



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT– (FOURTH SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION

_____ (No. 20 of 2025) _____

REGARDING REGULARIZATION OF VARIOUS PUBLIC FOREST LAND CLAIMS

- 1. Honourable Members,** Article 119 of the Constitution accords any person the right to petition Parliament to consider any matters within its authority. Further, Standing Order 225(2) (b) requires the Speaker to report to the House any Petition other than those presented by a member.
- 2. Honourable Members,** section 34 of the Forest Conservation and Management Act, 2016 (Cap. 385) provides for the revocation of the registration of a public forest through a petition to the National Assembly and outlines the specific steps to be followed in the consideration of such a petition.
- 3. Honourable Members,** in this regard, I wish to report to the House that my office has received a Petition from the Cabinet Secretary for Environment, Climate Change and Forestry, Dr. Deborah Barasa concerning the regularization of various public forest land claims.
- 4. Honourable Members,** in the Petition, the Cabinet Secretary notes that the Ministry of Environment, Climate Change and Forestry is mandated, *inter alia*, to formulate climate change and environmental policies, promote low-carbon technologies, restore and protect strategic water towers, control pollution, conserve wetlands, manage forest resources, and promote afforestation, re-afforestation, and agroforestry initiatives.

- 5. Honourable Members,** the Ministry indicates that it has received several petitions from members of the public claiming settlement within various public forest lands across the country. In response to these claims, an Inter-Ministerial Committee was constituted to investigate and review the matters. Additionally, several petitions seeking the de-gazettement of public forests have been presented to this House and referred to the Public Petitions Committee.
- 6. Honourable Members,** the Ministry reports that the findings of the Inter-Ministerial Committee revealed that the areas under claim are currently inhabited by persons engaged in non-forestry activities and who have resided in those areas for prolonged periods.
- 7. Honourable Members,** the Ministry further informs the House that, following a review of the committee's report, the Kenya Forest Service Board, in writing, did recommend the regularization of these settlements through the variation of the respective forest boundaries, in accordance with section 34 of the Forest Conservation and Management Act (Cap 385).
- 8. Honourable Members,** the Cabinet Secretary clarifies that, following the recommendations of the Kenya Forest Service Board, the Ministry of Environment, Climate Change and Forestry prepared and submitted a Joint Cabinet Memorandum on the determination of public forest land claims. The Memorandum was duly considered and approved by the Cabinet, thereby authorizing the variation of the affected forest boundaries to regularize the said settlements, and forwarded it for consideration and approval by the National Assembly.
- 9. Honourable Members,** consequently, this Petition is presented to the House pursuant to Articles 37, 62, and 119 of the Constitution, as well as Section 34 of the Forest Conservation and Management Act (Cap. 385), which empowers any person to petition Parliament to recommend the variation or revocation of the registration of a public forest.

10. Honourable Members, the Cabinet Secretary, avers that the Ministry intends to execute the de-gazettement in phases, prioritizing the following forest areas—

- a) *South Nandi Forest (Chepkumia Block);*** Declared via Proclamation *No. 76 of 1936 and Legal Notice No. 174 of 1964* having a total area of approximately 17,960.50 Hectares. The Petitioner avers that farmers from the hilly terrain of Chepkumia exchanged their land with forest land. The proposed area for de-gazettement measures approximately 989.17 Hectares and is now fully settled.
- b) *Turbo Forest (Manzini Block);*** Declared via *Legal Notice No. 145 of 14th June 1968* having a total area of approximately 7,404 Hectares. The Petitioner avers that this was intended for settlement of landless squatters in 1995 within the *Manzini Forest Block, Uasin Gishu County*. The proposed area for de-gazettement is approximately 1,241.50 Hectares and is now fully settled.
- c) *Mt. Elgon Forest (Chepyuk Settlement Scheme);*** Declared via *Proclamation No. 44 of 1932 and Legal Notice No. 174 of 1964* having a total area of approximately 91,997.16 Hectares. The Petitioner avers that the *Chepyuk Settlement Scheme* was established in 1974 to resettle the *Elgony Dorobo community* previously residing within the moorlands of the Mt. Elgon Forest Reserve. Phase I of approximately 3,568 Hectares was excised via *Legal Notice No. 51 of 1974*, while in 2016, the Cabinet approved de-gazettement of 4,647 Hectares at Phases II and II, which are now fully settled.
- d) *Shiru/Shaviringa (Kakamega Forest);*** Declared via *Proclamation No. 14 of 1933 and Legal Notice No. 174 of 1964* having a total area of approximately 23,777.30 Hectares. The Petitioner avers that the *Shiru/Shaviringa Settlement Scheme* was established in 1988 as compensation for land acquired for public facilities including Vihiga District Headquarters, Mbale Hospital and Okoli Secondary School. It is proposed for de-gazettement of 94.99 and 36 Hectares for *Shiru* and *Shaviringa* Areas respectively, and both are fully settled.

11. Honourable Members, the Ministry concludes by praying that the National Assembly -

a) Urgently approves the variation of the boundaries of the following public forests to regularize the existing settlements:

(i) *South Nandi at Chepkumia Area*, approximately 989.17 Hectares;

(ii) *Turbo at Manzini Area*, approximately 1,241.50 Hectares;

(iii) *Mt. Elgon at Chepyuk Area*, approximately 4,647 Hectares; and,

(iv) *Kakamega Forest at Shiru and Shaviringa Areas*, approximately 94.99 and 36 Hectares, respectively.

b) Considers the Petitions and issues appropriate resolutions in accordance with Article 119 of the Constitution and Section 34 of the Forest Conservation and Management Act (Cap. 385).

12. Honourable Members, having confirmed that the issues raised in this Petition fall squarely within the jurisdiction of this House, and that they are not sub judice before any court or other constitutional body, I hereby commit the Petition—seeking the de-gazettement of specified public forest lands in Turbo Forest (Manzini Area), Mount Elgon Forest (Chepkyuk Area), and Kakamega Forest (Shiru/Shaviringa Areas)—to the Departmental Committee on Environment, Climate Change and Forestry for consideration and a report to the House, in accordance with the Petitions to Parliament (Procedure) Act (Cap. 7E).

13. Since the Petition concerning the **South Nandi Forest at *Chepkumia Area*** is *already* under consideration by the Public Petitions Committee, I direct the Committee to prioritize and conclude the deliberations on the matter.

14. I now, therefore, direct both the Departmental Committee on Environment, Climate Change and Forestry, and the Public Petitions Committee to expeditiously consider the Petitions and report their findings to the House for consideration in accordance with section 34 of the Forest Conservation and Management Act, 2016 (Cap. 385) and Standing Orders 227(2).

I thank you.


THE RT. HON. (DR.) MOSES M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 4th November 2025.

