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SNT
11/11/25*

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FOURTH SESSION (2025)

PUBLIC PETITIONS COMMITTEE

REPORT ON

THE CONSIDERATION OF PUBLIC PETITION P/NO. 69 OF 2023 BY MR. JOEL SONGOL AND FIVE OTHERS ON BEHALF OF KOIBEM VILLAGE SQUATTERS REGARDING A DELAY IN THE RESETTLEMENT OF SQUATTERS IN KOIBEM VILLAGE, CHEPKUMIA LOCATION, NANDI COUNTY

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| THE NATIONAL ASSEMBLY PAPERS LAID | |
| DATE: 11 NOV 2025 | DAY. Tuesday |
| TABLED BY: | Hon. Eric Katemba, CBS (Chairperson, Public Petitions Committee) |
| CLERK-AT THE-TABLE: | Afabo Moch |

The Directorate of Audit, Appropriations
& General Purpose Committees

The National Assembly

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NAIROBI NATIONAL ASSEMBLY
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11 NOV 2025

SPEAKER'S OFFICE
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November, 2025

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ACRONYMS

National Land Commission (NLC)

Kenya Forest Service (KFS)

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 Committee on the Public Petition No. 69 of 2023 by Mr. Joel Songol and five others regarding the delay in resettlement of Squatters in Koibem Village, Chepkumia Location, Nandi County. The petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by the RT. Hon. (Dr.) Moses F.M. Wetangula, EGH, MP, Speaker of the National Assembly, on behalf Mr, Joel Songol and five others representing Koibem Village Squatters.

The Petitioners prayed that the National Assembly, through the Public Petitions Committee, ensures that—

- i. The Cabinet Secretary for the Ministry of Lands, Physical Planning, Urban Development and Public Works to proceed to gazette the intended excision area;
- ii. The Cabinet Secretary for Environment, Forestry and Climate Change, to secure Cabinet Approval for the intended de-gazettement and seeks Parliamentary approval under Section 34 of the Forest Management and Conservation Act of 2016;
- iii. The Cabinet Secretary for the Ministry of Lands, Physical Planning, Urban Development and Public Works, to facilitate the issuance of new title deeds in the new registration area;
- iv. The relevant government agencies to consider waiving the registration costs for the new titles, given the years of frustrations; and
- v. The relevant government agencies to consider reallocating alternative lands within the same area to the seven (7) individuals whose parcels are uninhabitable and the two (2) individuals who received less acreage by amending the initial excision survey.

In consideration of the petition, the Committee engaged with the Petitioners, the Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development, the Cabinet Secretary, Ministry of Environment, Climate Change, Chief Conservator, Kenya Forest Service, and County Executive Member for Lands, Physical Planning, Housing, Water, Natural Resources and Climate Change County Government of Nandi. The Committee also conducted a field visit to Chepkumia Village in Nandi County and held meetings with various stakeholders.

The Committee noted that the Chepkumia Land Exchange Programme was initiated by the government in 1996 to resettle families in what was then known as Koibem and Ngerek villages in Nandi North District. The areas where the two (2) communities were living were very rocky and hilly. Thus, the Chepkumia land exchange programme intended to resettle the two communities from the hilly Chepkumia area to South Nandi Forest. The land exchange was to comprise 910.60 hectares in the Kaimosi block of South Nandi Forest along the Yala River. The Koibem Community was allocated 266.86 hectares, the Ngerek Community 455.45 hectares, and 188.29 hectares was reserved for public utilities.

In addition, the Committee observed that while the Koibem Community was successfully relocated under the Chepkumia Land Exchange Programme, the Ngerek Community was not relocated after the land earmarked for their resettlement was illegally occupied. Further the forest land allocated to the Koibem community was not degazetted, hindering the titling process.

The Committee also observed that the National Land Commission made the following recommendation that the Kenya Forest Service to facilitate the degazettement of the excised area from Nandi South Forest to enable the issuance of title deeds to Ngerek and Koibem Communities on a land-for-land basis.

The Committee further observed that the Court of Appeal held that the recommendations made by the National Land Commission vide Gazette Notices: NLC/HLI/435/2018 and NLC/HLI/256/2018, dated 1st March 2019, have the force of law and are otherwise enforceable by a court. Further, the findings of the National Land Commission remained unchallenged.

In response to the prayers made by the petitioners, the Committee noted that the Cabinet Secretary for Environment, Forestry and Climate Change has since submitted a petition seeking the degazettement of the land in question to the National Assembly. Therefore, the Committee considered the matter taking in to account the petition seeking the degazettement of South Nandi Forest at Chepkumia. In addition, the Committee recognized that the petitioners have settled in the land in question since 1996

The Committee recommends that pursuant to section 34 of the Forest Conservation and Management Act, 2016 the National Assembly **approves** the variation of the boundaries of South Nandi Forest at Chepkumia to exclude a total area of 455.15 hectares, as follows:

- (i) 266.88 hectares for the settlement of the Koibem Community; and
- (ii) 188.29 hectares for public utilities.

The Committee also recommends that, upon the degazettement of the 455.15 hectares in South Nandi Forest, the Cabinet Secretary, Ministry of Lands, Physical Planning, Urban Development and Public Works, facilitates the demarcation of the area, the conduct of the necessary survey and the issuance of title deeds in the new registration area.

The Committee further recommends that the Director of Survey, in collaboration with the Nandi County Government, allocates new parcels of land to the seven (7) individuals, whose parcels are uninhabitable and the two (2) individuals who received less acreage, by amending the initial excision survey within the 266.88 hectares earmarked for the Koibem Community.

The Committee further recommends that within six (6) months of the adoption of this report by the House, the Cabinet Secretary, Ministry of Environment, Climate Change and Forestry, in collaboration with the County Government of Nandi, the National Land Commission and the Cabinet Secretary, Ministry of Interior and National Administration facilitates the resettlement of the Ngerok Community in the 455.45 hectares, earmarked for the resettlement of the Community within the Nandi South Forest as envisioned in the Chepkumia Land Exchange Programme.

The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support, without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members 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 now wish to lay the Report on the Table of the House.

Sign.....Date.....

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 is 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 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. 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.
Dagoreti North Constituency

Orange Democratic Movement (ODM)

Hon Suzanne Ndunge Kiamba, MP
Makueni Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Ntwiga Patrick Munene, M.P.
Chuka Igambang'ombe Constituency

United Democratic Alliance (UDA)

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

Independent

Hon. Bidu Mohamed Tubi, M.P.
Isiolo South

Jubilee Party (JP)

Hon. Peter Irungu Kihungi, M.P.
Kangema Constituency

United Democratic Alliance (UDA)

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)

I.3 COMMITTEE SECRETARIAT

The secretariat comprises the following:

Mr. Leonard Machira
Principal Clerk Assistant II

Mr. Benard Kipchumba

Clerk Assistant III

Ms. Nancy Akinyi

Research Officer III

Ms. Roselyn Njuki

Senior Sergeant at Arms

Ms. Felister Muiya

Public Communications Officer

Mr. Clinton Sindiga

Legal Counsel Officer II

Mr. Arkan Mumin

Research Officer III

Mr. Calvin Karungo

Media Relations Officer

Mr. Peter Mutethia

Audio Officer

PART TWO

2 BACKGROUND OF THE PETITION

2.1 Introduction

1. Public Petition No. 69 of 2023, regarding a delay in resettlement of squatters in Koibem village, Chepkumia location, Nandi County, presented to the House on 22nd November, 2023, by the Rt. Hon. (Dr.) Moses F.M. Wetangula, EGH, MP, Speaker of the National Assembly, on behalf of Mr. Joel Songol and five others representing Koibem Village Squatters.
2. The Petitioners raised concerns about the inordinate delay in issuing new title deeds to residents of Koibem Village. The residents were moved in 1996 following the excision of 1,170 hectares in the Yala Block of South Nandi Forest to allow the resettlement of 351 people who were to be evacuated from the hilly and rocky Koibem area measuring 989.7 hectares.
3. Until the late 1990s, South Nandi Forest surrounded the larger Chepkumia Location and the vast Kaimosi Tea Estates, leaving an entry road near the Yala River through thick and sometimes quite insecure forest with robbers running amok, spreading terror, killing people and raping women. Koibem Village was rocky and hilly and located right by the forest.
4. In 1996, the Government of Kenya undertook to relocate the people of Koibem Village from their original land to a block in South Nandi Forest along the Yala River west of Nandi County in exchange for converting and gazetting the original land vacated by the community into a forest.
5. The excision process began with the authority granted by the then Minister for Environment and Natural Resources to resettle the Koibem people on the excised forest land with equal acreage.

6. On 2nd October 2015, hearings on land formalisation and regularization were conducted by the National Land Commission and the County Government of Nandi. The exercise entailed accepting existing developments, securing public utilities, and verifying the ownership of land allottees. All persons claiming rights to any parcel presented documents as proof of ownership.
7. During the Historical Land Injustices Hearing No: NLC/HCLI/435/2018 undertaken on 25th June 2018, the National Land Commission determined that—
 - i. The Kenya Forest Service (KFS) authorized the excision of 910.6 hectares, including 186 ha for public utilities and 266.86 ha for the Koibem Community. The survey did not provide a map of the excised land, and thus, the de-gazettement was not completed.
 - ii. The Koibem Community's claim was valid, and that new title deeds be issued upon handing over the title documents held by the residents of Koibe.m
 - iii. KFS to facilitate the de-gazettement of the excised area from Nandi South Forest to enable issuance of title deeds to the Koibem community on a land-to-land basis;
 - iv. The Director of Survey, together with the Nandi County Government, to expedite the excising of the forest area that KFS excised from the Nandi South Forest and hand it over to Koibem Community.
8. The Petitioners aver that since the concerned residents were moved out of their land and homes 29 years ago, the land they left behind has a mature, dense forest cover. However, most of the original title owners have died due to natural attrition, with many survivors suffering from depression. The lack of title deeds has exacerbated poverty by limiting access to bank credit, hindering land sales, and creating uncertainty about ownership.
9. The Petitioners, therefore, pray that the National Assembly engages relevant State agencies to ensure that all the squatters are settled.

2.2 Petitioner's Prayers

10. The Petitioners prayed that the National Assembly, through the Public Petitions Committee, ensures that—

- vi. The Cabinet Secretary for the Ministry of Lands, Physical Planning, Urban Development and Public Works to proceed to gazette the intended excision area;
- vii. The Cabinet Secretary for Environment, Forestry and Climate Change, to secure Cabinet Approval for the intended de-gazettement and seeks Parliamentary approval under Section 34 of the Forest Management and Conservation Act of 2016;
- viii. The Cabinet Secretary for the Ministry of Lands, Physical Planning, Urban Development and Public Works, to facilitate the issuance of new title deeds in the new registration area;
- ix. The relevant government agencies to consider waiving the registration costs for the new titles, given the years of frustrations; and
- x. The relevant government agencies to consider reallocating alternative lands within the same area to the seven (7) individuals whose parcels are uninhabitable and the two (2) individuals who received less acreage by amending the initial excision survey.

PART THREE

3 STAKEHOLDERS' SUBMISSIONS ON THE PETITION

3.1 The Petitioners

The representatives of the petitioners, accompanied by Hon. Moses Lelmengit, M.P., on Wednesday, 12th June, 2024, appeared before the Committee and submitted as follows —

11. In 1996, a presidential directive was issued to relocate residents in a forested area to new locations closer to the main road. The excision process began with one of the excision surveys paid for, and the excision authority was in 1999 via a letter dated 22nd March 1999. The Koibem village is already on the new land.
12. The administration in 2002 delayed the process, and no meaningful progress was made until the passage of the 2010 Constitution, the land-related legislation, and the National Land Commission Act. The enactment of the Forest Conservation and Management Act of 2016 marked a change in the procedure leading up to the degazettment and titling of forest land.
13. The delay in issuing titles has caused challenges for the community, including losses and damage spanning two decades.
14. In 2016, the County Land Management Board (CLMB) conducted a validation process that was favourable to the occupants/beneficiaries. The Senate recommended the conclusion of the exchange program, and the National Land Commission offered the conclusive recommendation, which was gazetted on 1st March 2019.
15. Although all the interventions were noble and in the best interests of the community, they have not been implemented; hence, the request for the Committee to intervene with a view to delivering justice to the community.
16. Chepkumia land was surrounded by hilly, rocky forests and tea farms, making it difficult and dangerous for the community to access the main road. Therefore, the government decided to resettle the residents from the hilly, rocky forest to an area near the main road, which is safer and better suited for agricultural production.
17. For about 27 years, the process has never been finalized, and the community has never received titles for the exchanged lands they occupy after being resettled.

18. In the twenty-seven (27) years, most of the original landowners had passed away, leaving their dependents unable to inherit, subdivide, or sell the lands due to uncertainty and lack of collateral. Additionally, they have spent resources seeking justice by visiting various government offices.
19. The petitioners held title deeds registered in the names of Nandi/Chepkumia for approximately 108 people who were resettled in the lower ground.
20. They were resettled on forest land with an equivalent acreage to their original land, about 1040 hectares for the 108 people. The newly occupied area is still forest land, but not a forest and has not been degazetted to allow for settlement. However, the government has taken over the original land and designated it as a forest, even planting trees.
21. The Petitioners had engaged the National Lands Commission (NLC), which gazetted its recommendation on 1st March 2019 for formalizing the process. Additionally, the community had engaged the Ministries in charge of Lands and Forestry to seek the degazettement of the area they have occupied.
22. The matter was raised in the Senate in the previous Parliament by the area Senator, but there was no conclusive documentation of how it was dealt with.
23. Despite being given similar acreage, the seven (7) individuals' land was rockier and wetter, making it unsuitable for farming. The two (2) individuals with less acreage noticed this after clearing the bushes, hence the need for a re-survey.

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

The Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development, Hon. Alice Wahome, appeared before the Committee on Thursday, 12th September, 2024, and submitted as follows—

24. The land in question was currently classified as forest land and needed to be de-gazette before the Ministry could issue titles. The process required approval from both the Cabinet and Parliament.
25. Efforts were underway to identify all forest lands requiring de-gazettement, which would be addressed collectively in a single Gazette Notice.

3.3 Ministry of Environment, Climate Change and Forestry

The Cabinet Secretary, Ministry of Environment, Climate Change and Forestry Hon. Adan B. Duale, EGH appeared before the Committee on Thursday, 5th December, 2024 and submitted as follows—

26. The genesis of the Chepkumia Land Exchange program was initiated by the Chepkumia Locational Development Leaders Meeting, chaired by the KANU Chairman- Chepkumia Location - Mr. Joel K Kitur, who petitioned the District Commissioner then to prioritize the resettlement of the Koibem people in Kaimosi block - Chepkumia Forest Land, as the community lacked adequate land for the development and expansion of public amenities in the Koibem Village. Another request for land Exchange was made by the Residents of Singoro Village, Kaptel Location, Nandi District, for 600 ha.
27. The Chepkumia land exchange was meant to benefit the Koibem and the Ngerek Communities. They were to exchange the land they were living in for part of the Kaimosi block land in Chepkumia Location. It was to be carried out in two phases: Phase 1 — Koibem Village residents, and Phase 2 — Ngerek residents.
28. The Koibem residents moved from their original area (Koibem Hills). By 2000, the Koibem Hills had 148 households. The Koibem people were settled in 2001/2002 after surrendering their original land. During the process, seven people were not settled as the land they were allocated was swampy and rocky, and the matter was resolved in subsequent meetings.
29. The programme's implementation was coordinated by the District Commissioner and the District Surveyor under the guidance of the Provincial Commissioner for the Rift Valley. The allocation was being done on an acre basis. The new Koibem (Yala) area was surveyed, and the draft Boundary Plan, though developed, was not submitted to facilitate degazettment; they are still holding to their titles, as the process of finalizing with the then Forest Department was stalled by Court cases instituted by the Ngerek community.
30. The Chepkumia Land exchange, though targeted to benefit deserving communities, did not materialize and collapsed after tribal and political interests took over center stage and several court cases undermined meaningful progress. From the outset, there was no political goodwill to resolve the Ngereks' issues, and they have persisted to this day.

31. These complications stalled the exchange process. The allocations in the Kapkangani area faced multiple problems of double allocations, selling of allocated plots, non-settlement of the original beneficiaries to the land, eviction orders and hence sought guidance on the next course of action to streamline the settlement process.
32. The Kenya Forest Service tried to have these matters addressed by the relevant authorities, but none has provided a satisfactory response.
33. Ministry of Environment, Climate Change and Forestry together with Kenya Forest Service, have acted on the issues as required by law and with best intentions; However, as detailed above, the success of these efforts depends on other parties and crucially honest and open participation of the communities on the ground in conjunction with the local leadership; therefore means that there is need to engage other stakeholders as demonstrated in the recommendations by the NLC.
34. The Ministry of Environment stated that the Chepkumia Land Exchange programme had good intentions to settle deserving people, but was hijacked by political and tribal interests; therefore, there was need to engage broadly with other stakeholders to find a lasting solution to the disputed Chepkumia Land Exchange Programme with stakeholders from the County and National Government Agencies.
35. The Land Exchange involving the Koibem Community settlement was done without any conflicts, and the process of initiating the surrender of Title Deeds from the beneficiaries should be commenced with the Government of Kenya (Kenya Forest Service). The area they currently occupy should be surveyed and formalized as an exchange.
36. The Survey and development of the cadastral map for the area they vacated and for the area currently in occupation should also be undertaken, and the final process of gazettment and degazettment of the areas fast-tracked to completion. This will enable KFS to fully secure the Koibem Hills area, which is currently without proper jurisdiction and in limbo.
37. The Ngerek Community continues to occupy their original land, and there has never been any intention on the part of the Kenya Forest Service to dispossess or evict them. The land they were supposed to benefit from was taken over for political expediency, and the court ruled that it revert to the Government for forest conservation and afforestation by KFS.

38. The Government is assessing the matters raised by Ngerek to develop an amicable and lasting solution, with the conservation of the moist rain forest as a priority.

39. NLC and the Ministry of Interior and National Administration to address historical land injustice as manifested in this public petition.

3.4 Site Visit to Ngerek Community

The Committee engaged with the petitioners, Ministry of Lands, Public Works, Housing and Urban Planning, the County Government of Nandi and the National Land Commission on Wednesday, 21st May 2025, in Chepkumia Village, Nandi County.

3.4.1 Ngerek Community

The Chairperson of Ngerek Community, Mr. John Amusibwa and the Vice Chairperson, Mr. Henry Kibiwot Kemboi submitted as follows—

40. In 1996, the President approved the allocation of land for the resettlement of the Ngerek Community following a formal request made on their behalf by Councillor Reuben Chirchir.
41. The resettlement involved relocating the community from Ngerek Hill in South Nandi to a portion of the South Nandi Forest under the Chepkumia Land Exchange programme.
42. The initiative aimed to relocate the Ngerek Community from the ecologically sensitive Ngerek Hill to preserve it and transform it into a conservation area.
43. The resettlement was to occur on an acre-for-acre basis in two phases, whereby Ngerek was designated as Phase 1 and Koibem as Phase 2. This was later reversed, making Koibem phase 1 (Chepkumia) and Ngerek Phase 2 (Kapkangani), with the Yala River serving as the boundary between them.
44. The District Commissioner and the District Surveyor were tasked with implementing the resettlement, starting with Koibem, where relocation proceeded successfully. However, the relocation of the Ngerek community was abruptly halted, allegedly due to interference.

45. During the verification process in Yala to confirm Ngerek residents, tension escalated, resulting in arrests and leading to several deaths. These events marked the beginning of a prolonged period of suffering and displacement for the Ngerek People.
46. The Ngerek Community sought redress through the National Government, but their efforts were hindered by political interference. Despite holding an affidavit from the Kenya Forest Service (KFS) affirming their right to resettlement, the community remains displaced nearly three decades later. On the other hand, Koibem settlers have fully established themselves on the land allocated to them.
47. On 10th July 2018, the National Land Commission (NLC) ordered the Nandi County Government to settle Ngerek squatters within six months. However, no tangible action followed, and subsequent inquiry revealed the case had been prematurely closed without resolution.
48. Further complicating matters, the land initially set aside for Ngerek resettlement was occupied by illegal settlers, reportedly with support from local administrators and politicians. This unauthorised occupation has rendered the original relocation plan unfeasible, leaving the Ngerek Community landless and marginalized.
49. The community decried public utilities such as roads, electricity and schools, which have affected their socio-economic status.
50. The Ngerek community now calls for immediate government intervention to fulfil the commitments made under the Chepkumia Land Exchange Programme. They are seeking both resettlement and compensation for the 29 years of hardships and displacement they have endured.
51. The community urged the Government to investigate the illegal land occupation and restore public utilities in the area, to seek long-overdue justice for the Ngerek community, and to take decisive action to address this historical land injustice.

3.4.2 National Land Commission

Mr. Anthony Waweru, the Nandi County Coordinator of the National Land Commission, submitted as follows—

52. The National Land Commission (NLC) was aware of the issues raised by the petitioners and is following up on the agreed recommendation that the Ngerek community was to surrender land to Kenya Forest Service (KFS) and in turn, KFS was to allocate alternative land to the community as part of the land exchange programme.
53. The process was meant to be coordinated in consultation with the Ministry of Lands, Public Works and Physical Planning, through the Department of Survey, to ensure proper demarcation and documentation.

3.4.3 Kenya Forest Service

Mr. John Momanyi, the Conservator, Nandi County and Mr. Collins Juma, Forestation Manager, Kenya Forest Service, submitted as follows—

54. Kenya Forest Service (KFS) had authorized an excision of 910.6 hectares from the Nandi South Forest to facilitate the resettlement process. The 910.6 hectares included 186 hectares for public utilities, 266.86Ha for the Koibem Community, and 465.4 Ha for the Ngerek Community.
55. However, KFS noted that the surveyed area was illegally extended by 300 Ha, a matter currently under dispute. Furthermore, the survey failed to provide a perimeter map of the excised area, which has delayed the degazettement process.
56. As part of the planned relocation, the Ngerek community was to be moved from Nandi South Forest and resettled alongside the Koibem community in a designated section of forest land near Kapkangani.
57. Despite the efforts, the Ngerek community remains on the original land in the Ngerek hills, as they have not surrendered their title deeds to the KFS. They await finalization of the land exchange program by KFS and the Ministry of Lands, Public Works, Housing and Urban Development.
58. The KFS was expected to facilitate the formal degazettement of the excised area from the Nandi South Forest to enable the completion of the resettlement and land formalization process.

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

Mr. Kibet Isaac Kerich, the North Rift Coordinator, Ministry of Lands, Public Works, Housing and Urban Development, submitted as follows—

59. The resettlement of the Koibem community was undertaken in 1996 by the Office of the President in collaboration with the Directorate of Surveys and the Forest Department. It was an exchange program that involved relocating the community from their native titled lands to a portion of South Nandi Forest measuring approximately 266.8 Ha. The community's ancestral land was found to be hilly and prone to environmental degradation. The same land exchange program was to involve members of the Ngerek community.
60. In 1999, vide a letter Ref. **No. CON /ED/67/Vol. I/XVI/ 164**, the Chief Conservator of Forests authorized the excision of 1170 Ha from the Yala block of South Nandi Forest for the program. The beneficiaries were required to surrender their titles to their ancestral lands in exchange for the allocation of alternative land excised from the forest.
61. The Koibem community was resettled, but the Ngerek community remained on their land due to some outstanding issues on the ground.
62. The Ministry was not in a position to issue titles to members of the Koibem Community because the area they were resettled in is still a forest reserve and must be degazetted in accordance with the provisions of the Forest Conservation and Management Act, Cap 385, Laws of Kenya. Section 34 of the Act gives guidelines on the variation of boundaries or the revocation of public forests. KFS, in conjunction with the Ministry of Environment, ought to initiate the process of degazetment.

3.5 Site Visit to Koibem Community

The Committee met with the petitioners, officials of the Ministry of Lands, Public Works, Housing and Urban Planning, the County Government of Nandi and the National Land Commission on Wednesday, 21st May 2025, at St. Andrews Chepkoiya Primary School, Chepkumia Village, Nandi County.

3.5.1 Koibem Community

The Chairperson of Koibem Community, Mr James Yego submitted as follows—

63. The issues date back to 1985, when the President was en route to Vihiga and passed through the Chepkumia sub-location. Upon observing the settlement in what seemed like forest land, President Moi directed the Chief Forester to investigate.
64. In 1996, official resettlement began. The District Commissioner and the District Forester informed the community of the government's plan to relocate them from the forest area. The land was to be exchanged acre for acre under a government resettlement program.
65. In 1997, relocation efforts began under the supervision of the District Commissioner and the District Surveyor. The community was later instructed to return to the forest, stalling the relocation process.
66. In August 1998, discussions resumed at the Kenya Forest Service (KFS) headquarters in Karura. By the end of the year, KFS granted the necessary authority for the land transfer, and in 1999, a formal letter of authorization was issued.
67. The community, accompanied by the paramount chief and the KANU chairman, led the process, and the community was told to pay its share of the costs. On 26th to 29th August, 1999, the Ngerek community officially settled on the new land, marking the beginning of the Chepkumia Land Exchange programme along the Yala border, on an acre-for-acre basis until 2013.
68. In 2013, the community participated in a Historical land injustice hearing in Eldoret involving Nandi, Elgeyo Marakwet, Uasin Gishu and Trans Nzoia Counties. In 2014, the Nandi County Land Management Board held a meeting with the community, promising to resolve the land issues.
69. By 2015, the Board finalized the land formalization process, and the county land coordinator visited the village and confirmed the process. Officials from the National Land Commission and the Land Adjudication also came to oversee the land verification.
70. In 2018, the community was invited to Ardhi House for a historical land injustice inquiry conducted by the NLC under the chairmanship of Mr. Tororei. A ruling was issued in February 2019, and on 1st March, 2019, the decision was officially gazetted by the NLC.

71. In 2023, the community met with the Principal Secretary for Lands. However, due to a lack of political goodwill, progress stalled once again. In response, the community submitted a formal petition to the Parliament of Kenya through the Public Petition Committee seeking redress and implementation of the resettlement and land formalization commitments.
72. The available public utilities include the Church, Koibem Primary School, a dispensary, a vocational college, Holy Rosary Secondary School, River Yala Primary School, and St. Andrews Primary School.

3.5.2 National Land Commission

Mr. Anthony Waweru, the Nandi County Coordinator of the National Land Commission, submitted as follows—

73. The National Land Commission has finalized the process and officially gazetted the excision of the land from forest reserve status to public land for the people of Koibem. The next step lies with the Ministry of Lands to conduct the final survey and issue the title deeds.
74. The degazettment has been completed, officially changing the land status forest reserve to public land.

3.5.3 Kenya Forest Service

Mr. John Momanyi, the Conservator, Nandi County and Mr. Collins Juma, Forestation Manager, Kenya Forest Service, submitted as follows—

75. Kenya Forest Service (KFS) authorized an excision of 910.6 Ha, which included 186 Ha for public utilities and 266.86 Ha for the Koibem Community. However, the survey did not provide the map of the land excised, so the degazettelement had not been completed.
76. Koibem faced several challenges that hindered the full implementation of the land exchange program. Political interference prevented some individuals from participating in the exchange.
77. The Kenya Forest Service will seek approval of the degazettelement process from the Chief Conservator of Forests.

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

Mr. Kibet Isaac Kerich, the North Rift Coordinator, Ministry of Lands, Public Works, Housing and Urban Development, submitted as follows—

78. The Ministry of Lands was currently awaiting the Kenya Forest Service to complete the gazette process. Once this is finalized, a government surveyor would demarcate the area, conduct the necessary survey and facilitate issuance of titles.

3.6 Kenya Forest Service

The Chief Conservator of Forests, Mr Alex Lemarkoko appeared before the Committee on 17th June, 2025 and submitted as follows—

79. The discussions on the Chepkumia village Land Exchange programme began during a Chepkumia Locational Development Leaders meeting, chaired by the KANU chairman-Chepkumia Location, Mr. Joel K. Kitur, who petitioned the then District Commissioner to prioritize the resettlement of Koibem in Kaimosi block- Chepkumia Forest Land, as the community lacked adequate land for the development and expansion of public amenities in the Koibem Village.
80. The Chepkumia Land Exchange Programme was initiated by the government in 1996 to resettle families in what was then known as Koibem and Ngerek villages in Nandi North District. The areas where the two (2) communities were living were very rocky and hilly. Thus, the Chepkumia land exchange was authorized by the President to resettle the two communities from the hilly Chepkumia area to South Nandi Forest, which is classified as a “moist forest”, which is good for agriculture.
81. The Koibem community inhabited the Koibem (hills) villages in Chepkumia Location. The exchange programme of Koibem Hills was completed in phase one (1). However, there were delays occasioned by—
 - i. Outstanding surrender of the land title from the resettled Koibem community. This surrender needed to be coordinated by the National Land Commission (NLC) and the Ministry of Interior and National Administration; and

ii. Commencement of the gazettment of Koibem hills and the de-gazettment of the forest area now under occupation by the Koibem Community.

82. The Chief Conservator of Forests submitted that the Ngerek Community have not been settled in the intended area of the gazetted forest because, at the time when resettlement was to be effected, it was found that other people had already been fraudulently and illegally settled in the proposed settlement area. This illegality was established by the determination of the National Land Commission vide Historical Land Injustice Committee Ref. No. NLC/HLI/435/2018; NLC/256/2017; Kisumu Civil Suit No. 76 of 2003; and the Ndungu report, with a recommendation that the land reverts to the Government.

83. Should the original intention of settling the Ngerek be realized, due process should and must be followed and an alternative plan to deal with the illegally settled individuals provided.

84. The Chief Conservator stated that the South Nandi Forest was first gazetted through Proclamation No. 76 of 1936 and later declared a Central Forest under Legal Notice No. 174 of 1964, covering an approximate area of 17,960.50 hectares.

85. In 1996, the Chepkumia Land exchange was authorized and was to resettle people from the hilly Chepkumia area of Ngerek and Koibem. The land exchange was to comprise 910.60 Ha in the Kaimosi block of South Nandi Forest along the Yala River. The Land Exchange Programme was initiated following a Presidential Pronouncement during a 1996 tour of the Nandi District.

86. The area was to be excised by setting aside land as follows—

| S/No | Specific Area Coverage | Area (Ha) |
|-------------|-------------------------------|------------------|
| 1 | Koibem Hill | 266.86 |
| 2 | Ngerek Hil | 455.45 |
| 3 | Public Utilities | 188.29 |
| | Total | 910.60 |

87. The Chief Conservator of Forests informed the Committee that the minority Ngerek Community, comprising approximately 244 families, reside in the South Nandi Forest at Ngerek Village, Chepkumia Location, Emgwen Constituency, Nandi County. The community, predominantly of Luhya origin, occupies the Ngerek Hills bordering the South Nandi Forest near the Kobujoi area, to the north of Nandi County along the boundary with Western Kenya.
88. The Koibem Community, predominantly of Kalenjin descent, originally inhabited the rocky and hilly Koibem area in Chepkumia Location, bordering the South Nandi Forest on the Kobujoi side. The area had been adjudicated, and 108 title holders were identified for relocation under Phase One of the Chepkumia Land Exchange Programme covering 268 hectares. The community subsequently moved west of the Yala River to the Koibem Settlement Scheme, comprising about 200 households on 107 land parcels totalling approximately 266.86 hectares. However, the residents have not surrendered their original title deeds as required.
89. In April 2009, the enlistment of all title holders in Koibem was conducted, and a total of one hundred and twenty-eight (128) owners were recorded. The final de-gazettement process is yet to be undertaken due to complications arising from the Kapkangani area of the exchange program.
90. The Chepkumia land exchange was meant to benefit the Koibem and Ngerek communities. They were to exchange the land they were living in for part of the Kaimosi block land in Chepkumia Location. It was to be carried out in two phases: Phase 1 — Koibem Village Residents, and Phase 2 — Ngerek Residents.
91. Koibem residents are of Kalenjin origin and moved from their initially occupied area (Koibem Hills). By 2000, the Koibem Hills had 148 households. The Koibem people were settled in 2001/2002 after surrendering their original land, in the South Nandi Forest. During the process, seven people were not settled as the land they were allocated was swampy and rocky, but the matter was resolved in subsequent meetings.

92. The implementation of the programme was coordinated by the District Commissioner and the District surveyor under the guidance of the Rift Valley Provincial Commissioner. The allocation was being done on an acre-to-acre basis. The new Koibem (Yala) area was surveyed, and a draft boundary plan, though developed, was not submitted to facilitate de-gazettement. The residents are still holding to their titles as the process of finalizing with the then Forest Department was stalled by court cases instituted by the Ngerok community.
93. The Chepkumia Land Exchange, though targeted to benefit deserving communities, did not materialize and collapsed after tribal and political interests took centre stage and several court cases undermined any meaningful progress. From the outset, there was no political goodwill to settle the Ngerok, and the theatrics have continued to date.
94. These complications stalled the exchange process. The allocation in the Kapkangani area faced multiple problems, including double allocations, the sale of allocated plots, the failure to settle the original beneficiaries to the land, and eviction orders. It hence sought guidance on the next course of action to streamline the settlement process.
95. The Chief Conservator of Forests informed the Committee that, as a way forward, the survey and de-gazettement of the land shall be carried out by the Kenya Forest Service through the Ministry of Environment, Climate Change and Forestry, alongside other proposed de-gazettements approved by the cabinet.
96. The Kenya Forest Service, whose mandate is to protect, conserve and manage forest areas, will work with other Government agencies to repossess the encroached forest areas.

3.7 The County Government of Nandi

The County Executive Committee Member (CECM) for Lands, Physical Planning, Housing, Water, Natural Resources and Climate Change, Nandi County, Hillary Serem, appeared before the Committee on 23rd September, 2025 and submitted as follows:

97. The County Government of Nandi recognized the Koibem land exchange program as a constitutional and legal obligation dating back to a 1996 presidential directive mandating relocation from South Nandi Forest to land near the Kapsabet–Kisumu Road.

98. An excision survey was authorized in 1999, and an initial relocation was undertaken. However, the 2002 transition of government disrupted continuity, leaving residents without title deeds nearly 30 years later.

99. Regarding subsequent developments, the CECM stated that:

- a. The promulgation of the Constitution of Kenya, 2010, together with the enactment of key land statutes – including the Land Act (2012), Land Registration Act (2012), and National Land Commission Act (2012) and the Forest Management and Conservation Act of 2016, revived the framework for lawful action, setting the stage for renewed progress on the land exchange.
- b. In 2016, the defunct County Land Management Board (CLMB) conducted a beneficiary validation exercise that confirmed the eligibility of Koibem residents for allocation under the land exchange program.
- c. In 2019, the National Land Commission (NLC) recommended the conclusion of the land exchange and issued a Gazette Notice approving the variation of the forest boundary.

Despite these efforts, residents continue to occupy gazetted forest land without titles, underscoring the urgent need for decisive action.

100. Regarding the position of the County Government of Nandi on the matter, the Committee was informed that the county government supported the petition and:

- a) Recognized the Koibem matter as a historical land injustice that requires urgent redress.
- b) Affirmed its role in planning, survey, and public participation to complete the relocation and titling.
- c) Committed to providing support in line with its mandate, working with this Committee and relevant agencies.

101. Regarding pending court matters involving the land in question, the CECM stated that the matter in court filed by the Ngerek did not involve the approximately 268 Ha of land the petitioners sought to have degazetted. He further noted that the Ngerek Community were not relocated and continues to reside on their original land. He added that the County Government would engage with the Ngerek community to seek their willingness to withdraw from the ongoing court case
102. The Committee was also requested to consider recommending the allocation of land for public utilities, such as education, health, and markets, and to earmark land for degazettement, while ensuring compliance with legal and environmental requirements.
103. The CECM emphasized that Koibem's case should be prioritized due to nearly 30 years of uncertainty due to the lack of title deeds, which had severely impacted their livelihoods and dignity. The lack of title deeds has prevented residents from accessing loans and government programs, such as the Agricultural Finance Corporation (AFC), disadvantaging them compared to neighbouring communities with title deeds.
104. He further informed the Committee that the County Government stated that it will implement a comprehensive public participation process to validate genuine beneficiaries, remove illegitimate claims, and ensure transparency. Engaging the community in this manner will help protect the rights of legitimate landowners and mitigate the risk of unauthorized claims.
105. The CECM also noted that the original acre-for-acre survey was preliminary and failed to account for riparian zones and rocky, uninhabitable land, resulting in inequitable allocations. He emphasized that a fresh survey was necessary to ensure environmental compliance, fairness, and the allocation of habitable land to all beneficiaries.
106. The CECM stated that the lack of de-gazettement of the forest land was a significant impediment to completing the Koibem relocation and titling process. He also noted that de-gazettement required both Cabinet and Parliamentary approval before affected communities could legally receive title deeds for the allocated land.

107. The Committee was also informed that the County Government would implement a comprehensive public participation process to validate genuine beneficiaries, remove illegitimate claims, and ensure transparency. The engagement would also protect the rights of legitimate landowners and mitigate the risk of unauthorized claims.
108. The CECM proposed the following recommendations to address the prayers sought by the petitioners:
- a. Parliament should approve the alteration of forest boundaries in line with Section 34 of the Forest Conservation and Management Act, 2016, as a necessary step to conclude the Koibem land exchange process. In addition, Parliament should designate clear timelines for implementation and reporting by all relevant state agencies to ensure accountability, timely execution, and effective oversight of the resolutions passed.
 - b. The Cabinet Secretary for Environment, Climate Change and Forestry should secure Cabinet and Parliamentary approval for the de-gazettement of the excision area. Once approval is obtained, the Cabinet Secretary should proceed to formally gazette the excised land, thereby providing the statutory and legal framework required to complete the relocation and titling process. This action must fully comply with Section 34 of the Forest Conservation and Management Act, 2016.
 - c. The Ministry of Lands, through the Department of Settlement and the National Titling Centre, should expedite the survey, demarcation, and issuance of title deeds to all verified Koibem beneficiaries. To provide equitable redress for the nearly three decades of administrative delays, the costs of registration and titling should be waived, with the ministry covering the field officers' expenses.
 - d. The initial excision plan should also be amended to cater for disadvantaged families who received inadequate or uninhabitable parcels, while securing riparian zones and allocating land for essential public utilities.

- e. Parliament, through the Committee, should formally designate Koibem as a Historical Land Injustice case under Article 67(2)(e) of the Constitution, thereby directing the National Land Commission to expedite the implementation of redress mechanisms for the affected community.
- f. All relevant national government agencies (including the Ministry of Lands, the Ministry of Environment, and the National Land Commission) are to work in close partnership with the County Government of Nandi in completing surveys, beneficiary validation, and community engagement, and to ensure that the outcomes of this process are integrated into the County's spatial and development plans for sustainable implementation.
- g. Upgrade existing community facilities, including Koibem Vocational Training Centre, Koibem Dispensary, ACK St. Andrews School, and Yala Market, alongside establishing land banks for future public investments and cultural shrines.

3.8 The Ministry of Environment, Climate Change and Forestry

The Cabinet Secretary for Environment, Climate Change and Forestry, Dr. Deborah M. Barasa, formally submitted a Petition to the National Assembly pursuant to Section 34 of the Forest Conservation and Management Act, vide a letter *Ref: MEG F/C5/222/2025/VOL. XVI* dated 6th October 2025 as follows;

- 109. The Ministry of Environment, Climate Change and Forestry established an interministerial committee to review several petitions received by the ministry and established that the claimed areas are currently occupied and the inhabitants are engaged in activities not related to forestry.
- 110. The Kenya Forest Board recommended that the regularization of the settlement should be effected; subsequent to this the recommendations, the Ministry prepared and presented a joint Cabinet Memorandum on determination of public forest land claims to Cabinet.
- 111. The Cabinet considered the Cabinet Memorandum and approved the variation of the said public forest boundaries to regularize the settlements by the petitioners.

112. Therefore, the Ministry presented its petition pursuant to Article 37,62 and 119 of the Constitution as well as section 34 of the Forest Conservation and Management Act Cap 385 Laws of Kenya. The Forest Conservation and Management Act 385 is giving effect to Article 69 of the Constitution with regard to forest resources. Section 34 of the Act empowers any person to submit a Petition to Parliament, to recommend a proposal to vary the boundary or revoke the registration of a public forest
113. The Ministry brings this petition and intends to execute the de-gazettement in phases prioritizing the case of South Nandi Forest (Chepkumia) for the regularization of settlement as follows;
- i. **South Nandi Forest** was declared via Proclamation No. 76 of 1936 as a Forest area and declared a Central Forest Vide Legal Notice No. 174 of 1964 with an area of 17,960.50 Ha approximately.
 - ii. **Justification:** Farmers on hilly terrain of Chepkumia exchanged their land with Forest Land. The area recommended for de-gazettement is approximately 989.17 Ha and the area is fully settled.
114. The Ministry humbly prays that Parliament to consider the Petition and issue appropriate orders.

PART FOUR

12 COMMITTEE OBSERVATIONS

13 Upon hearing from the Petitioner, with the various stakeholders, including the National Lands Commission, and Ministry of Lands, Public Works, Housing and Urban Development, Kenya Forest Service and County Government of Nandi the Committee made observations on various concerns raised by the petitioners as follows—

1. The Chepkumia Land Exchange Programme was initiated by the government in 1996 to resettle families in what was then known as Koibem and Ngerek villages in Nandi North District. The areas where the two (2) communities were living were very rocky and hilly. Thus, the Chepkumia land exchange programme intended to resettle the two communities from the hilly Chepkumia area to South Nandi Forest. The land exchange was to comprise 910.60 hectares in the Kaimosi block of South Nandi Forest along the Yala River. The Koibem Community was allocated 266.86 hectares, the Ngerek Community 455.45 hectares, and 188.29 hectares was reserved for public utilities.
2. The programme's implementation was coordinated by the District Commissioner and the District Surveyor under the guidance of the Provincial Commissioner for the Rift Valley. The allocation was done on an acre-for-acre basis.
3. The Chief Conservator of Forests, vide a letter Ref. **No. CON /ED/67/Vol. I/XVI/ 164**, authorized the excision of 1170 hectares from the Yala block of South Nandi Forest for the programme in 1999. The beneficiaries were required to surrender their titles to their ancestral lands in exchange for the allocation of alternative land excised from the forest.
4. While the Koibem Community was successfully relocated under the Chepkumia Land Exchange Programme, the Ngerek Community was not relocated to its original area after the land earmarked for its resettlement was illegally occupied.
5. Even though the Koibem community relocated to the allocated area in 1996 and surrendered their title deeds for the land they initially occupied, the forest land allocated to the Koibem community was not degazetted, hindering the titling process.

6. There is a need to degazette the 266.86 hectares of forest land allocated to the Koibem community, as well as the 188.29 hectares reserved for public utilities, to facilitate the issuance of title deeds to the petitioners to promote their security of tenure.
7. The Committee noted that the National Land Commission found that both Koibem and Ngerek Communities have a valid claim because they were exchanging land for land with the Kenya Forest Service. The National Land Commission also found that although the Koibem have taken possession of the area given to them by the Kenya Forest Service, the
8. Ngerek Community did take possession because the land earmarked for their settlement is occupied.
9. The National Land Commission made the following recommendations vide Gazette Notices: NLC/HLI/435/2018 and NLC/HLI/256/2018 dated 1st March 2019:
 - (i) The Kenya Forest Service to facilitate the degazettement of the excised area from Nandi South Forest to enable the issuance of title deeds to Ngerek and Koibem Communities on a land-for-land basis.
 - (ii) The Director of Survey, together with the Nandi County Government, to expedite the excision of the forest area that the Kenya Forest Service excised from Nandi South Forest and hand it over to the Ngerek and Koibem Communities.
10. The Court of Appeal in *Lunyasi and 3 others (Suing for and on behalf of 244 Ngerek Community Families/Members) versus Kenya Forest Service & 5 others (Petition E001 of 2023)* held that the recommendations made by the National Land Commission vide Gazette Notices: NLC/HLI/435/2018 and NLC/HLI/256/2018, dated 1st March 2019, have the force of law and are otherwise enforceable by a court. The same is a binding pronouncement and creates rights and obligations, which are amenable to being actualized and can thus not be discarded, disregarded and or otherwise overlooked. Further, the findings of the National Land Commission hereinabove remain unchallenged.
11. The Cabinet Secretary, Ministry of Environment, Climate Change and Forestry has since submitted to the National Assembly a petition seeking the degazettement of 989.17 hectares. This includes the 455.45 hectares meant for the resettlement of the Ngerek Community as contemplated in the Chepkumia Land Exchange programme, despite the fact that the Ngerek Community has not been settled in the area .

PART FIVE

14 COMMITTEE RECOMMENDATIONS

Pursuant to the provisions of Standing Order 227, the Committee responds to the prayers as follows—

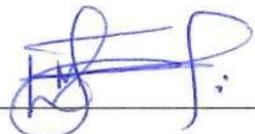
1. On the prayer that the Cabinet Secretary for Environment, Forestry and Climate Change to secure Cabinet Approval for the intended de-gazettement and seeks Parliamentary approval under Section 34 of the Forest Management and Conservation Act of 2016, The Committee notes that the Cabinet Secretary for Environment, Forestry and Climate Change has since submitted a petition seeking the degazettement of South Nandi Forest at Chepkumia area to the National Assembly. In addition, the Committee recognizes that the petitioners have settled in the land in question since 1996.

The Committee recommends that pursuant to section 34 of the Forest Conservation and Management Act, 2016 the National Assembly approves the variation of the boundaries of South Nandi Forest at Chepkumia to a total area of 910.62 hectares, as follows:

- a) 455.15 hectares for the settlement of the *Ngerek Community*;
 - b) 266.88 hectares for the settlement of the *Koibem Community*;
 - c) 188.29 hectares for public utilities.
2. On the prayer that the Cabinet Secretary, Ministry of Lands, Physical Planning, Urban Development and Public Works, to facilitate the issuance of new title deeds in the new registration area and to waive the registration costs for the new titles, **The Committee recommends that, upon the de - gazettement of the 455.15 hectares in South Nandi Forest, the Cabinet Secretary, Ministry of Lands, Physical Planning, Urban Development and Public Works, facilitates the demarcation of the area, the conduct of the necessary survey and the issuance of title deeds in the new registration area.**

3. On the prayer that the relevant government agencies to consider reallocating alternative lands within the same area to the seven (7) individuals whose parcels are uninhabitable and the two (2) individuals who received less acreage by amending the initial excision survey, **The Committee recommends that the Director of Survey, in collaboration with the Nandi County Government, allocates new parcels of land to the seven (7) individuals, whose parcels are uninhabitable and the two (2) individuals who received less acreage, by amending the initial excision survey within the 266.88 hectares earmarked for the Koibem Community.**

4. The Committee notes that the Court of Appeal in Lunyasi and 3 others (Suing for and on behalf of 244 Ngerek Community Families/Members) versus Kenya Forest Service & 5 others (Petition E001 of 2023)(26th February 2025) judgement held that the recommendations made by the National Land Commission vide Gazette Notices: NLC/HLI/435/2018 and NLC/HLI/256/2018, dated 1st March 2019, have the force of law and **recommends that within six (6) months of the adoption of this report by the House, the Cabinet Secretary, Ministry of Environment, Climate Change and Forestry, in collaboration with the County Government of Nandi, the National Land Commission and the Cabinet Secretary, Ministry of Interior and National Administration facilitates the resettlement of the Ngerek Community in the 455.45 hectares, earmarked for the resettlement of the Community within the Nandi South Forest as envisioned in the Chepkumia Land Exchange Programme.**

Signed:  _____

Date: 11/11/2025

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

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|  THE NATIONAL ASSEMBLY PAPERS LAID | |
| DATE: 11 NOV 2025 | |
| DAY. Tuesday | |
| TABLED BY: | 28 Hon. Eric Karemba, CBS Chairperson, Public Petitions Committee |
| CLERK-AT THE-TABLE: | Afabo Medo |

ANNEXTURES

Annex 1: The Adoption List

Annex 2: Public Petition No.

Annex 3: Minutes of **40TH SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON WEDNESDAY, JUNE 12, 2024,**

Annex 4: Minutes of **MINUTES OF THE 52nd SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON THURSDAY, SEPTEMBER 12, 2024,**

Annex 5: Minutes of **MINUTES OF THE 44th SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON THURSDAY, NOVEMBER 7, 2025,**

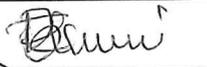
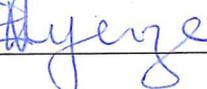
PUBLIC PETITIONS COMMITTEE

ADOPTION LIST

(i) Consideration and adoption of the Report on Public Petition No. 69 of 2023 by Messrs. Joel Songol and five others representing Koibem Village Squatters, regarding Delay in Settlement of Squatters in Koibem village, Ngerek village, Chepkumia Location in Nandi County

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

DATE: 6/11/2025

| | 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. |  |

