



**COUNTY GOVERNMENT OF KITUI**

**THE COUNTY ASSEMBLY**

**THIRD ASSEMBLY – (FIRST SESSION)**

**VOTES AND PROCEEDINGS**

**TUESDAY 18<sup>TH</sup> OCTOBER, 2022 AT 2:30 P.M**

1. The House convened at Thirty minutes past two O'clock.
2. The proceedings were opened with a prayer.
3. **PRESIDING** – Hon. Speaker on the Chair.
4. **MOTION ON ADJOURNMENT ON DEFINITE MATTER OF URGENT COUNTY IMPORTANCE**

(Deputy Leader of the Majority Party)

**Motion made & Question proposed;**

**THAT**, pursuant to the provisions of Standing Order No. 30(1), this Assembly hereby adjourns to discuss a matter of urgent County importance.

**Aware** that Article 19 (2) of the Kenyan Constitution 2010 specifically provides for the protection of human rights and fundamental freedoms to preserve the dignity of individuals and communities and promote social justice. Further that Article 25 (a) and 29 (d) provide for freedom from torture and cruel, inhuman or degrading treatment.

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**(083)**

**(006)**

**Further aware that,** Article 29 (d) of the Constitution of Kenya, 2010 also grants every citizen a right not to be subjected to torture in any manner, whether physical or psychological.

**Concerned that,** there has been a perennial security threats brought about by the existence of the camel herders who have illegally continuously occupied some parts of the Kitui south game reserve in Mutha ward, kitui south constituency in search for pasture and water for their animals. In the process, these herders' trespass and invade private land coupled with criminal acts which include attacking residents with crude weapons to kill; assaults, insults, women and girls raped.

**Further aware,** that, this has caused a lot of suffering to the extent of loss of life, property and bodily harm with the immediate incidence being the brutal attack and killing of one Mr. Mutuku, a resident of Kathoa village in Mutha Ward who was cruelly murdered by the camel herders upon being heinously slaughtered and sustaining various knife stabs. This has caused untold fear among the residents of Mutha ward leading to many fleeing their homes to seek protection at Mutha police Station and others in the forests fearing for their lives.

**Concerned that,** earlier similar criminal acts carried out by the camel herders have not been addressed effectively to get lasting solutions. This has been a recipe for recurrence therefore causing acrimony and animosity between the residents of Mutha ward and the camel herders.

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Consequently, this has negatively affected the lives and the socio economic activities of the people of Mutha Ward.

**Noting that;** the Constitution under Article 19 (2) specifically provides for the protection of human rights and fundamental freedoms to preserve the dignity of individuals and communities and promote social justice. Further Article 25 (a) and 29 (d) provide for freedom from torture and cruel, inhuman or degrading treatment.

**Further noting that,** the current state of affairs if left unsolved, it will be a recipe for foreseeable tribal clashes likely to cause war as people seek to protect their lives and property. The current wave of criminal acts by the camel herders may foment ethnic animosity between the Kamba and Somali community herders if left to continue.

**THEREFORE,** this assembly hereby resolves as follows;

- i. This House under the leadership of the Hon. Speaker seeks the audience of the County Commissioner (the Chairperson of the County Security Committee) Kitui County immediately to get answers on the steps taken so far to address the current state of insecurity in Mutha Ward.
- ii. The County Government using the Emergency Fund, should move swiftly to provide temporary measures to address issues of shelter, food and water to the families which have fled their homesteads as a result of insecurity.

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- iii. The County Government of Kitui, through the relevant County Ministry, should liaise with the National Government pursuant to the provisions of Article 189 (1b) of the Constitution of Kenya and Section 4 (c) of the Forest Conservation and Management Act, 2016 which advocates for consultation between the National and County Governments in matters of environment conservation to have the game reserve assigned to a private conservationist who will put the vast idle land to better use and protect it from the herders hence guaranteeing security to the residents of Mutha including installation of Kenya Police Reservists (KPR) in Mutha and other affected wards.
  - iv. The County Government of Kitui should liaise with National Government to obtain an eviction order to evict the camel herders from the game reserve and Mutha Ward.
  - v. This Assembly should hereby form an Ad Hoc committee to benchmark with Narok County (Masai Mara national park), Laikipia County (Nanyuki game reserve) , and Samburu County (Samburu game reserve) on how such insecurity issues were permanently resolved.
- The County Government, through the County Ministry on Tourism, Sports and Culture organize and sponsor some residents of Mutha, Endau/Malalani, Nguni, Ngomeni, Kanziko, Voo/Kyamatu, Nuu and Tseikuru wards to go and benchmark with the Narok County (Masai Mara national park), Laikipia County (Nanyuki game reserve) , and Samburu County (Samburu game reserve) on how such insecurity issues were permanently resolved.

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- vi. The county Government in conjunction with the national government should review the boundary cutline which demarcates Tana River County, the game reserve, and Mutha ward with a view of creating a buffer security zone to settle the historical boundary dispute which has existed hence causing conflict between the people of mutha Ward and the game reserve authorities and the camel herders.

The County leadership in conjunction with the National Government and the criminal justice systems should ensure culprits of the criminal acts are held culpable and where necessary compensation awarded on lives lost and property destroyed.

(Hon. Dr. Erastus Mbuno- **M.C.A**)

Debate arising;

***(Business deferred with the leave of the Speaker to the afternoon sitting of 19<sup>th</sup> October, 2022)***

**5. ADJOURNMENT**- and the time being Twenty five minutes to five O'clock, the Honourable Speaker adjourned the House.

**ASSEMBLY ROSE** – at Twenty five minutes to Five O'clock.

**MEMORANDUM**

*The Honorable Speaker will take the chair on  
Wednesday, 19<sup>th</sup> October, 2022, at 9:00 A.M.*

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