

Approved
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23/9/25

REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY


THIRTEENTH PARLIAMENT – FOURTH SESSION (2025)

PUBLIC PETITIONS COMMITTEE

REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 52 OF 2023 BY HON. IBRAHIM ABDI, M.P., ON BEHALF OF RESIDENTS OF WAJIR NORTH CONSTITUENCY AND OTHER PARTS OF THE COUNTY, REGARDING THE BAN ON THE USE OF ASBESTOS AS A ROOFING MATERIAL

SEPTEMBER, 2025

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 23 SEP 2025	
DAY: <i>Tuesday</i>	
TABLED BY:	<i>Hon. Mwachigi Kambamp</i> <i>Chairperson</i>
CLERK-AT THE-TABLE:	<i>A. Shibusko</i>

Directorate of Audit, Appropriations and General Purpose Committees
Clerk's Chambers
Main Parliament Buildings
NAIROBI



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LIST OF ACRONYMS

ASALs	-	Arid and Semi-Arid Lands
NEMA	-	National Environment Management Authority
NG-CDF	-	National Government Constituencies Development Fund

CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Public Petitions Committee regarding Public Petition No. 52 of 2023 regarding the ban on the use of asbestos as a roofing material. The petition was presented to the House pursuant to the provisions of Standing Order No. 225 (2) (a) by the Hon. Ibrahim Abdi, M.P., on behalf of the residents of Wajir North Constituency and other affected parts of the country.

The petitioner prayed that the Committee recommend to the relevant ministries to survey and identify all public buildings built using asbestos roofing materials, including the International Development Association-funded primary schools in Wajir North Constituency and other ASALs regions of Northern Kenya. The petitioner also prayed that the ministries develop and implement a safe disposal plan for all asbestos materials. Lastly, the petitioners prayed that a medical survey be carried out in all the regions with asbestos roofs to ascertain the extent of cancerous effects of prolonged asbestos exposure and provide necessary health interventions to those who might be affected.

In consideration of the Petition, the Committee collected views from the petitioner and the Ministry of Environment, Climate Change & Forestry.

The Committee observed that the Ministry of Environment, Climate Change and Forestry through (National Environmental Management Authority) NEMA had undertaken various measures to mitigate against asbestos pollution including communicating to the public on the environmental and health risks associated with use of Asbestos, communicating with relevant Ministries on the need to replace asbestos roofing with modern roofing materials, licensing of asbestos disposal sites as per the Environmental Management and Coordination (Waste Management Regulations 2024); and licensing of the vehicles to transport asbestos/hazardous waste. NEMA conducted a survey and developed an inventory of buildings and facilities with asbestos material in 19 counties. The survey included schools, houses and hospitals.

The Committee recommended that six months after the tabling of this report, the Ministry of Environment, Climate Change and Forestry, through NEMA, conduct a survey and identify public buildings with asbestos roofs in the remaining 28 Counties. The Committee further recommends that NEMA continue sensitizing public institutions to replace the asbestos roofing materials with environmentally-friendly roofing materials.

The Committee further recommended that all stakeholders remove asbestos roofing from public institutions within one year of the adoption of this report. Additionally, the Committee recommended that NEMA supervise the removal process.

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support offered during the consideration of the Petition. The Chairperson expresses gratitude to the Members of the Committee and the Secretariat for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I wish to table the report on the consideration of Public Petition No. 52 of 2023 by the Hon. Ibrahim Abdi, M.P., on behalf of the residents of Wajir North Constituency and other affected parts of the country, regarding the ban on the use of asbestos as a roofing material on the table of the House.

Signed:  Date: 23/09/2025
HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

PART ONE

I. PREFACE

I.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:

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

I.2 Committee Membership

The Public Petitions Committee was first constituted in October 2022 and reconstituted in March 2025 and comprises the following Members:

Chairperson

Hon. Muchangi Karemba, CBS, M.P.

Runyenjes Constituency

United Democratic Alliance (UDA)

Vice Chairperson

Hon. Janet Jepkemboi Sitienei, CBS, M.P.

Turbo Constituency

United Democratic Alliance (UDA)

Hon. Ntwiga Patrick Munene, M.P.

Chuka Igambang'ombe Constituency

United Democratic Alliance (UDA)

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

Mavoko Constituency

**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Bernard Muriuki Nebart, M.P.

Mbeere South Constituency

Independent

Hon. Edith Vethi Nyenze, M.P.

Kitui West Constituency

**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Bidu Mohamed Tubi, M.P.

Isiolo South

Jubilee Party (JP)

Hon. Maisori Marwa Kitayama, M.P.

Kuria East Constituency

United Democratic Alliance (UDA)

Hon. Peter Irungu Kihungi, M.P.

Kangema Constituency

United Democratic Alliance (UDA)

Hon. Joshua Chepyegon Kandie, M.P.

Baringo Central Constituency

United Democratic Alliance (UDA)

Hon. John Bwire Okano, M.P.

Taveta Constituency

**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Beatrice Kadeveresia Elachi, M.P.

Dagoreti North Constituency

**Orange Democratic Movement
(ODM)**

Hon. Peter Mbogho Shake, M.P.

Mwatate Constituency

Jubilee Party (JP)

Hon Suzanne Ndunge Kiamba, MP

Makueni Constituency

**Wiper Democratic Movement-Kenya
(WDM-K)**

Hon. Sloya Clement Logova, M.P.

Sabatia Constituency

United Democratic Alliance (UDA)

I.3 Committee Secretariat

The secretariat comprises the following:

Mr. Leonard Machira
Principal Clerk Assistant II

Ms. Anne Shibuko
First Clerk Assistant

Ms. Miriam Modo
First Clerk Assistant

Mr. Willis Obiero
Clerk Assistant III

Mr. Benard Kipchumba
Clerk Assistant III

Ms. Patricia Gichane
Legal Counsel II

Ms. Nancy Ouma
Research Officer III

Ms. Roselyne Njuki
Principal Serjeant-at-Arms

Mr. Paul Shana
Serjeant-at-Arms

Mr. Calvin Karungo
Media Relations Officer III

Mr. Peter Mutethia
Audio Officer

PART TWO

2. BACKGROUND TO THE PETITION

1.4 Introduction

1. Public Petition No. 52 of 2023 regarding the Ban on the use of Asbestos as roofing material was presented to the House on 28th September 2023 by the Member for Wajir North Constituency, Hon. Ibrahim Abdi, MP, on behalf of the residents of Wajir North Constituency.
2. The Petitioner stated that shelter is one of the basic human needs that provides a sense of security, and the quality of construction material, including the safety of roofing materials, is very important as it guarantees dwellers' protection and healthy living, including the safety of rainwater harvested for domestic use.
3. The Petitioner averred that Article 42 of the Constitution recognizes the right of every Kenyan to a clean and healthy environment, and protection of the environment for the benefit of present and future generations.
4. He further stated that numerous public utilities, such as schools, dispensaries, hospitals, and police stations in Wajir North Constituency and other parts of the country, were in the past built using asbestos as roofing material.
5. He informed the Committee that the International Development Association, through the World Bank, funded the construction of some public hospitals and schools in Arid and Semi-Arid Lands (ASALs), such as Bute, Balambala, Kakuma and Rhamu Arid Zones Primary Schools, using asbestos as roofing material.
6. Further, research has revealed that asbestos exposure was hazardous to human health and could result in an aggressive cancer known as '*Mesothelioma*', which affects the membrane lining of the lungs and abdomen and presents symptoms similar to those of respiratory illnesses.
7. He also submitted that due to the impact of Mesothelioma cancer and related illnesses, fifty-five countries worldwide, including the USA, New Zealand, Australia, and Egypt have banned the use of asbestos as a roofing material. Kenya implemented this ban in 2006.
8. He further argued that the spiralling increase in cases of cancer had exerted unbearable financial strain on families and the country's health system, owing to the exorbitant costs associated with cancer treatment.
9. He noted that despite the ban on asbestos use in Kenya in 2006, asbestos continued to be used in many parts of the country.

I.5 Petitioner's Prayers

The Petitioner prayed that the National Assembly, through the Public Petitions Committee –

10. Recommends to the relevant Ministries to survey and identify all public buildings that were built using asbestos as roofing materials, including the International Development Association-funded primary schools in Wajir North Constituency and other ASALs regions of Northern Kenya, with a view to removing asbestos and replacing it with galvanized iron sheets to mitigate asbestos-related effects and cancer;
11. Recommends to the relevant ministries to develop and implement a safe disposal plan for all asbestos materials that will be removed from buildings to avoid seepage of the carcinogen into the environment;
12. Recommends for a medical survey to be carried out in all the regions with asbestos roofs to ascertain the extent of cancerous effects of prolonged exposure to asbestos and provide necessary health interventions to those who might have been affected; and
13. Make any other appropriate recommendations it deems fit in addressing the plight of the petitioner.

PART THREE

3. STAKEHOLDERS' SUBMISSIONS ON THE PETITION

3.1. The Petitioners

The Hon. Ibrahim Abdi, MP appeared before the Committee, on behalf of the petitioners, on Tuesday 23rd April, 2024 and submitted as follows—

14. He informed the Committee that there was a need to involve agencies that possess the required expertise, such as the National Environment Management Authority (NEMA) and the Ministry of Health, to conduct the safe removal and disposal of asbestos, as asbestos, classified as a carcinogen, can enter the environment through wear and tear, contaminating both air and soil. The carcinogenic properties posed a risk through bio-accumulation and persistent exposure, potentially entering water systems, aquifers, and the food chain.
15. He suggested that funds from the National Government Constituencies Development Fund (NG-CDF) and from international donors could be used in the removal and replacement of the asbestos roofs with a non-carcinogenic material, such as galvanized iron sheets, to ensure the health and safety of residents.
16. He observed that since the ban on the use of asbestos in Kenya was made in 2006, there was a need to dispose of all asbestos present within the country to mitigate the health risks that come with asbestos exposure.
17. The Petitioner argued that, given the arguments for and against the ban of asbestos, scientific evidence proving its carcinogenic nature provides sufficient grounds to argue for the complete prohibition of its use in Kenya.
18. He further emphasized that Asbestos was considered one of the most significant occupational health risks to workers through indirect exposure, which eventually poses health risks to these individuals, causing them to bear financial strain owing to exorbitant financial costs for related treatment.

3.2. Ministry of Environment, Climate Change and Forestry

The Cabinet Secretary for the Ministry of Environment, Climate Change and Forestry, Hon. Aden Bare Duale, EGH, appeared before the Committee on 5th December, 2024 and submitted as follows –

19. The Cabinet Secretary submitted that the National Environment Management Authority (NEMA) is the principal instrument of government established under Section 7 of the Environmental Management and Co-ordination Act (EMCA), 1999, to exercise general

supervision and coordination of all matters relating to the environment, and this Act became operational in the year 2002.

20. He further explained that asbestos is classified as a group of six fibrous minerals that occur naturally in metamorphic deposits located around the world. It is a chemically inert mineral that is fire-resistant and does not conduct heat or electricity, thus making it a commonly used insulator. It has high tensile strength, is insoluble and odourless. Due to these properties, asbestos has been used in a wide range of manufactured goods, including roofing materials, ceiling and floor tiles, and friction products such as automobile clutches and brakes. In the 1960s and 1970s, many industries, including food manufacturing industries, as well as residential homes, used asbestos as roofing material due to its characteristics of durability and fire resistance.
21. The Committee was also informed that when left intact and undisturbed, asbestos materials do not pose a health risk. It becomes a problem when, due to damage, disturbance or deterioration over time, the material releases fibres into the air, causing air pollution. Exposure to air containing the fibres increases the risk of inhaling the fibres and developing associated diseases such as asbestosis, lung cancer and *mesothelioma*. The roofing materials used in the 1960s and 1970s had deteriorated over time, necessitating their replacement with more environmentally safe methods and their removal and disposal.
22. He stated that there has been an increased removal and disposal of asbestos roofing materials due to global awareness of its negative health effects, deterioration of asbestos sheets and increased drive towards roof water harvesting. This prompted the National Environment Management Authority (NEMA), as the environmental regulator, to develop guidelines for the safe removal and disposal of asbestos.
23. He submitted that the Ministry, through NEMA, had undertaken the following actions to mitigate against asbestos pollution—
 - (a) Communicated to the public on the environmental and health risks associated with the use of Asbestos.
 - (b) Communicated to several Ministries regarding the concern of asbestos roofing and advised them to take the lead in replacing any existing asbestos roofing with modern roofing materials.
 - (c) Licensed asbestos disposal sites as per the Environmental Management and Coordination (Waste Management Regulations 2006); and
 - (d) Licensed the vehicles to transport asbestos/hazardous waste.

NEMA conducted a survey of buildings and developed an inventory of buildings with asbestos materials. The counties covered were as follows;

- I. Nairobi County
- II. Kakamega County
- III. Bungoma County

- IV. Vihiga County
- V. Busia County
- VI. Homabay County

VII. Kisii County
VIII. Kisumu County
IX. Migori County
X. Nyamira County
XI. Siaya County
XII. Embu County
XIII. Isiolo County


XIV. Kitui County
XV. Machakos County
XVI. Makueni County
XVII. Marsabit County
XVIII. Meru County
XIX. Tharaka Nithi

PART FOUR

4. COMMITTEE OBSERVATIONS

Upon hearing from the Petitioner and the Ministry of Environment, Climate Change & Forestry, the Committee observed that—

24. Despite the ban on asbestos roofing in Kenya since 2006, numerous government buildings, hospitals, schools, churches, residential homes, and water supply systems continue to use asbestos as roofing or construction materials, thereby exposing occupants to health risks associated with asbestos-related substances.
25. NEMA conducted a survey and developed an inventory of buildings and facilities with asbestos material in 19 counties. The survey included schools, houses and hospitals.
26. The Ministry of Environment, Climate Change and Forestry through NEMA had undertaken various measures to mitigate against asbestos pollution including communicating to the public on the environmental and health risks associated with use of Asbestos, communicating with relevant Ministries on the need to replace asbestos roofing with modern roofing materials, licensing of asbestos disposal sites as per the Environmental Management and Coordination (Waste Management Regulations 2024); and licensing of the vehicles to transport asbestos/hazardous waste.
27. There is a need for the National Environmental Management Authority to ensure the full implementation of Legal Notice No. 121 on Environmental Management and Coordination (Waste Management) Regulations, 2024, which classifies wastes containing asbestos in the form of dust or fibres as hazardous waste.
28. The National Environmental Management Authority in consultation with the Ministry of Health, the Directorate of Occupational Safety and Health Services and the County Council of Nairobi, developed and published the National Guidelines on Safe Management and Disposal of Asbestos (the Guidelines) in 2011 whose main objectives highlighted the precautions necessary to mitigate risks of exposure and ensure environmentally sound disposal of asbestos and other wastes.
29. There was increased removal and disposal of asbestos roofing materials due to global awareness of its negative health effects. However, the process of removing asbestos in the country was relatively slow despite awareness of its risks and frequent communication made by relevant Government agencies.

 THE NATIONAL ASSEMBLY PAPER LAID	
DATE: 23 SEP 2025	DAY: Tuesday
TABLED BY: Hon. Muchangi Karumbani (Chairperson)	PART FIVE
CLERK-A-THE-TABLE: Ashimuka	5. COMMITTEE RECOMMENDATIONS

30. Pursuant to the provisions of Standing Order 227, the Committee responds to the petitioner as follows -

- (i) On the prayer that the Committee recommends to the relevant Ministries to survey and identify all public buildings with asbestos roofs, including the International Development Association funded primary schools in Wajir North Constituency and other ASALs regions of Northern Kenya that were roofed using asbestos with a view of removing asbestos and replacing it with galvanized iron sheets to mitigate asbestos-related effects and cancer, **the Committee recommends that within six months of the tabling of this report, the Ministry of Environment, Climate Change and Forestry through NEMA conducts a survey and identify public buildings with asbestos roofs in the remaining 28 Counties. The Committee further recommends that NEMA continue sensitizing public institutions to replace the asbestos roofing materials with environmentally-friendly roofing materials.**
- (ii) On the prayer that the Committee recommends to the relevant Ministries to develop and implement a safe disposal plan for all asbestos materials that will be removed from buildings to avoid seepage of the carcinogen into the environment, **the Committee recommends that within six months of the tabling of this report NEMA develops a disposal plan, in accordance with National Guidelines on the Safe Management and Disposal of Asbestos and Environmental Management and Coordination (Waste Management) Regulations, 2024 to fast track the removal asbestos materials.**
- (iii) On the prayer that the Committee recommends for a medical survey to be carried out in all the regions with asbestos roofs to ascertain the extent of cancerous effect of prolonged asbestos exposure and provide necessary health interventions to those who might have been affected, **the Committee recommends that within six months of the tabling of this report the Ministry of Health conducts a medical survey to ascertain the extent and impact of asbestos exposure and provides appropriate health interventions.**
- (iv) **The Committee further recommends that all stakeholders remove asbestos roofing from public institutions within one year of the tabling of this report. Additionally, the Committee recommends that NEMA supervise the removal process.**

Signed: _____



Date: _____

23/09/25

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

ANNEXURES

Annex 1: The Adoption List

Annex 2: Public Petition No. 52 of 2023 regarding Ban of the use of Asbestos as a roofing material

Annex 3: Minutes of 28th Sitting of 2024 held on 23rd April, 2024

Annex 4: Minutes of the 65th Sitting of 2024 held on 5th December 2024

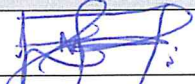

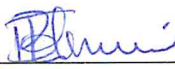


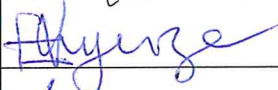
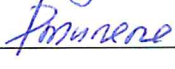
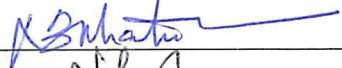


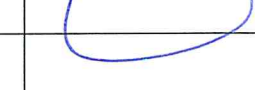
PUBLIC PETITIONS COMMITTEE

ADOPTION LIST

- (i) Consideration and adoption of the Report on Public Petition No. 52 of 2023 by Hon. Ibrahim Abdi, MP, regarding the banning of the use of asbestos as a roofing material.

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

DATE: 16/9/2025

	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. Bidu Mohamed Tubi, 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.	