-Kathangariri-Kianjokoma-Kanja-Runyenjes-Siakago (Embu Ring/Connector) Road, aver that the Kenya National Highways Authority (KeNHA) and the National Land Commission compulsorily acquired private land for purposes of constructing the 63-kilometre road project.

The Petitioners contend that the project has adversely affected numerous households, farms, and business premises along the road corridor, resulting in displacement and disruption of livelihoods. They further state that although a Gazette Notice dated 23rd February 2024 confirmed the compulsory acquisition of affected parcels and created an expectation of prompt compensation, many Project Affected Persons (PAPs) have not received compensation despite the continued implementation of the road project.

OUR RESPONSE

Legal Status of the Compulsory Acquisition: The compulsory acquisition process was undertaken in compliance with the Land Act No. 6 of 2012. The subject project was duly gazetted for intention to acquire vide Gazette Notice No. 4387 dated 4th April, 2023. Inquiries were subsequently gazetted vide Gazette Notices Nos. 4387 (2023) and 2069 (2024), and conducted at the gazetted venues and dates. Accordingly, the acquisition process is legally and procedurally compliant.

Valuation and Fairness of Reports: Inspections were carried out for valuation purposes, after which valuation reports and compensation schedules were prepared. These valuations adhered to established professional standards and principles of fairness, ensuring that PAPs were accorded just and equitable consideration in line with the law.

Reasons for Delay or Non-Payment: Upon completion of the valuation report and compensation schedule, the Commission requested compensation funds from the acquiring authority. The Commission is yet to receive the requisite funds from Kenya Rural Roads Authority (KeRRA). Consequently, processing and payment to the affected PAPs has not commenced. The delay is therefore attributable to the pending release of funds by the acquiring authority.

Honourable Chair:

The National Land Commission reiterates its commitment to transparency, fairness, and adherence to the law in the compulsory acquisition process. Once the Commission receives the compensation funds from KeRRA, payments to the PAPs will be processed without undue delay.

**2) PETITION BY MR. IBRAHIM NTHITU MAKWATTAH REGARDING
COMPENSATION FOR COMPULSORILY ACQUIRED LAND AND
PROPERTIES ALONG KIBWEZI-KITUI ROAD.**

The Petitioner, Mr. Ibrahim Nthitu Makwattah, acting on behalf of landowners affected by the compulsory acquisition of land and properties for the construction of the Kibwezi Lorry Park and Roadside Amenities along Kibwezi-Kitui Road, claims that the affected persons were not compensated as required.

He states that the landowners were invited to a meeting held at the Office of the Deputy County Commissioner, Kibwezi Sub-County, on 7th October 2021, where they were informed of the intended acquisition. The meeting was reportedly attended by representatives of the National Government, County Government, Kenya National Highways Authority (KeNHA), National Land Commission (NLC) and APEC Consortium. According to the Petitioner, the landowners were requested to allow access to their properties for identification of beacons and measurements to facilitate the project design. He further avers that when the exercise commenced on 8th October 2021, the relevant Government officers were absent and the exercise was instead undertaken by staff from APEC Consortium, who claimed to be acting on behalf of KeNHA.

The Petitioner also claims that KeNHA later published a Gazette Notice expressing interest in the affected parcels and invited the landowners for negotiations, but the negotiations did not result in any settlement. He further states that the National Land Commission subsequently informed the affected landowners that KeNHA had been granted full access to commence construction, despite the fact that compensation had not been paid.

The Petitioner contends that efforts to resolve the matter amicably, including through the intervention of the then Senator for Makueni County, were unsuccessful. He therefore seeks the intervention of the House to investigate the alleged illegal acquisition of the affected properties, failure to compensate the landowners, the role of APEC Consortium in the process, and whether the National Land Commission shared the valuation report and any recommended compensation offers with the affected persons.

OUR RESPONSE

Background

The Commission commenced the compulsory acquisition process for land required for the construction of the Kibwezi-Mutomo-Kitui-Kabati Road Project through Gazette Notice No. 5075 published on 25th May 2018. Following the initial notice, several addenda, corrigenda and deletion notices were issued to accommodate changes in the project design.

The component relating to the Kibwezi Lorry Park and roadside amenities was not part of the initial road design. This was later introduced through an addendum request submitted to the Commission in 2021 by the acquiring authority (KeNHA). Subsequently, a stakeholder consultation meeting was held on 7th October 2021 at the Office of the Deputy County Commissioner in Kibwezi. The purpose of the meeting was to inform landowners and other stakeholders about the proposed development and the intended acquisition of land for the lorry park and associated facilities.

The meeting was attended by representatives from the National Government Administration Officers (NGAO), the National Land Commission, the Kenya National Highways Authority (KeNHA), and APEC Consortium. During the meeting, landowners were informed of the proposed acquisition and were given an opportunity to seek clarification on the process.

Role of APEC Consortium

The Commission wishes to clarify that the compulsory acquisition of land for the Kibwezi Road Project, including the land designated for the Kibwezi Lorry Park, was undertaken on behalf of the Kenya National Highways Authority (KeNHA), which is the acquiring government agency responsible for the project.

APEC Consortium was a private contractor that had been engaged by KeNHA to implement the construction works for the road project. Therefore, it had no formal relationship with the National Land Commission in the compulsory acquisition process. Consequently, any actions undertaken by APEC Consortium were carried out under the authority and supervision of KeNHA, and the Commission's role remained limited to undertaking compulsory acquisition in accordance with the Constitution and the applicable statutory provisions.

Legal Framework Governing Compulsory Acquisition

Compulsory acquisition of land in Kenya is governed by Article 40 of the Constitution of Kenya, Part VIII of the Land Act, 2012, and the Land (Assessment of Just Compensation) Rules and Regulations, 2017. These legal provisions require the Commission to adhere to a clearly defined statutory process when acquiring land for public purposes.

In practice, the process begins with the publication of a Notice of Intention to Acquire in the Kenya Gazette. This is followed by inspection and valuation of the affected properties to determine the extent of land required for the project and the appropriate compensation payable to the affected persons. The Commission thereafter publishes a Notice of Inquiry specifying the venue and dates when the affected landowners will appear before the Commission to present their claims for compensation.

During the inquiry hearings, the Commission receives and evaluates claims from affected persons before determining the amount of compensation payable. Once the determination is made, the Commission issues awards to each affected person. The affected persons may either accept the Commission's offer of compensation or reject it. In cases where the award is accepted, the Commission proceeds with prompt payment of compensation upon receipt of funds from the acquiring authority. Where a landowner rejects the award, the dispute may be referred to the Land Acquisition Tribunal for determination.

Upon completion of the inquiry process and issuance of awards, the Commission may issue notices of taking possession to enable the acquiring authority to commence construction works. A final survey and vesting process is then undertaken in order to formally excise the acquired portions from the landowners' titles and vest them in the acquiring authority.

The law further provides for situations where urgent possession of land is required in the public interest. In this regard, Section 120(2) of the Land Act, 2012 allows the Commission to take possession of land notwithstanding that the normal process has not been fully concluded, provided that the urgency of the project justifies such action and that no person will be rendered homeless as a result.

Status of the Acquisition

The land required for the development of the Kibwezi Lorry Park and roadside amenities was formally published for acquisition through Gazette Notice No. 197 dated 14th January 2022, which was issued as an addendum to the earlier acquisition notices relating to the road project.

Following the publication of the notice of intention to acquire, the Commission undertook inspection and identification of the affected properties in the presence of the respective landowners. Subsequently, inquiry hearings were conducted on 15th March 2022 at the Kibwezi Chief's Office pursuant to Gazette Notice No. 198 issued on the same date as the notice of intention to acquire. The inquiry process was preceded by extensive stakeholder engagement, including field inspections conducted together with the affected landowners. The petitioner, Mr. Ibrahim Thitu Makwattah, was present during these exercises.

After the publication of the notices and the completion of the statutory waiting period, the Kenya National Highways Authority requested the Commission to take possession of the land pursuant to Section 120(2) of the Land Act, 2012 on account of the urgency of the project and the need to avoid delays that would have been contrary to the public interest. Upon verifying that the statutory conditions had been met, including confirmation that fifteen days had elapsed from the date of publication of the notice of intention to acquire and that the affected parcels were unoccupied, the Commission issued notices of formal taking possession dated 2nd February 2022.

Compensation Status

The Commission subsequently finalized the valuation and assessment of compensation for the affected landowners and issued letters of award in December 2025. The total compensation assessed for the parcels within the Kibwezi Lorry Park area amounted to **Kenya Shillings Sixteen Million Six Hundred Eighty-Six Thousand Six Hundred Ninety (Ksh. 16,686,690.00).**

To date, the Commission has received partial compensation funds amounting to **Kenya Shillings Ten Million Five Hundred Eighteen Thousand Three Hundred Eighty (Ksh. 10,518,380.00)** from the Kenya National Highways Authority. The Commission is currently in the process of effecting payments to those landowners who have submitted the requisite documentation and have consented to the compensation awards issued by the Commission. Payment of the remaining compensation will be undertaken once the acquiring authority releases the balance of the required funds.

Commission's Position on the Petition

Honourable Chair:

The Commission respectfully submits that the compulsory acquisition process for land required for the development of the Kibwezi Lorry Park and roadside amenities was undertaken in accordance with the Constitution of Kenya, the Land Act, 2012 and the applicable regulations governing compulsory acquisition. The statutory steps required under the law were followed, including publication of the notice of intention to acquire, inspection and identification of the affected properties, stakeholder consultations with landowners, and the conduct of inquiry proceedings to determine the respective interests and claims of the affected persons.

The Commission further reiterates that the taking of possession of the affected parcels prior to completion of the compensation process was undertaken pursuant to Section 120(2) of the Land Act, 2012, which permits the Commission to allow possession in circumstances where urgent necessity exists and where delay would be contrary to the public interest. In this case, the request for possession was made by the acquiring authority, the Kenya National Highways Authority, to facilitate timely implementation of the road project, which is a critical public infrastructure project intended to improve regional connectivity and economic development.

With regard to the allegations raised in the petition concerning failure to compensate the affected landowners, the Commission wishes to clarify that compensation awards have already been prepared and issued to the affected persons. The delay in the payment of compensation has not arisen from any procedural failure on the part of the Commission but is attributable to the fact that the Commission can only effect payment upon receipt of the requisite compensation funds from the acquiring authority. As indicated above, the Commission has received partial funds from the Kenya National Highways Authority and has commenced the process of paying landowners who have accepted the awards and submitted the required documentation.

The Commission remains committed to ensuring that all eligible landowners are compensated in accordance with the law and will continue to process payments as soon as the remaining funds are made available by the acquiring authority.

The Commission therefore respectfully requests that Parliament takes note of the steps already taken to address the matter and allows the Commission and the acquiring authority to finalize the outstanding compensation payments in accordance with the law.

**3) PETITION BY RESIDENTS OF GITEI VILLAGE, KIAMBU COUNTY
REGARDING ROAD RESERVE BOUNDARIES AND PROTECTION OF
ANCESTRAL LAND.**

PETITIONERS CLAIM

The Petitioners, on behalf of the residents of Gitel Village, Kirigiti Location, Riabai Ward, Kiambu County, claim that Gitel Village is an ancestral settlement and home to more than 10,000 residents who have developed their land, carried out farming, and established permanent and semi-permanent structures guided by the long-standing understanding that the Kiambu-Tatu City-Kiambu/Ruiru Road reserve measures 40 metres in width. They state that the Kenya National Highways Authority (KeNHA) recently placed new beacons along the road between KM 12+800 (Kiu River) and KM 14+500 (Kirigiti) with the intention of expanding the road reserve from 40 metres to 60 metres, contrary to the residents' long-held understanding and previous government assurances.

The Petitioners contend that although Survey Plan FR No. 9/69, prepared in 1914 during the colonial period and later relied upon by KeNHA, indicates a wider reserve, subsequent official actions and public representations consistently affirmed a 40-metre corridor. In particular, they refer to the Kenya Gazette Notice Vol. CV-No. 59 of 6th June 2003, which classified the Kiambu-Ruiru Road as Class C3 and gazetted a 40-metre road reserve corridor, and to a letter dated 19th June 2004 from the Ministry of Roads confirming that the road reserve at the affected section was 40 metres wide. The Petitioners further state that they and previous generations have occupied and developed the land on the basis of that position, and that any expansion to 60 metres would result in demolition of homes and businesses, displacement of families, destruction of graves and cultural sites, loss of livelihoods, and irreparable intergenerational loss.

They also claim that some of the affected parcels are supported by valid title deeds, particularly in respect of Ndumberi/Riabai parcels 4, 125 and 337, and that despite repeated engagements with KeNHA, WARMA, Kiambu Water and Sewerage Company, and local administrators, they have not received a substantive resolution.

The Petitioners therefore seek the intervention of the National Assembly to review and revoke reliance on the old survey plan, confirm the road reserve between KM 12+800 and KM 14+500 as 40 metres, recognize and protect valid titles held by residents, ensure any future acquisition is undertaken lawfully and transparently with public participation, and address the continued levying of land rates on portions allegedly falling within the road reserve.

OUR RESPONSE

Honourable Chair and Committee Members

The Commission notes the concerns raised by the Petitioners regarding the alleged variation of the road reserve boundary along the Kiambu-Tatu City-Kiambu/Ruiru Road between KM 12+800 and KM 14+500, and the potential impact on ancestral land, developments, livelihoods and other community interests. The Commission wishes to clarify that issues relating to the delimitation of road reserve boundaries, the underlying survey records, and the implementation of road projects primarily require verification against the relevant survey plans, gazette notices, cadastral records and acquisition documents held by the responsible agencies. In this regard, the Commission has formally written to the Kenya National Highways Authority (KeNHA) requesting, among other things, copies of the stated Gazette Notice, the relevant survey plan, and clarification on the current status of the road reserve in the affected section. This is necessary to enable the Commission to establish the factual and legal position before making any further determination or intervention.

Upon receipt of the requested information, the Commission will review the matter within the confines of its constitutional and statutory mandate, including the need to ascertain the authenticity of the records being relied upon, the status of any affected parcels, and whether any action giving rise to compulsory acquisition, boundary variation or interference with private or community interests has been undertaken in accordance with the law. Should it emerge that any acquisition of land is required for public purpose, the Commission reiterates that such process must be undertaken strictly in accordance with the Constitution, the Land Act, and all applicable legal procedures, including due process, public participation, inquiry, valuation and prompt payment of just compensation where applicable. The Commission will therefore be guided by the information to be furnished by KeNHA and any other relevant records in determining the appropriate course of action.

4) PETITION BY (PROF.) PHYLLIS BARTOO, MP REGARDING WAIVER OF THE ELGEYO BORDER SETTLEMENT SCHEME NO. 45 SETTLEMENT FUND TRUSTEES LOAN.

PETITIONERS CLAIM

The Petitioners, on behalf of the residents of Moiben Constituency, claim that the Elgeyo Border Settlement Scheme No. 45 was established in 1963 under the Agricultural Settlement Fund Trustees framework for purposes of agricultural development, land purchase and settlement in the area. They state that the Fund, which was managed under the relevant legal and administrative framework by the responsible Government ministries, advanced financing to support settlement and development within the scheme. The Petitioners contend that over the years, due to changing socio-economic circumstances and changes in land ownership, the burden of loan arrears under the scheme has become unmanageable for the current generation of residents. They further state that many families inherited the debt without inheriting the corresponding financial capacity, assets or resources to repay it, and that the original purpose of the Settlement Fund has since been overtaken by the severe financial strain imposed on the community.

The Petitioners further claim that the debt relating to the Elgeyo Border Settlement Scheme has grown exponentially over time and now far exceeds the initial capital investment of KShs. 5,000, thereby becoming a major impediment to the economic progress and well-being of the residents. According to the Petition, the accumulated debt has hindered the community's ability to invest in essential needs such as infrastructure, education and healthcare. The Petitioners also state that residents have, over the years, continued to receive demand notices in respect of the loan arrears, coupled with the threat of repossession of their land in the event of non-payment. They therefore seek the intervention of the National Assembly, through the Public Petitions Committee, to engage the Settlement Fund Trustees with a view to securing a waiver of the accumulated debt owed by the community and to make any other recommendation deemed appropriate to address the plight of the Petitioners.

OUR RESPONSE

Honourable Chair and Committee Members

The Commission wishes to clarify that the issues raised in the Petition, particularly those relating to the administration of the Elgeyo Border Settlement Scheme, the management of settlement loans, and payments by beneficiaries under the scheme, fall within the mandate of the Ministry of Lands, Public Works, Housing

and Urban Development, which is the institution responsible for matters concerning land settlement and the administration of settlement schemes. Accordingly, the Commission's position is that this matter is best addressed by the Ministry, being the competent authority with the requisite policy, administrative and operational mandate over settlement scheme obligations and any consideration for waiver of such payments.

5) PETITION BY WORKERS OF NYARIO YA KIDIDI CHA BHATHUBHETA CULTURE COMMUNITY IN TAVETA CONSTITUENCY REGARDING ALLEGED ACQUISITION OF TRUST LAND L.R. NO. 249 OF 1963 BY THE GOVERNMENT IN TAITA TAVETA COUNTY.

PETITIONERS CLAIM

The Petitioners, on behalf of the Nyario ya Kididi cha Bhatubheta Culture Community in Taveta Constituency, Taita Taveta County, claim that they are a registered and recognized community group under the Community Land Act and the Community Land Regulations, and that they are dedicated to preserving the welfare, culture and land rights of the Taveta people as protected under Article 63 of the Constitution and the Community Land Act. They state that in 1963, the Government of Kenya reserved Trust Land Reference L.R. No. 249 of 1963 for the natives for purposes of grazing and farming, and that the community occupied the land until around 1982, when a severe drought led to loss of human life and livestock and forced them to relocate to the lowlands near River Lumi.

The Petitioners nevertheless contend that they continued using the said trust land as a traditional shrine for prayers and circumcision until about 2022, when they were allegedly arrested and harassed by officers from the Kenya Wildlife Service (KWS) on allegations of trespass. The Petition further states that the community sought clarification on the status of the land and communicated the information obtained to KWS, while requesting to continue using the land as shrines and grazing area, but KWS declined and maintained that the land forms part of Tsavo West National Park and is therefore a protected area. The Petitioners further claim that KWS has recently commenced fencing off the trust land, thereby completely cutting off the community from the area, and that all efforts to resolve the matter have not borne fruit.

They therefore pray that the National Assembly, through the Public Petitions Committee, inquires into the legal status of L.R. No. 249 of 1963 and makes recommendations for the settlement of the squatters within Taveta Constituency, together with any other recommendations it may deem fit to address the plight of the Petitioners.

OUR RESPONSE

Honourable Chair and Committee Members

The Commission's records indicate that it received a total of **forty-one (41)** historical land injustice claims from Taita Taveta County. However, as at 21st

September 2021, Nyario ya Kididi cha Bhatubheta Culture Community had not lodged any claim before the Commission in relation to the matters raised in the Petition.

The Commission wishes to clarify that claims relating to historical land injustices are handled within the legal framework established under Article 67(2)(e) of the Constitution of Kenya, 2010, as read together with the relevant provisions of the National Land Commission Act. In this regard, Parliament amended the law to provide an opportunity for individuals and communities who had not previously filed claims relating to historical land injustices to do so within the prescribed framework.

Accordingly, should the Nyario ya Kididi cha Bhatubheta Culture Community choose to file a claim before the Commission, the claim will be subjected to an admissibility assessment to determine whether it satisfies the legal threshold and the criteria set out under the applicable law and regulations governing historical land injustice claims. This process is necessary to establish whether the matter falls within the Commission's mandate and whether it is properly before the Commission for determination.

Where the claim satisfies the admissibility criteria, the Commission will proceed to institute the appropriate investigative process, including an investigative hearing, for purposes of inquiring into the facts and circumstances of the claim and making such findings and recommendations as may be warranted in law. However, where the claim does not meet the admissibility requirements, the claimants will be duly advised and guided on the appropriate institution, forum, or legal avenue through which the matter may be pursued.

In the circumstances, the Commission's position is that the issues raised by the Petitioners have not been presented before it as a formal historical land injustice claim, and therefore the Commission has not had the opportunity to consider the matter within the statutory process provided under the law.

6) PETITION BY HON. SARAH KORERE, MP REGARDING REVOCATION OF THE GAZETTEMET OF MUKOGODO FOREST RESERVE AS A PUBLIC FOREST.

PETITIONERS CLAIM

The Petitioners, on behalf of the Il'ngwesi and Yaaku communities in Laikipia North Constituency, contend that the Mukogodo Forest Reserve, covering approximately 30,189 hectares and gazetted as a public forest through Gazette Notice LN 174 of 1964, historically forms part of the ancestral land traditionally occupied and managed by the local communities.

The Petitioners state that the Il'ngwesi and Yaaku communities have long relied on the forest as a source of livelihood, cultural heritage, and spiritual significance. They further indicate that the communities established the Ilmamusi-Mukogodo Forest Association to participate in the conservation and management of the forest and to safeguard the ecological and cultural value of the area.

However, the Petitioners aver that persistent insecurity, including incidents of banditry and livestock theft, forced members of the communities to temporarily vacate the forest area. They contend that this displacement has led to illegal occupation and degradation of the forest ecosystem.

In view of the foregoing, the Petitioners seek the intervention of Parliament to review the legal status of the forest reserve, consider revocation of the gazettement of Mukogodo Forest as a public forest, and facilitate restoration

OUR RESPONSE

Honourable Chair and Committee Members

The Commission's position is that the issues raised in the Petition, particularly those relating to the revocation of the gazettement of Mukogodo Forest Reserve as a public forest and any consequent variation of its legal status, are matters that fall primarily within the mandate of the Ministry of Environment, Climate Change and Forestry and the institutions established under the Forests Conservation and Management Act, including the framework set out under sections 33 and 34 on the declaration, variation, and revocation of public forests.

Accordingly, the Commission considers that this matter is best addressed by the Ministry and the relevant forest sector agencies, which are the competent authorities to deal with the gazettement or degazettement of public forests and any related administrative or legal processes.

6) PETITION BY HON. SARAH KORERE, MP REGARDING REVOCATION OF THE GAZETTEMET OF MUKOGODO FOREST RESERVE AS A PUBLIC FOREST.

PETITIONERS CLAIM

The Petitioners, on behalf of the Il'ngwesi and Yaaku communities in Laikipia North Constituency, contend that the Mukogodo Forest Reserve, covering approximately 30,189 hectares and gazetted as a public forest through Gazette Notice LN 174 of 1964, historically forms part of the ancestral land traditionally occupied and managed by the local communities.

The Petitioners state that the Il'ngwesi and Yaaku communities have long relied on the forest as a source of livelihood, cultural heritage, and spiritual significance. They further indicate that the communities established the Ilmamusi-Mukogodo Forest Association to participate in the conservation and management of the forest and to safeguard the ecological and cultural value of the area.

However, the Petitioners aver that persistent insecurity, including incidents of banditry and livestock theft, forced members of the communities to temporarily vacate the forest area. They contend that this displacement has led to illegal occupation and degradation of the forest ecosystem.

In view of the foregoing, the Petitioners seek the intervention of Parliament to review the legal status of the forest reserve, consider revocation of the gazettement of Mukogodo Forest as a public forest, and facilitate restoration

OUR RESPONSE

Honourable Chair and Committee Members

The Commission's position is that the issues raised in the Petition, particularly those relating to the revocation of the gazettement of Mukogodo Forest Reserve as a public forest and any consequent variation of its legal status, are matters that fall primarily within the mandate of the Ministry of Environment, Climate Change and Forestry and the institutions established under the Forests Conservation and Management Act, including the framework set out under sections 33 and 34 on the declaration, variation, and revocation of public forests.

Accordingly, the Commission considers that this matter is best addressed by the Ministry and the relevant forest sector agencies, which are the competent authorities to deal with the gazettement or degazettement of public forests and any related administrative or legal processes.

7) PETITION BY HON. RAHIM DAWOOD, MP REGARDING COMPENSATION AND LAND ALLOCATION TO MAU MAU WAR VETERANS OF MERU COUNTY.

PETITIONERS' CLAIM

The Petitioners, acting on behalf of the Mau Mau Freedom Fighters of Meru County, claim that despite the recognition framework established under section 3 of the Kenya Heroes Act, many Mau Mau war veterans who contributed to Kenya's liberation struggle have never received proper recognition, compensation, or reparation. They state that since independence in 1963, a section of Mau Mau veterans who suffered displacement, forced evictions, and other injustices under colonial rule have remained without redress.

The Petition further alleges that although the Mau Mau War Veterans Association (MMWVA) was formed to unify veterans, some regional leaders were never appointed and funds allocated by the Government were misappropriated, thereby denying veterans and their families the intended economic relief. The Petitioners also contend that regional associations such as the Nakuru District Ex-Freedom Fighters Organisation (NDEFFO) were established to pursue land rights and reparations, but veterans from other regions, including Meru, were excluded from those initiatives.

They further claim that some veterans were previously compelled to mobilize their own resources and fundraise in order to purchase land from white settlers, a process that excluded many who could not afford to participate. The Petitioners maintain that the efforts by Mau Mau veterans to obtain justice and reparations for violations such as economic dispossession, evictions, forced labour, rape, and murder committed during the colonial period have remained unaddressed.

Consequently, the Petitioners seek the intervention of the National Assembly to facilitate the resettlement of Mau Mau war veterans and their families on ancestral land, promote regional representation in the Mau Mau War Veterans Association, support formal recognition of the Mau Mau Movement under the Kenya Heroes Act, and have the historical land injustices raised investigated by the National Land Commission.

OUR RESPONSE

The Commission's records indicate that it received a total of **thirteen (13)** historical land injustice claims from Meru County. However, the Mau Mau freedom fighters of Meru did not lodge any specific claim before the Commission

in respect of the matters now raised in the Petition. The Commission wishes to clarify that its mandate on historical land injustices is derived from Article 67(2)(e) of the Constitution, as operationalized under section 15 of the National Land Commission Act, as amended, and the National Land Commission (Investigation of Historical Land Injustices) Regulations.

Under this legal framework, any claim relating to a historical land injustice must first be formally lodged before the Commission and thereafter subjected to a vetting and admissibility assessment to determine whether it meets the prescribed legal threshold. This assessment considers, among other things, whether the complaint relates to a recognized historical land injustice, whether it concerns a violation of rights in land, whether it remains unresolved, and whether it falls within the Commission's mandate. Upon such assessment, the Commission may admit the claim for investigation, reject it with reasons, refer the claimants to another appropriate institution, or consolidate it with related claims where applicable.

Accordingly, the Commission's position is that the Petition, as presently framed, does not correspond to any claim filed before it by the Mau Mau freedom fighters of Meru under the historical land injustice framework. The Commission has therefore not had the opportunity to assess the matter for admissibility, undertake investigations, hear the parties, or make any recommendation for redress on the grievances now being advanced.

The Commission nevertheless notes that the current legal framework provides an avenue through which the Mau Mau freedom fighters of Meru, or their representatives, may formally lodge a claim on the alleged historical land injustice. Once such a claim is filed, it will be considered strictly in accordance with the Constitution, the National Land Commission Act, and the applicable Regulations. If the claim meets the admissibility threshold, the Commission will proceed with the requisite investigative process. If it does not meet the threshold, the claimants will be advised on the appropriate institution or legal avenue through which the matter may be pursued.

In summary, while the grievances raised by the Petitioners may be deserving of consideration, no claim concerning the alleged historical land injustice affecting the Mau Mau freedom fighters of Meru has so far been filed with the Commission. The Commission therefore advises that the matter be formally presented to enable consideration within the framework of the law.

CONCLUSION

Honourable Chairpersons and Honourable Members,

Commission remains fully committed to executing its constitutional mandate on compulsory acquisition in a lawful, transparent, and participatory manner, while safeguarding the rights and interests of affected communities.

I thank the Joint Committee and stand ready to provide any further clarification as may be required.

Honourable Chairpersons and Honourable Members, I submit.


→ **Kabale Yache Arero, MBS**
SECRETARY/CEO

Encl



REPUBLIC OF KENYA

MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND FORESTRY

SUBMISSIONS BY THE CABINET SECRETARY, MINISTRY OF
ENVIRONMENT, CLIMATE CHANGE AND FORESTRY TO THE PUBLIC
PETITIONS COMMITTEE REGARDING REVOCATION OF THE
GAZETTEMENT OF MUKOGODO FOREST RESERVE AS A PUBLIC FOREST

MARCH, 2026

Introduction

Honorable Chair and Honorable Members, the Clerk of the National Assembly vide letter Ref. NA/DAA&GPC/PPC/2026/012 dated 17th February, 2026, requested the Cabinet Secretary, Ministry of Environment, Climate Change and Forestry to appear before this Committee and make submissions on a Petition regarding revocation of the gazette~~ment~~ of Mukogodo Forest Reserve as a public forest as presented by Hon. Sarah Korere, MP for Laikipia North Constituency.

Background Information

1. **Honorable Chair and Honorable Members**, Mukogodo Forest Reserve is located in Laikipia County, within Laikipia North Sub- County. Mukogodo Forest Reserve was originally defined by boundary plan no.75/68 LN 89 of 1937 as a forest reserve covering an area of 30,189 Ha. (Annex 1)
2. The Forest Reserve was gazetted through a legal notice number 174 of 1964. The forest is a mix of Natural Forest, woodlands, and grassland. (Annex 2)
3. The forest is managed jointly by Kenya Forest Service as per the Forest Conservation and Management Act Cap 385 and the Mukogodo Community Forest Association (Ilmamusi) which was formed in 2008 with a view to working collaboratively with Kenya Forest Service in the management of the Forest in line with the Mukogodo Participatory Forest Management Plan 2023-2027(Annex 3).
4. Mukogodo Forest is an important water catchment area to the surrounding communities as its drained by seasonal rivers which include: Losigiria draining from East of Soisambu Hills and tributaries of Kipsing river such as Sieku Peleta, Sinyai, Katonga and Kopia. In addition, there are several springs within the forest.

5. It is a protective forest which has a diverse range of Flora species dominated by indigenous tree species and shrubs including *Olea africana*, *Juniperous procera*, *Croton megalocarpus*, *Acacia abyssinica*, *Teclea simplisifolia* etc.
6. The Forest has a diverse range of fauna species which include rare/endangered mammals, birds, reptiles and insects. The animals include: elephant, buffalo, bushbuck, Red Duiker, Impala and Small mammals/rodents.
7. The landscape has a high potential for eco-tourism as it lies on an important historical elephant migratory corridor route between the Northern Rangelands and Laikipia, traversing Borana and Lewa Conservancies; Ngare Ndare Forest leading to Mt. Kenya Forest Reserve.
8. Under the management agreement signed between Kenya Forest Service and the Community Forest Association (CFA); the community enjoys a number of user rights which include:
 - i. Eco-tourism and recreational facilities
 - ii. Seedling production and seeds collection
 - iii. Scientific and Educational activities
 - iv. Water abstraction
 - v. Collection of wild fruits, vegetables and roots
 - vi. Grass/fodder harvesting and grazing
 - vii. Beekeeping and honey harvesting

RESPONSE TO THE PETITIONER'S PRAYERS: -

1. *THAT, due to persistent insecurity, including killings and livestock banditry, the Il Ng'wesi and Yaaku communities were forced to flee the forest. As a result, the area has been occupied illegally, leading to widespread destruction of the forest.*

Mukogodo Forest Reserve is a gazetted forest under the management of Kenya Forest Service (KFS) with the responsibility of sustainable management and conservation of the forest. The Ministry is aware of the security challenges affecting Laikipia County; however, insecurity and banditry are matters falling under national security agencies, an issue that is currently being addressed by the multi-agency security operations to contain the situation. In the spirit of multi-agency approach, Kenya Forest Service is working closely with these security agencies and remains committed to ensure normalcy is restored.

The Ministry is aware that the said communities mentioned above have historically occupied the forest on a seasonal and migratory basis, primarily in search of pasture for their livestock. Consequently, the allegation that the area is illegally occupied is not factual, as the same community has traditionally utilized the forest on a seasonal basis, as provided in the Participatory Forest Management Plan.

II. THAT, the displacement of these communities due to banditry has resulted in the loss of lives and property, disruption of education due to school closures, increased livestock theft, and destruction of the forest's flora and fauna, among other hardships.

The Ministry is aware of the existence of schools and other social amenities within Mukogodo Forest. The presence of these facilities demonstrates structured community engagement and continued socio-economic benefits under the framework of participatory forest management. The Ministry through the Service is in the process of regularizing these institutions through issuance of Special Use Licence.

The Ministry is not aware of, nor has it sanctioned, any displacement of the Il Ng'wesi and Yaaku communities from Mukogodo Forest. There has been no eviction, removal, or administrative action undertaken by the Kenya Forest Service that would amount to the displacement of the community as alleged in the Petition.

On matters relating to alleged loss of life, livestock theft, banditry, and destruction of property falls within the mandate of national security and law enforcement agencies. Such matters are outside the statutory mandate of the Kenya Forest Service as established under Section 8 of the Forest Conservation and Management Act.

In respect to environmental degradation, the Kenya Forest Service continues to undertake conservation, protection, and surveillance activities within Mukogodo Forest in accordance with the law. Any incidents of illegal activities are addressed through existing enforcement mechanisms provided under the Forest Conservation and Management Act, Cap 385.

In light of the foregoing, the Ministry maintains that the allegations of displacement attributed to forest management actions are unfounded and not supported by any official action undertaken by the Service.

III. THAT, the Government's efforts to address insecurity in the region have been hindered by numerous challenges, including the rugged terrain, lack of full control, and unclear ownership of the Mukogodo Forest.

Security matters of this nature fall under the mandate of the Ministry of Interior and National Administration, which is responsible for addressing issues such as

banditry, displacement, and general security concerns. Kenya Forest Service will enhance security in the forest. On ownership, Mukogodo is a public forest managed, conserved and protected by Kenya Forest Service.

IV. THAT, revoking the gazettelement of Mukogodo Forest as a public forest and reclassifying it as a community forest would significantly benefit the Il Ng'wesi and Yaaku communities. These benefits include enhanced control and management of forest resources, increased community participation in conservation, protection of indigenous rights, promotion of devolved natural resource governance, and improved conflict resolution and social cohesion.

Mukogodo Forest Reserve is a gazetted forest vide gazette Notice number 174 of 1964. Under the current arrangements, the community enjoys access and benefits of the forest, as per the existing legal framework. This arrangement does not deny community the right to forest resources in a regulated and sustainable manner while maintaining the status of the forest. This, therefore, negates the need for forest reclassification.

THEREFORE, the plea by the Petitioners for the de-gazettelement of Mukogodo forest Reserve would be contrary to:

- i. Article 69 of the Kenyan constitution obligates the state to work to achieve and maintain a tree cover of at least ten per cent (10%) of the land area of Kenya. Any revocation of the gazetted forest would be detrimental to this constitutional requirement;
- ii. The current Government plans and Presidential Directive on landscape restoration which requires growing of 15 billion trees by 2032, to achieve 30% tree cover with the objective of addressing climate change and livelihood improvement;

- iii. International Legal Framework, that is United Nations Framework Convention on Climate Change and United Nations Convention to Combat Desertification, to which the Government of Kenya is a Signatory;
- iv. The current Forest Management Agreement and the Participatory Forest Management Plan entered into between Kenya Forest Service and Ilmamusu Mukogodo Forest Association, as provided for in the Forest Conservation and Management Act Cap 385; and
- v. Section 8 of the Forest Conservation and Management Act on conservation, management and protection of public forest.

Conclusion

The benefits requested in the Petition have already been provided for in the Participatory Forest Management Plan for Mukogodo Forest and the community is currently enjoying those benefits.

The proposed de-gazettement of this forest will undermine Kenya's Constitutional and statutory duty to protect its natural heritage for present and future generations, therefore denying the local community and the larger population the enhanced environmental, economic, social and ecological benefits that include carbon sequestration, climate amelioration, biodiversity and water conservation, as well as the creation of green jobs, among others.

Thank you, Honorable Chair and Honorable Members.

Dr. Deborah M. Barasa, EGH

CABINET SECRETARY

Date: _____