

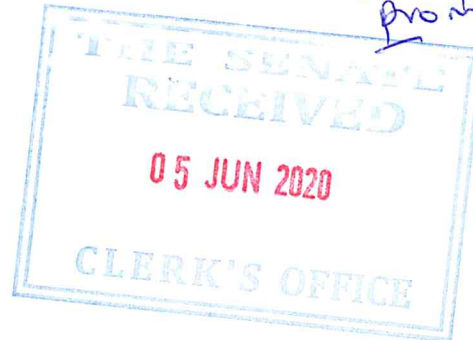
Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

② Mr. Chaniz
pls process
promptly

The Clerk of the Senate
Parliament Building
P.O. Box 41842 – 00100

Nairobi

Email.csenate@parliament.go.ke



Mr. Chaniz
18/6/20

Dear Sir/Madam

RE: PETITION TO THE SENATE CONCERNING ALLOCATION OF KARARE LAND IN MARSABIT COUNTY TO KENYA DEFENCE FORCES

We the undersigned,

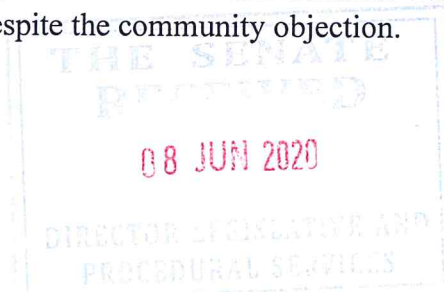
Citizens of the Republic of Kenya, and residents of Marsabit County Karare Ward.

① DLPS
Please process
M. Chaniz
18/6/20

Draw the attention of the Senate to the following:

1. Background

- 1.1 THAT the petitioners are citizens of Kenya from the Rendille and Samburu Community living in Marsabit County specifically in Karare Ward.
- 1.2 THAT, the Rendille and Samburu community in Marsabit County respectfully objected to compulsory acquisition of our **ONLY** fertile land to KDF for reasons provided below.
- 1.3 THAT In 2019, the Kenya Defense Forces showed interest in land in Saku Sub County. The total land requested by the KDF was 2,500 acres.
- 1.4 THAT the land that the KDF requested is the only viable grazing area for Rendille and Samburu County and the community further showed alternative land to the KDF in Kubi Kalo which they refused. The KDF is proceeding with compulsory acquisition despite objection by the community.
- 1.5 THAT, due to minority status and weak representation in government the Rendille/Samburu community of Marsabit County is afraid that they could lose their land despite their objection and the rights enshrined in the Constitution and Lands Act
- 1.6 THAT, the community has already lost 150,000 acres to the Lake Turkana Wind Power project which was compulsorily acquired despite the community objection.



Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

- 1.7 In the last 10 years 53 Rendille community members were killed along Karare-Marsabit, Songa- Marsabit road by individuals whose main aim is to create fear among the Rendille and Samburu communities so they may occupy that land.
- 1.8 The KDF, the County Commissioner and the MP for Saku have on several occasions attempted to coerce the community to accept to give out its land but the community refused citing the centrality of the land in question for sustainability of their environment and livelihoods.
- 1.9 THAT, the now established pattern of forcefully taking away Rendille and Samburu communities land is understood to be as result of their minority and vulnerability status
- 1.10 THAT, for pastoralism which is the sole livelihood of the community to be viable, the dry season grazing areas should not be encroached hence limiting the interlinkages and inter dependence of ecosystems
- 1.11 THAT, the pastoral community livelihoods are dependent on the mobility of their livestock. The communities plan grazing of their land into dry and wet season grazing areas in order to allow for rejuvenation of rangelands and minimize environmental degradation considering that the soils in these areas are very fragile.
- 1.12 THAT, the Colonial Government created native reserves and/or game reserves to serve as dry season grazing areas and an interface between wildlife and pastoralist livestock.
- 1.13 THAT, the game reserves were used as dry season grazing areas and were fully accessible to both human and livestock use. se
- 1.10 THAT, the above status was maintained until the onset of Kenya's new Constitution 2010 and establishment of County Governments.
- 1.11 THAT, after devolution, there has been unprecedented usurping of community powers by both levels of government and few opportunistic individuals with insatiable and unrestrained appetite for land and other resources on the pretext that they represent interest of the community.

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

2. Reasons for the petition

- 2.1 Karare Ward which has a surface area of 877.30 square kilometers and predominantly occupied by the Rendille and Samburu communities is the sole dry season grazing area for these communities
- 2.2 THAT, with the collapsed education system and under development of this community, the accentuated by the dispossession of their land, the Rendille/Samburu community of Marsabit will experience irredeemable poverty and desperation if the government doesn't come to their aid urgently.
- 2.3 THAT, the Karare Ward, being a water catchment and dry season area for the pastoral communities of Karare, Songa, Loglogo, Kamboye, Laisamis, Kargi and Korr communities plays a central role in the viability of pastoralism in Laisamis sub county and Karare Ward.
- 2.4 THAT, over 150,000 camels, 215,000 Sheep and goats and 85,000 cattle are dependent on Karere ecosystem during droughts. A total of 98,000 people depend on these livestock for their livelihoods.
- 2.5 THAT, the affected people will lose about 35% of their livestock to malnutrition and malnutrition related complications. As a result, an estimated 25,000 households will drop from pastoral production people and become destitute in towns to be supported through food hand-outs if the proposed compulsory allocation of Karare land by Government is not stopped.
- 2.6 THAT, the annual cost of food hand-outs is estimated conservatively at current value of **Ksh. 144,000,000** annually. This is in addition to lack of dignity due to dependency on hand outs.
- 2.7 THAT, The excision of 2,5000 acres from 877 sq.km out of which some of it is protected forests and which is the only dependable dry season grazing area will lead to overuse of rangelands, environmental degradation human-wildlife conflict and human-human conflict.
- 2.8 That, while we are aware of the legal basis on compulsory acquisition of land by Government, the issue in question is an existential issue for the Rendille/Samburu communities of Marsabit and that the decision makers need to intervene with utmost urgency.

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

3. Efforts made by the Community to present their case to relevant Government Agencies

- 3.1 THAT, during two meetings held between the County Commissioner, KDF and the elders, valid reasons were provided AGAINST the acquisition of Karare Land by KDF and in place suggested land in Kubi Kalo.
- 3.2 THAT, the Community suggested alternative land to the KDF and taking into account various factors including environmental sustainability, equity, impact on food and risk of extreme poverty, the community agreed to give land at **Kubi Kalo** in good faith.
- 3.3 THAT, the proposed Kubi Kalo land is shared by the Rendille, Borana and Gabbra and will therefore distribute the livelihood and environmental costs to the three communities.
- 3.4 THAT, the KDF team leader appreciated the reasons provided and was satisfied with them. The following reasons were provided to KDF and County Commissioner by the community;
The community objected to the acquisition of their land in Karare citing the following reasons:
- a. A sacred place for most cultural and religious ceremonies such as circumcision, Lmugeti,
 - b. A major and only source of red ochre nalkaria hills which is scared to the community
 - c. A pathway for collection of silaley gum vitally used in circumcision and religious ceremonies
 - d. Source of Ibaa/sticks for use in Rendille/Samburu circumcision ceremonies.
 - e. The source of sagaram to feed livestock during dry season.
 - f. The key grazing site for livestock in a highly pastoral community.
 - g. The community respectfully rejected the compulsory acquisition during public participation forum
 - i. Some elders from the community were coerced to sign the document stipulating that the community had agreed for their land to be taken by KDF. The process was marred by irregularities and thus null and void.
 - j. Our population is growing hence limited land for settlement
 - k. It is an elephant migration corridor
- 3.5 THAT, the County Commissioner selected some elders (men only) and informed them that they would rather accept the proposal by the Government or be disposed of their land by force.
- 3.6 THAT, the community having felt helpless, petitioned the County Commissioner, the County Governor, the Cabinet Secretary for Interior and Citizen Services and the National Land Commission for redress and reversion of the process

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

3.7 THAT, the community did not receive response from the above stated State agencies, except the Senate

3.8 THAT, the community thanks Senate for being responsive to our petition despite the Rendille and Samburu being a small and vulnerable community

4. The matter in respect to this petition is not pending in any court of law or other constitutional legal body

5. WHEREFORE, we humbly pray that the Senate:

1. To mandate the Committee on Land and Environment to visit Karare community of Marsabit County to establish the facts as soon as possible
2. To make appropriate recommendations to the Cabinet Secretary for Ministry of Defense based on the findings
3. Give an opportunity for the Rendille Professional Association to further present the Memorandum Orally to the senate.

Dated this.....29th.day ofApril.....2020

No.	Name	Address	ID. No.	Signature
	Rendille and Samburu Community representatives	P.O. Box 559 -00100 Nairobi rpa@info.or.ke Please insert the phone number that the senate can use to reach you.		

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

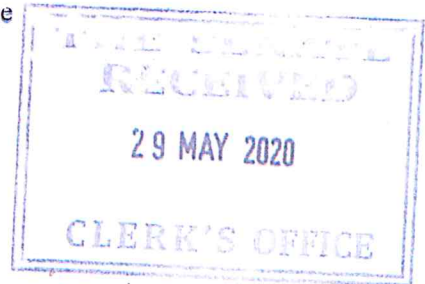
Rendille and Samburu Community Representatives
P.O. Box 559 -00100
Nairobi
rpa@info.or.ke
29th April, 2020



Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

The Clerk of the Senate

Parliament Building
P.O. Box 41842 – 00100
Nairobi
Email.csenate@parliament.go.ke



Dear Sir/Madam

RE: PETITION TO THE SENATE CONCERNING ALLOCATION OF KARARE LAND IN MARSABIT COUNTY TO KENYA DEFENCE FORCES

Wethe undersigned,

Citizens of the Republic of Kenya, and residents of Marsabit County Karare Ward

Draw the attention of the Senate to the following:

1. Background

1.1 THAT the petitioners are citizens of Kenya from the Rendille and Samburu Community living in Marsabit County specifically in Karare Ward.

1.2 THAT, the Rendille and Samburu community in Marsabit County respectfully objected to compulsory acquisition of our ONLY fertile land to KDF for reasons provided below.

1.3 THAT In 2019, the Kenya Defense Forces showed interest in land in Saku Sub County. The total land requested by the KDF was 2,500 acres.

1.4 THAT the land that the KDF requested is the only viable grazing area for Rendille and Samburu County and the community further showed alternative land to the KDF in Kubi Kalow which they refused. The KDF is proceeding with compulsory acquisition despite objection by the community.

1.5 THAT, due to minority status and weak representation in government the Rendille/Samburu community of Marsabit County is afraid that they could lose their land despite their objection and the rights enshrined in the Constitution and Lands Act

1.6 THAT, the community has already lost 150,000 acres to the Lake Turkana Wind Power project which was compulsorily acquired despite the community objection.

*DLPS
Please process.
MAD
2/6/20*

*Mr. David
please process*

*204
02-06-2020*

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

1.7 In the last 10 years 53 Rendille community members were killed along Karare-Marsabit, Songa- Marsabit road by individuals whose main aim is to create fear among the Rendille and Samburu communities so they may occupy that land.

1.8 The KDF, the County Commissioner and the MP for Saku have on several occasions attempted to coerce the community to accept to give out its land but the community refused citing the centrality of the land in question for sustainability of their environment and livelihoods.

1.9 THAT, the now established pattern of forcefully taking away Rendille and Samburu communities land is understood to be as result of their minority and vulnerability status

1.10 THAT, for pastoralism which is the sole livelihood of the community to be viable, the dry season grazing areas should not be encroached hence limiting the interlinkages and inter dependence of ecosystems

1.11 THAT, the pastoral community livelihoods are dependent on the mobility of their livestock. The communities plan grazing of their land into dry and wet season grazing areas in order to allow for rejuvenation of rangelands and minimize environmental degradation considering that the soils in these areas are very fragile.

1.12 THAT, the Colonial Government created native reserves and/or game reserves to serve as dry season grazing areas and an interface between wildlife and pastoralist livestock.

1.13 THAT, the game reserves were used as dry season grazing areas and were fully accessible to both human and livestock use. se

1.10 THAT, the above status was maintained until the onset of Kenya's new Constitution 2010 and establishment of County Governments.

1.11 THAT, after devolution, there has been unprecedented usurping of community powers by both levels of government and few opportunistic individuals with insatiable and unrestrained appetite for land and other resources on the pretext that they represent interest of the community.

2. Reasons for the petition

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

2.1 Karare Ward which has a surface area of 877.30 square kilometers and predominantly occupied by the Rendille and Samburu communities is the sole dry season grazing area for these communities

2.2 THAT, with the collapsed education system and under development of this community, the accentuated by the dispossession of their land, the Rendille/Samburu community of Marsabit will experience irredeemable poverty and desperation if the government doesn't come to their aid urgently.

2.3 THAT, the Karare Ward, being a water catchment and dry season area for the pastoral communities of Karare, Songa, Loglogo, Kamboye, Laisamis, Kargi and Korr communities plays a central role in the viability of pastoralism in Laisamis sub county and Karare Ward.

2.4 THAT, over 150,000 camels, 215,000 Sheep and goats and 85,000 cattle are dependent on Karere ecosystem during droughts. A total of 98,000 people depend on these livestock for their livelihoods.

2.5 THAT, the affected people will lose about 35% of their livestock to malnutrition and malnutrition related complications. As a result, an estimated 25,000 households will drop from pastoral production people and become destitute in towns to be supported through food hand-outs if the proposed compulsory allocation of Karare land by Government is not stopped.

2.6 THAT, the annual cost of food hand-outs is estimated conservatively at current value of **Ksh. 144,000,000** annually. This is in addition to lack of dignity due to dependency on hand outs.

2.7 THAT, The excision of 2,5000 acres from 877 sq.km out of which some of it is protected forests and which is the only dependable dry season grazing area will lead to overuse of rangelands, environmental degradation human-wildlife conflict and human-human conflict.

2.8 That, while we are aware of the legal basis on compulsory acquisition of land by Government, the issue in question is an existential issue for the Rendille/Samburu communities of Marsabit and that the decision makers need to intervene with utmost urgency.

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

3. Efforts made by the Community to present their case to relevant Government Agencies

3.1 THAT, during two meetings held between the County Commissioner, KDF and the elders, valid reasons were provided AGAINST the acquisition of Karare Land by KDF and in place suggested land in KubiKalo.

3.2 THAT, the Community suggested alternative land to the KDF and taking into account various factors including environmental sustainability, equity, impact on food and risk of extreme poverty, the community agreed to give land at **KubiKalo** in good faith.

3.3 THAT, the proposed KubiKalo land is shared by the Rendille, Borana and Gabbra and will therefore distribute the livelihood and environmental costs to the three communities.

3.4 THAT, the KDF team leader appreciated the reasons provided and was satisfied with them. The following reasons were provided to KDF and County Commissioner by the community;

The community objected to the acquisition of their land in Karare citing the following reasons:

- a. A sacred place for most cultural and religious ceremonies such as circumcision, Lmugeti,
- b. A major and only source of red ochre nalkaria hills which is sacred to the community
- c. A pathway for collection of silaley gum vitally used in circumcision and religious ceremonies
- d. Source of Ibaa/sticks for use in Rendille/Samburu circumcision ceremonies.
- e. The source of sagaram to feed livestock during dry season.
- f. The key grazing site for livestock in a highly pastoral community.
- g. The community respectfully rejected the compulsory acquisition during public participation forum
- i. Some elders from the community were coerced to sign the document stipulating that the community had agreed for their land to be taken by KDF. The process was marred by irregularities and thus null and void.
- j. Our population is growing hence limited land for settlement
- k. It is an elephant migration corridor

3.5 THAT, the County Commissioner selected some elders (men only) and informed them that they would rather accept the proposal by the Government or be disposed of their land by force.

3.6 THAT, the community having felt helpless, petitioned the County Commissioner, the County Governor, the Cabinet Secretary for Interior and Citizen Services and the National Land Commission for redress and reversion of the process

3.7 THAT, the community did not receive response from the above stated State agencies, except the Senate

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

3.8 THAT, the community thanks Senate for being responsive to our petition despite the Rendille and Samburu being a small and vulnerable community

4. The matter in respect to this petition is not pending in any court of law or other constitutional legal body



5. WHEREFORE, we humbly pray that the Senate:

- ✓ 1. To mandate the Committee on Land and Environment to visit Karare community of Marsabit County to establish the facts as soon as possible
- ✓ 2. To make appropriate recommendations to the Cabinet Secretary for Ministry of Defense based on the findings
- ✓ 3. Give an opportunity for the Rendille Professional Association to further present the Memorandum Orally to the senate.

Dated this...29th.day of...April...2020

No.	Name	Address	ID. No.	Signature
	Rendille and Samburu Community representatives	P.O. Box 559 -00100 Nairobi rpa@info.or.ke The phone number that the senate can use to reach RPA		
1	HON. STEPHEN LEADO MCA - KARARE WARD	TEL-0727549003	22366199	LHBS
2.	HON. BERNARD BATA MCA - LOGIO LOGIO WARD	TEL-0712899281	20242716	[Signature]
3	HON. ASSUNTA GABHII MCA - KARARE WARD	0713349254	21016465	[Signature]
4.	KENYANESIAN PAUL LEADUNA	0790126214	0628463	[Signature]

Petition to the Senate by the Rendille Professional Association Concerning Acquisition of Karare Land by Kenya Defense Forces (KDF)

5.	LENCADODO LALBARAKUA	0717326545	0024253	
6	LONCIDENY NREPE	0716697082	12752200	

Rendille and Samburu Community Representatives
P.O. Box 559 -00100
Nairobi
rpa@info.or.ke
29th April, 2020

