

*Approved*  
*SNA*  
*11/4/26*

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

PUBLIC PETITIONS COMMITTEE

REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 82 OF 2023 REGARDING  
DEGAZETTEMET OF BONI-LUNGI FOREST AS FOREST AREAS UNDER THE  
FOREST CONSERVATION AND MANAGEMENT ACT 2016 BY HON. OBO RUWEIDA  
MOHAMED, M.P ON BEHALF OF THE RESIDENTS OF LAMU EAST  
CONSTITUENCY



Directorate of Audit Appropriations &  
General-Purpose Committees  
Clerk's Chambers  
Main Parliament Buildings  
NAIROBI

THE NATIONAL ASSEMBLY  
PAPERS LAID

DATE: 01 APR 2026 DAY: WED MARCH, 2026

TABLED BY:	Hon. Muchangi Karemba Chair, Public Petitions
CLERK-AT-TABLE:	Mado Miriam

## **Table of Contents**

PART ONE .....	5
1. PREFACE .....	5
1.1 Establishment and Mandate of the Committee .....	5
1.2 Committee Membership.....	6
1.3 Committee Secretariat.....	7
PART TWO .....	8
2 BACKGROUND TO THE PETITION.....	8
2.3 Introduction.....	8
2.4 Petitioners' Prayers .....	9
PART THREE .....	10
3 STAKEHOLDERS' SUBMISSIONS .....	10
3.3 Petitioners .....	10
3.4 Ministry of Environment, Climate Change and Forestry .....	11
3.5 The County Government of Lamu .....	14
3.6 The National Land Commission .....	15
PART FOUR .....	17
4 COMMITTEE OBSERVATIONS.....	17
<hr/>	
PART FIVE .....	18
5 COMMITTEE RECOMMENDATIONS.....	18

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## ACRONYMS

KFS Kenya Forest Service

NLC National Land Commission

## **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 this House with the Report of the Public Petitions Committee regarding Public Petition No. 82 of 2023 regarding the degazettement of Boni-Lungi Forest as state forest areas under the Forest Conservation and Management Act 2016. The Petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by the Hon. (Capt.) Obo Ruweida Mohamed, M.P., on behalf of the residents of Lamu East Constituency.

The Petitioner prayed that the Committee investigates the matter and compels the Ministry of Environment, Climate Change and Forestry to degazette Boni-Lungi as a State Forest and recommend that the Cabinet Secretary for Lands, Public Works, Housing and Urban Development, in consultation with the County Government of Lamu, facilitate the registration of Boni-Lungi as community land pursuant to Article 63(5) of the Constitution and other applicable laws.

In consideration of the Petition, the Committee collected the views from the petitioners and relevant ministries and the NLC.

The Committee observed that the forest was procedurally gazetted and recommends that Cabinet Secretary for Lands, Public Works, Housing and Urban Development, in collaboration with the NLC and the County Government of Lamu, initiates within three months of adoption of this report, the process to survey, demarcate, and register the land on which the four *Aweer* villages sit.

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 now wish to table the report before the House.

**HON. MUCHANGI KAREMBA, CBS, M.P.**

**CHAIRPERSON, PUBLIC PETITIONS COMMITTEE**

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## PART ONE

### 1. PREFACE

#### 1.1 Establishment and Mandate of the Committee

1. 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.

## 1.2 Committee Membership

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

**United Democratic Alliance (UDA)**

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.  
Dagoretti North Constituency

**Orange Democratic Movement (ODM)**

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

**Independent**

Hon. Biego Paul Kibichy, M.P.  
Chesumei

**United Democratic Alliance (UDA)**

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

**Maendeleo Chap Chap Party (MCCP)**

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)**

Hon. Suzanne Ndunge Kiamba, M.P.  
Makueni Constituency

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

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### 1.3 Committee Secretariat

3. The Public Petitions Committee is facilitated by the following members of the secretariat:

**Lead Clerk**  
Mr. Victor Weke  
**Principal Clerk Assistant II**

Ms. Miriam Modo  
**First Clerk Assistant**

Mr. Benard Toroitich  
**Third Clerk Assistant**

Ms. Kafuyai Wamae  
**Third Clerk Assistant**

Mr. Clinton Sindiga  
**Legal Counsel II**

Ms. Nancy Akinyi  
**Research Officer III**

Mr. Arkan Mumin  
**Research Officer III**

Ms. Roselyne Njuki  
**Principal Serjeant-at-Arms**

Mr. Paul Shana  
**Serjeant-at-Arms**

Mr. Pascal Valerian  
**Hansard Officer III**

Mr. Collins Mahamba  
**Audio Officer III**

Ms. Felistus Muiya  
**Public Communication Officer**

Mr. Calvin Karungo  
**Media Relations Officer III**

## PART TWO

### 2 BACKGROUND TO THE PETITION

#### 2.3 Introduction

4. Public Petition No. 82 of 2023 regarding the degazettement of Boni-Lungi Forest in Lamu East Constituency was presented to the House on 30<sup>th</sup> April 2024 by the Member for Lamu East Constituency, Hon. (Capt.) Obo Ruweida Mohamed, M.P., on behalf of the residents of Lamu East constituency.
5. The petitioners stated that Boni-Lungi is an area of land between the Dodori and Boni National Reserves in Lamu East Constituency, measuring approximately 39,925.7 hectares, and is inhabited by over 480 households of the Aweer Community.
6. The petitioners also submitted that Article 56 of the Constitution obliges the government to put in place affirmative action programmes for minorities and marginalized groups. Further, the National Land Policy calls for the protection of land rights from unjust and illegal expropriation of both vulnerable and minority communities;
7. The petitioners averred that the Cabinet Secretary for Environment, Natural Resources and Regional Development Authorities, vide Gazette Notice No. 1447 of 2016, published on 4<sup>th</sup> March 2016, declared Boni-Lungi as a State Forest;
8. The petitioners alleged that the gazettement was done without consulting the people and the leaders of the affected region, contrary to Article 10(2)(a) of the Constitution, which provides for public participation in making, implementing public policy and applying the law. Further, the gazettement was in breach of the provisions of Article 69(1)(d) that requires the State to encourage public participation in environmental management;
9. They also stated that the land in question is actually community land that the local people have been farming, relying on resources to collect natural fruits, honey, plants for traditional medicine, and building materials.

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10. They also averred that the Aweer Community is a minority group residing around the Boni Forest, comprising five villages within it. The community was surrounded by the Kenya Wildlife Service (KWS) national reserve, which was acquired in 1976.
11. The petitioners argued that the gazettement further threatened the *Aweer* Community, being one of the most marginalized indigenous cultures in the country, with losing their land, their livelihoods, their way of life, and perhaps their very lives.
12. They further stated that sustained efforts to resolve the issue and achieve a workable solution have been futile.
13. The Petitioners highlighted the difficulties of residing in an area marred by insecurity, including the prohibitive cost of travelling from one village to another and the requirement of a travel pass from the local administrative authorities. Other challenges included insufficient infrastructure and public amenities, such as schools.

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## **2.4 Petitioners' Prayers**

14. The Petitioners prayed that the National Assembly, through the Public Petitions Committee:
- i. Investigates the matter and compels the Ministry of Environment, Climate Change and Forestry to degazette Boni-Lungi as a State Forest;
  - ii. Recommend that the Cabinet Secretary for Lands, Public Works, Housing and Urban Development, in consultation with the County Government of Lamu, facilitate the registration of Boni-Lungi as community land pursuant to Article 63(5) of the Constitution and other applicable laws; and,
  - iii. Makes any other order and/or direction that it deems fit in the circumstances of the matter.

## PART THREE

### 3 STAKEHOLDERS' SUBMISSIONS

#### 3.3 Petitioners

The Member for Lamu East Constituency, Hon. (Capt.) Obo Ruweida Mohamed, M.P. accompanied by members of the *Aweer* Community, appeared before the committee on Tuesday, 30<sup>th</sup> April 2024, and submitted as follows—

15. The Kenya Wildlife Service (KWS) failed to conduct adequate public participation before designating the land in question as a national reserve in both 1976 and 2016, even though it served as their sole means of livelihood. The area appropriated by KWS in 2016 amounted to 39,000 acres.
16. They further stated that although KWS pledged to assist the affected individuals with employment opportunities and compensation, the promises were not fulfilled.
17. Consequently, the community faced marginalization and other challenges such as poor infrastructure, inadequate access to education and healthcare, as well as representation. Moreover, residents were required to obtain a travel pass from law enforcement each time they moved from one location to another, a requirement perceived as discriminatory.
18. The petitioners further stated that research findings revealed that the land had previously been designated as trust land, necessitating its conversion to community land under the Constitution. The community found itself sandwiched between national reserves and repeatedly experienced land dispossession.
19. The petitioners also averred that both the Boni Lungi and Ijaara areas were gazetted as forests on the same day. However, a court subsequently rescinded the gazettement of the Ijaara area, following the intervention of influential political figures. Similarly, Chepkitale Trust land in Mt Elgon had been gazetted as a forest in 2000, but the courts expunged the Gazette Notice almost 20 years later. In light of the high costs associated with legal proceedings, petitioners opted to appeal to the National Assembly to reclaim the Boni Lungi area.
20. While acknowledging the importance of forest conservation and wildlife preservation, the petitioners asserted that this should not come at the expense of their livelihoods, given their long-standing residence in the forest.
21. They also submitted that there were restrictions on accessing the forest as the Kenya Forest Service (KFS) was not stringent in monitoring the area. This lax oversight was attributed to the heightened risk posed as a potential hideout for the Al Shabaab terrorist group.
22. The Aweer community comprises approximately 5,000 individuals residing in five villages across Basuba and Kiunga Wards. Basuba Ward comprised five villages: Kiangwi, Milimani, Basuba, Mangai, and Mararani, all situated along the road.
23. As evidence of land ownership by the Aweer Community, the Petitioners cited historical records from the pre-independence era, demonstrating their presence in the area before 1976, when the Kenya Wildlife Service (KWS) initiated the establishment of the Dodori and Boni National Reserves. Some villages, like Kiunga, had existed for 400 years before being

annexed by KWS and designated as a marine reserve. Furthermore, the community historically lived in the forest, engaging in hunting and gathering.

24. The expansive forest encompassed migratory routes used by wildlife to move between forested areas. Consequently, wildlife often encroached upon their agricultural lands, posing significant challenges to farming activities in the region. However, despite the proximity to wildlife migration corridors, the petitioners emphasized their coexistence with and conservation of the forest over generations. Notably, while conservancies had been established in the area, the local community had not been granted benefits from the land.
25. The Petitioners highlighted threats to food security due to the impracticability of agriculture in the strip of land they inhabited, compounded by buffalo invasions on farms. Moreover, limited access to education and healthcare services was attributed to inadequate infrastructure. The Kenya Defence Forces primarily funded existing amenities such as boreholes and schools through corporate social responsibility (CSR) initiatives. Notably, the road connecting the area to the rest of the county had been impassable for the past three years, thereby exacerbating the community's isolation.
26. Regarding the area's designation as a forest before government acquisition, the Petitioner referenced the community's ancestral roots, as evidenced by ancestral graves dating back to pre-independence times. During the Shifta war in the 1960s, thousands of people were displaced and sought refuge in the forest, particularly affecting Lamu East. Subsequently, the government relocated residents closer to the road, leading to their current settlement. Therefore, the community lacked alternative land for resettlement.
27. The Petitioners disclosed that in 2021, they filed a Historical Land Injustice case with the National Land Commission. However, the matter remained pending before the Commission.

### **3.4 Ministry of Environment, Climate Change and Forestry**

The Cabinet Secretary, Ministry of Environment, Climate Change & Forestry, Hon Aden Duale, EGH, appeared before the committee on Thursday, 5<sup>th</sup> December 2024, and submitted as follows—

28. The Ministry of Environment, Climate Change and Forestry took cognisance of the fact that the request for de-gazettement ran counter to the current government's aspiration to increase tree cover to 30% by 2032 to curb the three planetary crises of forest degradation, biodiversity loss, climate change, and pollution.
29. Boni Lungi Forest complex is a critical state resource for strategic national interests and territorial integrity. The gazettement guaranteed that the interests of forest dependants are safeguarded through multi-agency security teams and the Whole of Government Approach (WGA).
30. The outcome of the investigations has revealed that the area is disturbed and dangerous, and operations are being undertaken by multiagency security teams to ensure peace and stability within the forest and the transboundary region at large.
31. Following the gazettement of Boni–Lungi Forest as stipulated in the FCMA, 2016, the registration of the forest as community land, pursuant to Article 63(5) of the Constitution

and other applicable laws, would undermine the government's aspiration to achieve a 30% tree cover by 2032.

32. The National Security Council and the Ministry of Interior and National Administration are major stakeholders whose strategic national interests and territorial integrity must be taken into account to ensure the country's peace, security, and stability.
33. There are great opportunities for infrastructural development, including roads, the Lamu Port South Sudan Ethiopia Transport (LAPSSET) Corridor Project, and general development, which will be guaranteed through partnerships while upholding the gazettement of the Boni forest complex.
34. The Boni Forest Complex, which borders Somalia, is of both strategic National and cross-border interest. This necessitated the National Security Council's concern relating to incursions by the Al Shabaab militants, who are using the forest as a hideout for launching their attacks. The forest had suffered degradation due to inadequate capacity and capability under the former community forest management arrangement. In view of this, there was a need to manage this complex as a single forest ecosystem that spans the two counties (Lamu and Garissa). To ensure the better conservation and management of these forests, a legal instrument was needed to support this goal.
35. The Boni Forest complex comprises three blocks: Boni Lungi, Panda Nguo, and Boni Ijara blocks. The Boni complex straddles Lamu and Garissa Counties and extends into Somalia. The gazettement process was a community-driven initiative to preserve the forest from extinction, as it serves as the source of their livelihood. The community has, since time immemorial, depended on the forest reserve as its habitat and source of food.
36. The need for the gazettement of the complex was also informed by security, environmental, economic, and socio-cultural challenges experienced by the local community, the county, the country, and the world at large. According to the presentation at the Kenya Forest Service headquarters on the Boni-Lungi Forest, the community highlighted the specific reasons for the proposed gazettement of Lungi Forest, as clearly detailed in the referred document.
- ~~37. After concerted efforts by the community to address Al-Shabaab threats and fears that their ancestral land could be seized, the community, with the help of development partners, petitioned the Government to gazette the forest, ensuring that the complex is protected for sustainable use.~~
38. The process leading up to the gazettment of the Boni Complex (Boni-Lungi) is outlined in the table below;

Item	Date	Action	Remarks
1.	August 2003	District Development Committee (DCC) Meeting and proposed Gazette notification of the forest.	Approved minutes forwarded to KFS HQs for action
2.	May 2008	District Environmental Committee (DEC) meeting held at the Ijara Commissioners'	Minutes forwarded to KFS HQs for action.

Item	Date	Action	Remarks
		office.	
3	November 2010 - April 2011	Kenya Secure Projects held consultative meetings with stakeholders on the gazettement of Boni Complex.	Meetings held in Lamu and Mombasa - minutes forwarded to KFS for action on gazettement.
4.	March 2013	Stakeholders' forum for the development of a strategic roadmap towards sustainable conservation of Boni Forest.	Meeting held at AIA Inn Hotel - Masalani. A report forwarded to KFS HQs for action on gazettement.
5	December. 2014	Community representatives held a meeting with Director KFS where they presented a document on the proposed gazettement of Boni Forest.	Minutes - Meeting was at the Director's boardroom.
6	January 2014	Reconnaissance survey by the Kenya Forest Service in the company of community leaders	The three blocks were identified, and a general outline was agreed upon.
7	October - November 2014	Consultative meetings with communities within and around the Boni ecosystem on the gazettement.	Minutes and a sensitization report were forwarded to KFS for action.
8	June 2015	Survey of boundary conducted by KFS Surveyors in the company of Boundary officers from the Survey of Kenya and Community members.	The three blocks surveyed have a total area of approximately 532,672.38 Ha.
9	June 2015	Consultative/informative meetings with the County Governments of Garissa and Lamu on gazettement.	Minutes forwarded to KFS for action.
10	July 2015	Boundary Plans and Draft schedules were prepared by KFS and forwarded to the Director of Surveys for authentication.	Boundary Plan No. 175/437 Checked and Authenticated /Approved by Director of Surveys.

Item	Date	Action	Remarks
11	November 2017	Boni – Lungi, Boni - Ijara and Panda Nguo Forest blocks gazetted.	Legal Notice Nos. 261, 262 & 263 of 2017 published respectively.

39. Various stakeholders, including members of the local community, deliberated on the gazettelement of the forest as tabulated above. Following deliberations, it was decided to proceed with and conclude the gazettelement process for the Boni forest complex (Boni-Lungi).
40. The Cabinet Secretary requested that the Committee maintain the gazettelement of the forest complex to address and protect the interests of the local Aweer community. Significant improvements in the forest's functions in providing environmental services (water flow, grazing pastures, climate mitigation, resilience, and adaptation) have been noted.
41. The Cabinet Secretary requested that the Committee maintain the presence of multi-agency security teams within the gazetted forest to continue ensuring the region's security and to enhance forest conservation and management efforts through a Whole of Government and Society Approach.

### 3.5 The County Government of Lamu

The Chief Officer, Lands and Physical Planning, County Government of Lamu, Mr. Ahmed M. Ali vide a letter dated 12<sup>th</sup> August, 2025, submitted as follows;

42. The Boni-Lungi Forest is a land area of approximately 39,925.7 hectares, situated roughly thirty kilometers north of Lamu Town in Lamu County, within Kenya's coastal region.
43. Before the forest was gazetted, four Aweer (also known as Boni) villages that is Milimani, Basuba, Mangai, and Mararani, existed along the Hindi-Kiunga road, positioned between the Boni and Dodori National Reserves. These settlements were established following the gazettelement of the reserves in 1976.
44. At the time of gazettelement, approximately 480 households resided in the area. However, the land had never been formally registered as community land under Kenyan law.
45. The Aweer community continues to reside in the villages of Milimani, Basuba, Mangai, and Mararani. These villages were excised from the gazetted forest area and are now situated adjacent to the forest boundary, between the Boni-Lungi Forest and the Dodori National Reserve.
46. The Aweer community remains heavily dependent on the Boni-Lungi Forest for their livelihoods, utilizing its resources for wood, honey, medicinal plants, and wildlife. Academic research recognizes the ethnobiological knowledge of the Aweer as a valuable asset for conservation. However, there are no clearly established formal structures for co-managing the forest with the community, despite its central role in their survival.
47. The forest was officially gazetted in November 2017 under the Forest Conservation and Management Act, via Legal Notice No. 261 of 2017. Despite this legal procedure, significant concerns have been raised regarding the process. Local stakeholders, as

highlighted in Public Petition No. B2 of 2023, contend that the mandatory public consultations were not conducted, and that constitutional requirements for stakeholder engagement and public notices were disregarded.

48. The following critical questions emerge from the community's petition:

- i. Was the due process for gazettelement properly followed, given that the local communities claim to have been unaware of the proceedings?
- ii. Was the County Government of Lamu involved in the gazettelement process, considering its constitutional role as the custodian of public, community, and indigenous land within the county?
- iii. What was the specific role and involvement of the National Land Commission in the process that led to the gazettelement of the Boni-Lungi Forest?

49. Based on the findings, the following recommendations are proposed;

- i. It should be confirmed that the four Aweer villages themselves were not included in the gazetted forest area. Consequently, the land comprising these villages, along with the Boni-Lungi Forest, should be registered as community land for the Aweer people, who currently lack sufficient land for farming and development.
- ii. Given that the Aweer community inhabited the area long before the forest's gazettelement, the forest should be degazetted from a state forest and converted to community land. This would address a historical land injustice in Lamu County.
- iii. In all future instances of land registration or gazettelement for national purposes (such as forests or reserves), both the County Government and the affected local communities must be meaningfully engaged, in full compliance with the Constitution.

### **3.6 The National Land Commission**

The CEO, National Land Commission, Ms. Kabale Tache Arero vide a letter Ref No NA/DAA&GPC/PPC/2025/075 dated 12<sup>th</sup> November 2025, submitted as follows;

50. Forests rank highly as one of Kenya's important natural resources for economic, environmental, social, and cultural values, especially in the face of climatic changes. They play a vital role in natural systems, as well as in economic development. As outlined in the vision 2030, the Government is committed to increasing the current forest cover to attain the minimum acceptable international standard of at least 10% , which is equally very fitting within Article 69 of the Kenya Constitution.
51. In addition, the current government administration has put in place measures to increase tree cover to 30% by 2032, through the 15 billion trees growing, landscape and ecosystem restoration programme.
52. These aspirations and goals can only be achieved by putting deliberate measures to better conserve and manage forests not only within the existing forests but also expanding these ventures into private and community lands in order to ensure ecologically sound

development Article 69(2) of the Constitution and achievement of environmental rights under Article 42. Otherwise, they will remain a mirage.

53. However, Kenya's forests continue to face immense challenges, especially those that relate to governance such as land tenure and conflicts, competing land needs, and general lack of appreciation of the contribution of these natural assets to the economy. These poor attitudes need to be debunked to safeguard our resources for posterity.
54. In terms of tenure, while the petitioner alludes to the forest land being community land, it is important to clarify that prior to its gazettment, Boni- Lungi was un-alienated government land, and it was therefore lawful to alienate it for forest conservation under the custody of the then Forest Department. Its gazettment aimed to entrench sustainability and posterity and ameliorate significant threats that were occasioning its loss and degradation.
55. The Commission has noted with a lot of concern, the continued urge to degazette public forests. It is critical that the committee appreciates the role of our forests, especially in the face of climatic changes, and that a balanced life on land that takes care of natural resources for people's survival and well- being is considered.
56. Our forests are at the verge of collapsing, nearing tipping points, due to encroachment and unsustainable land use practices, which significantly erode their resilience and the benefits they provide to people. Parliament has a duty under Article 68 of the Constitution not only to regulate the manner in which any land may be converted from one category to another but also to protect, conserve and provide access to all public land.

## PART FOUR

### 4 COMMITTEE OBSERVATIONS

Upon hearing from the Petitioner and other stakeholders, the Committee observed that -

57. The Cabinet Secretary for the Ministry of Environment, Climate Change and Forestry justified the gazettelement of the Boni-Lungi Forest Complex by describing it as a critical state resource essential for strategic national interests and territorial integrity. According to the Ministry, the gazettelement ensured that the rights and interests of forest-dependent communities were safeguarded through the deployment of multi-agency security teams and the adoption of a Whole of Government Approach (WGA) to manage the area.
58. Investigations into the matter revealed that the Boni-Lungi area remains disturbed and potentially dangerous. Security operations by multi-agency teams are ongoing to restore and maintain peace and stability, not only within the forest but also across the broader transboundary region.
59. The Committee further notes that the gazettelement of the forest was, in part, a response to concerns raised by the community itself. Faced with threats from Al-Shabaab and fears that their ancestral land might be seized, the community with support from development partners petitioned the government to gazette the forest. Their aim was to ensure the forest complex was legally protected for sustainable use by future generations.
60. Evidence presented by the Ministry of Environment indicate various stakeholders, including members of the local community. Following these deliberations a consensus was reached to proceed with and finalize the gazettelement process for the Boni forest complex (Boni-Lungi).
61. The National Land Commission provided clarification on the land's legal status, stating that prior to its gazettelement, Boni- Lungi was un- alienated government land, and it was therefore lawful to alienate it for forest conservation under the custody of the then Forest Department. Its gazettelement aimed to entrench sustainability and posterity and ameliorate significant threats that were occasioning its loss and degradation.
62. The foregoing notwithstanding, the Aweer community deserved the right to their livelihoods in the forest. The Lamu County Government confirmed that the four villages (Milimani, Basuba, Mangai, and Mararani ) they inhabited were not part of the gazetted forest but were adjacent.

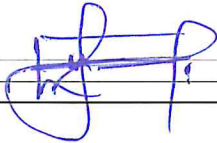
PART FIVE

5 COMMITTEE RECOMMENDATIONS

63. Pursuant to the provisions of Standing Order 227, the Committee recommends that-

- i) **Prayer 1:** Investigates the matter and compels the Ministry of Environment, Climate Change and Forestry to degazette Boni-Lungi as a State Forest; **The Committee finds that the gazettment process was procedurally undertaken by the Ministry of Environment, Climate Change & Forestry, having been initiated at the request of the local community and subjected to extensive stakeholder consultations over a period spanning from 2003 to 2017.**
  
- ii) **Prayer 2:** Recommend that the Cabinet Secretary for Lands, Public Works, Housing and Urban Development in consultation with the County Government of Lamu to facilitate the registration of Boni-Lungi as community land pursuant to Article 63(5) of the Constitution and other applicable laws;  
**The Cabinet Secretaries for Ministries of Lands and Physical Planning, and Public Works, Housing and Urban Development, in collaboration with the National Land Commission (NLC) and the County Government of Lamu, should, within ninety (90) days of tabling of this report, initiate the process to survey, demarcate, and register the land on which the four Aweer villages (Milimani, Basuba, Mangai, and Mararani) are situated, as community land under Article 63 of the Constitution.**

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

01/04/2025

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

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## ANNEXURES

Annex 1: Adoption List

Annex 2: Public Petition No. 82 Of 2023 regarding degazettement of Boni-Lungi Forest as Forest areas under the Forest Conservation and Management Act 2016

Annex 3: Minutes of proceedings




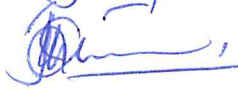
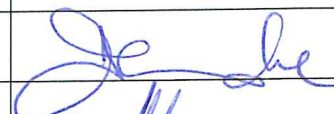
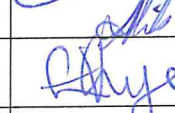
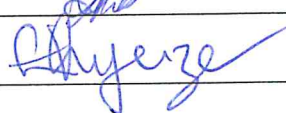
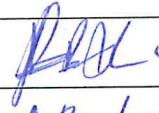
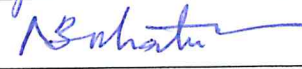

**PUBLIC PETITIONS COMMITTEE**

**ADOPTION LIST**

- (i) **Consideration and adoption of the Report on Public Petition No. 82 of 2023 by Hon. (Capt) Ruweida Obo, MP, regarding the degazettement of Boni-Lungi forest in Lamu County**

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

**DATE:** 18/3/2026.

	<b>HON. MEMBER</b>	<b>SIGNATURE</b>
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. Paul Biego Kibichy, 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.	