

**PETITION TO THE SENATE CONCERNING THE BOUNDARY
QUESTION BETWEEN KISUMU, SIAYA AND VIHIGA COUNTIES AT
MASENO.**

THE MASENO BOUNDARY QUESTION

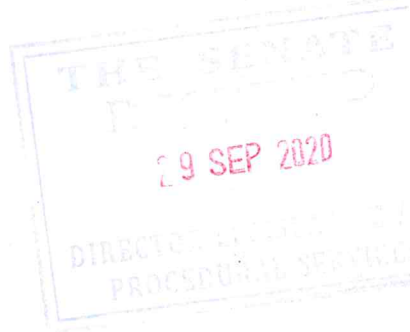
The clerk of the senate

Parliament Buildings

P.o. Box 41842-00100

Nairobi.

Email: csenate@parliament.go.ke



**RE: PETITION TO THE SENATE CONCERNING THE BOUNDARY
QUESTION BETWEEN KISUMU, SIAYA AND VIHIGA COUNTIES
AROUND MASENO.**

We, the undersigned,

Citizens of the Republic of Kenya, and residents of Banyore Community of Vihiga, Siaya and Kisumu counties.

Draw attention to the following:

1. THAT the Kisumu, Vihiga, Siaya County boundary dispute has persisted for the longest time since the boundary delimitation of 28th February, 1963 to date.

2. THAT before the colonial boundary delimitation in Kenya of 1919, the second one after 1902, the area under contention now belonged to the Banyore Community. It included: Kiboswa Market, Nyahera Dispensary, Esinyolo, Kisian (daraja Mbili), Magwar, Etwenya (Ratta), Ramula, Mundano and River Yala which have since been hived off the current Vihiga County.

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3. THAT the origin of this historical injustice can be traced to the working of one influential Luo politician who ensured that a great chunk of the area previously considered as Luhya land was delimited under the Luo Community administrative area.
4. THAT this unfair delimitation not only ensured that Luhya Community was divided between the different predominantly Luo administrative jurisdictions, but also that the major institutions i.e Siriba College – now Maseno University, Maseno School, Maseno Mission Hospital were on the Luo Side.
5. THAT the community consistently sought justice through various legal means such as court petitions, requests to parliament and peaceful mediation but no lasting solution has been found.
6. THAT during the boundaries review by the Interim Boundaries Review Commission (IIBRC) led by Hon. Andrew Ligale, the residents of larger Banyore Community requested for the commission to consider correcting the boundary dispute but the request was not honored.
7. THAT the National Assembly has on several occasions been called upon to find out amicable solution but to date the injustices have not been corrected.
8. THAT the gazetted Counties Kisumu, Siaya and Vihiga divides the Banyore Community into three partition, some in Kisumu, some in Siaya and the remaining in Vihiga which results into marginalization.

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9. THAT because of marginalization, the community suffers selective services discriminatory governance and lack of proper resource distribution and loss of culture so what we call is boundary adjustment.

10. THAT the Banyore Community has written numerous memorandums seeking redress e.g the TJRC and National Land Commission.

11. THAT recognizing the Senate as the guardian of Devolution, we believe that it has the capacity and ability to provide a permanent and satisfactory solution to this issue.

12. THAT none of these issues raised in this petition is pending in any court of law, constitutional or any other legal body.

13. THAT as a result of what is happening to the Luhya Community in Central Nyanza and Northern Nyanza around Maseno, their kinsmen in Vihiga County are embittered and pray that a boundary review of administrative boundaries be recommended as a matter of urgency to help sort out the existing animosity.

14. THAT the Vihiga senator raised the issue of boundary dispute in 2015 when Kisumu County Government closed the main road from Kisumu-Busia Highway to Maseno Mission Hospital that forced patients and residents to use dangerous forest path. This led to eruption of violence and heightened insecurity.



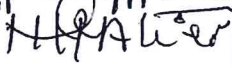



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15. THAT we would like to inform the Senate that it will not be of any benefit to deal with Wards and Constituencies boundaries and forget a major historical problem, failure to solve disputed County boundaries will lead to possible future marginalization.

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The Petitioner therefore prays that the Senate -

1. Investigates into this matter; and
2. Makes appropriate recommendations with a view -
 - (i) Conduct a comprehensive evaluation of the Kisumu, Siaya and Vihiga boundary, considering the historical administration demarcation and boundary reviews since independence and the popular view of the community around the disputed boundary;
 - (ii) Provide a lasting solution to the Banyore Community whose clans have been divided between Kisumu, Siaya and Vihiga Counties by ensuring that they are within on administrative unit of Vihiga County to correct this historical injustice; and
 - (iii) Ensure that banyore administered in Kisumu and Siaya Counties are brought back into one administrative unit in Vihiga County.

No	Name of petitioner	Full address	National ID/passport No.	Signature/thumb impression
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8	JORAM A. LIBALE	556 LUANDA	16053210	<i>[Signature]</i>
9	CLARA ANDEYO	136 MASENO	11043988	<i>[Signature]</i>
10	ELEKIEL O. OSOLO	556 LUANDA	8239080	<i>[Signature]</i>
11	DAVID A. OSOLO	456 YAKA	7022612	<i>[Signature]</i>
12	ZAKAYO K. AKHONYA	133 LUANDA	0967943	<i>[Signature]</i>
13	ELISHA O. NJEKA	556 LUANDA	1952006	<i>[Signature]</i>
14	FLORENCE A OMOGA	25 MASENO	6481183	FO
15	WILLIAM ABUKUSE	59 MASENO	9102746	Abukse
16	TERESIA OSITA AYIRO	25 MASENO	6292001	<i>[Signature]</i>
17	SAMUEL O. OMUNGU	25 MASENO	1456804	Ohe
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