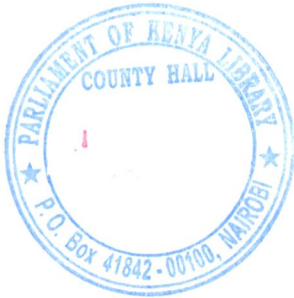


Approved for tabling in the House.

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13/4/2022




REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

12TH PARLIAMENT –SIXTH SESSION - 2022

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

REPORT ON A PETITION REGARDING NEGLIGENCE BY KENYA
WILDLIFE SERVICE IN MTITO ANDEI WILDLIFE CRISIS

 THE NATIONAL ASSEMBLY PAPERS LAID			
DATE:	14 APR 2022	DAY:	THURS.
TABLED BY:	HON. SOPHIA ABBI NDOR, M.P. CHAIR, ENVIRONMENT		
THE TABLE:	CHRISTINE NDIRITU		

DIRECTORATE OF DEPARTMENTAL COMMITTEES,
CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,
NAIROBI

APRIL, 2022

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CHAIRPERSON'S FOREWORD

The Petition regarding negligence by the Kenya Wildlife Service (KWS) in Mtito Andei wildlife crisis was presented to the House the Hon. Speaker, on behalf of Mtito Andei Disaster Control Self-help Group on 30th June, 2021 pursuant to Standing Order 225(2)(b) of the National Assembly Standing Orders. The Petition was subsequently committed to the Departmental Committee on Environment and Natural Resources for consideration pursuant to Standing Order 227.

The Petitioners alleged that the farming activities had been affected due to crop and livestock destruction by the wildlife from the Tsavo East and Tsavo West National Parks. The residents' lives were also allegedly threatened by the wildlife as a result inflicted on them as they attempted to save their livestock from the marauding wildlife.

The Petitioners also alleged that KWS partners such as David Sheldrick Wildlife Trust, Richard Molla, Kravoss and Marcus Dunn, private conservators, were releasing wildlife into the residents' farms, consequently destroying crops and livestock. Further, there were allegations of harassment of residents by the KWS partners as they attempted to protect their property from destruction by the wildlife. The Petitioners, in addition noted that the Ministry of Tourism and Wildlife had not assisted in mitigating the human wildlife conflict, neither had it compensated the victims of the conflict.

The Petitioners had prayed that the Departmental Committee on Environment and Natural Resources, intervene to address the crisis by securing the erection of electric fence from Athi River to Mtito Andei Town, compel the KWS partners to undertake requisite corporate social responsibility through water provision in the surrounding village; securing the degazettement of the Ngai Ndethya Settlement Scheme, which is a gazetted game reserve in which people live, and securing the timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict.

The Committee consequently got seized of the matters canvassed in the Petition and processed it, pursuant to Standing Order 227, through deliberative meetings with the Petitioners and the Ministry of Tourism and Wildlife with a view to responding to the prayers sought.

ISSUES FOR DETERMINATION

After an analysis of the oral and written submissions made, the Committee observed as follows:

1. The Mtito Andei area in Kibwezi East Constituency is under the greater Tsavo Conservancy ecosystem and has high incidences of Human-Wildlife Conflicts.
2. KWS had put in place a number of interventions to mitigate Human -Wildlife Conflicts in Kibwezi East Sub-County and specifically the Mtito Andei area. This included establishment of a fully-fledged Problem Animal Control (PAC) outpost at Ngiluni, ground and aerial drives of problem animals and enhancement of reporting mechanisms by the community for timely response.
- 3.
4. On securing the erection of electric fence from Athi River to Mtito Andei Town, KWS was working with the County Government of Makueni and Conservation Partners

- (Tsavo Trust) to undertake erection of a 30 km electric fence from Athi River to Mtito Andei to provide barrier between the community and wild animals especially Elephants from Tsavo East National Park. The County had provided for Kshs. 75,000,000.00 (Seventy-Five Million Shillings) to this project in the County approved budget estimates for the Financial Year 2021/22. Public and stakeholder consultation had been done and the Report on the Environmental Impact Assessment (EIA) of the fence project forwarded to NEMA for approval.
5. On Corporate Social Responsibility, Tsavo Trust in partnership with KWS has specifically undertaken upgrading of the Ngiluni Dispensary, established the Kamungi Conservancy in 2015 which created direct employment to 36 permanent staff and 15 casuals, trained and employed 12 Conservancy Scouts from Mtito Andei area, provided water projects and education projects amounting to Kshs. 159,978,000.00.
 6. On the degazettement of the Ngai Ndethya Settlement Scheme, the Wildlife Conservation and Management Act, 2013 Section 37 provides for the process of variation of boundaries or revocation (de-gazettement) of a National Reserve. It was however observed that Ngai Ndethya Game Reserve is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East National Park, Chyulu Hills, and Kibwezi Forest as the area remains an important wild life habitat that needs to be protected.
 7. On timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict, a total of 507 Human Wildlife Conflict Compensation Claims amounting to Kshs. 201,520,265.00 had been lodged by members of the community from Makueni County in the period 2014 - 2021. Out of this, 154 compensation claims had been approved and paid at a total cost of Kshs. 121,447,927.00 of which 65 claims amounting to Kshs. 44,805,820.00 emanated from Kibwezi East Sub County. Many of the lodged compensation claim cases are approved but the payments are pending release of funds by the National Treasury.
 8. It was observed that in the month of June 2021, The National Treasury released funds totaling Kshs. 23,697,927.00 (twenty-three million six hundred ninety-seven thousand nine hundred twenty-seven shillings) on human injury, crop destruction and livestock predation that were paid within the month of July 2021 to claimants from Makueni County, out of which 33 residents of Kibwezi East sub - county were paid a total of Kshs 8,427,090.00. However, the seemingly inordinate delays in compensation were as a result of inadequate funding from the National Treasury.
 9. The area Member of Parliament, Hon. Jessica Mbalu, MP had Petitioned Parliament regarding Human Wildlife Conflicts in Kibwezi East Constituency. The Committee tabled its Report on this Petition in the House on 5th November, 2019.
 10. Consequent to the foregoing submissions and observations, the Committee made the following recommendations:
 11. On securing the erection of electric fence from Athi River to Mtito Andei Town; KWS jointly with the County Government of Makueni should expedite the erection of the 30

KM electric fence from Athi River to Mtito Andei Town which had already been allocated Kshs. 75 million by the County Government and other approval processes concluded.

12. On compelling the KWS partners to undertake requisite corporate social responsibility through among others, water provision to the surrounding villages; the KWS together with partners to continue with the corporate social responsibility activities in Mtito Andei area for a harmonious co-existence with the community.
13. On securing the degazettement of the Ngai Ndethya Settlement Scheme, which is a gazetted game reserve in which people live, it is observed that is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East National Park, Chyulu Hills, and Kibwezi Forest as the area remains an important wild life habitat. Consequently, degazetting the area would negate the requirement of increasing the green spaces for wildlife and the conservation targets set by Convention on Biological Diversity (CBD), 1992 which Kenya is a signatory and will not be in compliance with section 37 (2) (a) of the Wildlife Conservation and Management Act 2013. Therefore, KWS should enhance human wildlife conflicts mitigation measures in the area for good co-existence.
14. On securing, through the Ministry of Tourism and Wildlife, timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict, the Ministry of Tourism and Wildlife jointly with the National Treasury should fast track the human wildlife conflict compensation insurance scheme for efficiency in compensating the HWC victims.
15. The Ministry of Tourism and Wildlife to fast track implementing the recommendation of the Departmental Committee on Environment Report on the Petition Regarding Human Wildlife Conflict in Kibwezi East Constituency, which was tabled in the House on 5th November, 2019.

The Hon. Sophia Abdi Noor, M.P

1.0 PREFACE

1.1 Committee Mandate

1. The Departmental Committee on Environment and Natural Resources is established under the National Assembly Standing Orders No. 216 (1). The functions and mandate of the Committee are also contained under the National Assembly Standing Orders, No. 216(5) as:-
 - a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
 - b) Study the program and policy objectives of the Ministries and departments and the effectiveness of the implementation;
 - c) Study and review all legislation referred to it;
 - d) Study, access and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with its stated objectives;
 - e) Investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
 - f) Vet and report on all appointments where the constitution or any law requires the National Assembly to approve, except those under Standing Order 204; and
 - g) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.
2. The subject matter of the Departmental Committee on Environment and Natural Resources are stated in the Second Schedule of the National Assembly Standing Orders No. 216 (f) as follows: climate change, environment management and conservation, forestry, water resource management, wildlife, mining and natural resources, pollution and waste management.

1.2 Oversight

3. In executing its mandate, the Committee oversees the following Government Ministries and Departments namely: The Ministry of Environment and Forestry; The Ministry of Water & Sanitation and Irrigation; The State Department for Wildlife; and The State Department for Mining.

1.3 Members of the Committee

4. The Committee comprises the following Members:

Chairperson

Hon. Sophia Abdi Noor, M.P.
MP for Ijaara Constituency

Party of Development and Reforms (PDR)

Vice-Chairperson

Hon. (Eng.) Paul M. Nzengu, M.P.
MP for Mwingi North Constituency

Wiper Party

Members

Hon. David Kangogo Bowen, MP for Marakwet East Constituency <u>Jubilee Party</u>	Hon. Janet Ong'era, MP for Kisii County <u>Orange Democratic Movement (ODM)</u>
Hon. Francis Chachu Ganya, MP for North Horr Constituency <u>Frontier Alliance Party (FAP)</u>	Hon. Charles Ong'ondo Were, MP for Kasipul Constituency <u>Orange Democratic Movement (ODM)</u>
Hon. Benard Shinali, M.P. for Ikolomani Constituency <u>Jubilee Party</u>	Hon. Nasri Sahal Ibrahim, MP - Nominated <u>Forum for Restoration of Democracy-K</u>
Hon. Ali Wario Guyo, MP for Garsen Constituency <u>Wiper Party</u>	Hon. Rozaah Buyu, MP for Kisumu County <u>Orange Democratic Movement (ODM)</u>
Hon. George Macharia Kariuki, MP for Ndia Constituency <u>Jubilee Party</u>	Hon. Hassan Oda Hulufu, MP for Isiolo North Constituency <u>Kenya Patriots' Party (KPP)</u>
Hon. Charity K. Chepkwony, MP for Njoro Constituency <u>Jubilee Party</u>	Hon. Amin Deddy Mohamed Ali, MP for Laikipia East Constituency <u>Jubilee Party</u>
Hon. Kingara, Simon Nganga, MP for Ruiru Constituency <u>Jubilee Party</u>	Hon. Said Hiribae, MP for Galole Constituency <u>Forum for Restoration of Democracy- K</u>
Hon. Peter Kimari Kihara, MP for Mathioya Constituency <u>Jubilee Party</u>	Hon. Rehema Hassan, MP for Tana River County <u>Maendeleo Chap Chap Party (MCC)</u>

Hon. David Gikaria, MP for Nakuru
Town East Constituency
Jubilee Party

1.4 Secretariat

5. The Committee is serviced by the following Members of Staff:

Ms. Esther Nginyo
First Clerk Assistant
Lead Clerk

Mr. Dennis Mogare Ogechi
Second Clerk Assistant

Dr. Benjamin Ngimor
Senior Fiscal Analyst

Ms. Lynette Otieno
Legal Counsel I

Mr. Eugene Apaa
Research Officer III

2.0 INTRODUCTION

6. The Petition regarding negligence by the Kenya Wildlife Service (KWS) in Mtito Andei wildlife crisis was presented to the House the Hon. Speaker, on behalf of Mtito Andei Disaster Control Self-help Group on 30th June, 2021 pursuant to Standing Order 225(2)(b) of the National Assembly Standing Orders. The Petition was subsequently committed to the Departmental Committee on Environment and Natural Resources for consideration pursuant to Standing Order 227.
7. The Petitioners alleged that the farming activities have been affected due to crop and livestock destruction by the wildlife from the Tsavo East and Tsavo West National Parks. The residents' lives were also allegedly threatened by the wildlife as a result inflicted on them as they attempted to save their livestock from the marauding wildlife.
8. The Petitioners also alleged that KWS partners such as David Sheldrick Wildlife Trust, Richard Molla, Kravoss and Marcus Dunn, private conservators, were releasing wildlife into the residents' farms, consequently destroying crops and livestock. Further, there were allegations of harassment of residents by the KWS partners as they attempted to protect their property from destruction by the wildlife. The Petitioners, in addition noted that the Ministry of Tourism and Wildlife had not assisted in mitigating the human wildlife conflict, neither had it compensated the victims of the conflict.
9. The Petitioners had prayed that the Departmental Committee on Environment and Natural Resources, to intervene in addressing the crisis through:
 10. securing the erection of electric fence from Athi River to Mtito Andei Town,
 11. compelling the KWS partners to undertake requisite corporate social responsibility through among others, water provision to the surrounding villages;
 12. securing the degazettement of the Ngai Ndethya Settlement Scheme, which is a gazetted game reserve in which people live, and
 13. securing, through the Ministry of Tourism and Wildlife, timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict.
14. The Committee consequently got seized of the matters canvassed in the Petition and processed it, pursuant to Standing Order 227, through deliberative meetings with: the Petitioners and the Ministry of Tourism and Wildlife with a view to responding to the prayers sought.

3.0 SUBMISSIONS

11. The Committee consequently considered the matters raised in the Petition and processed it, pursuant to Standing Order 227, through deliberative meetings with: the Petitioners, the Ministry of Tourism and Wildlife to address the matters canvassed in the Petition with a view to responding to the prayers sought. The evidence adduced is recorded hereunder:

3.1 Submission by the Petitioners

12. Mr. Abednego Musyoki, on behalf of the Mtito Andei Community, appeared before the Committee virtually on 9th August, 2021 and briefed it that:

13. Mtito Andei community relied on livestock keeping and cultivation of short rain crops like maize, beans and sorghum.

14. Mtito Andei Division borders the Tsavo National Park both to West and East. Every so often, animals ventured out the park causing human wildlife conflict that resulted in loss of life, injuries and property destruction.

15. The KWS was doing a commendable job, however, there was need to put in place extra measures to curb the human wildlife conflicts in the area.

16. The following were listed as KWS partners who aided the organization in wildlife conservation: David Shedrick, Richard Molla, Kravoss, Mary, and Marcus Dunn. The partners were located in Mtito Andei division, but never bothered to engage in establishing relations with the local community or any corporate social responsibility. They not only let wildlife to roam community living areas causing havoc but also translocated wildlife to the area without consulting the host community.

17. Losses encountered by the local community included: crops destruction by elephants, livestock attacks by hyenas, leopards, cheetahs, lions among others, serious injuries to community members, water tanks breakages due to animals seeking water.

18. There was delayed compensation for damage, injuries and deaths caused by the wildlife.

19. A permanent solution to the human wildlife conflict in the area would be erection of an electric fence in the area along Mtito Andei River to separate Ngai Ndethya Community residence from the Tsavo East National Park.

20. There was need to investigate the activities of KWS partners in the area who did not engage in any corporate social responsibility. They could be compelled to provide water for domestic use for residents since access to water in the area was a major challenge.

21. There was need to degazette the Ngai Ndethya Settlement Scheme. As much as it was alleged to be a game reserve, the local community was not involved and therefore did not recognize it as such.

22. The residents of Mtito Andei had elected an interim Committee that was tasked to follow up on issues of human wildlife conflict in the area. Consequently, the Committee leadership

sent their Petition to the Clerk of the National Assembly vide a letter dated 26th March, 2021.

23. The Constituency and the County leadership through the Office of Kibwezi East Constituency and Makueni Senator's office, had engage the Ministry of Tourism and Wildlife on human wildlife conflict in the area.
24. The Ministry of Tourism and Wildlife through its letter Ref. SDW/8/15/2/VOL.VII dated 29th March, 2021 had responded to the leadership detailing the efforts by the Ministry in reducing human wildlife conflict in Mtito Andei. The Ministry had also shared details and the status of pending human wildlife conflict compensation cases with the leadership.

3.2 Submission by the Hon. Jessica Mbalu, CBS, MP, Kibwezi East Constituency

25. Hon. Jessica Mbalu, MP, Kibwezi East Constituency, appeared before the Committee virtually on 9th August, 2021 and briefed it that:

26. She had Petitioned the National Assembly in 2019 on Human Wildlife Conflicts in Kibwezi East Constituency, in which Mtito Andei lies. The Departmental Committee on Environment and Natural Resources addressed the Petition and recommended to the Ministry of Tourism and Wildlife to among others, that KWS in conjunction with the local leadership held the local community develop proposals for areas that required funding by the KWS Corporate Social Responsibility; the Ministry of Tourism and Wildlife to expedite the rehabilitation of the fence along the Tsavo West National Park bordering areas of Mtito Andei, Mangelete and Bondeni areas within the 2019/2020 financial year.
27. She had further followed up through the Committee the Status of implementation of the Committee's report on the Petition by Ministry of Tourism and Wildlife in which the Committee wrote to the Ministry vide its letter Ref: NA/DDC/ENR/2021(047) dated 3rd August, 2021. The Ministry had responded vide its letter Ref: SDW/1/47/1 dated 14th October, 2021 detailing the status of implementation of the Committee's recommendations on the Petition (annex 3).

3.3 Submissions by the Cabinet Secretary, Ministry of Tourism and Wildlife.

28. Mr. Joseph K. Boinnet, Chief Administrative Secretary, Ministry of Tourism and Wildlife appeared before the Committee on 19th August, 2021 and briefed it as follows:
29. Mtito Andei is in Kibwezi East Sub County of Makueni County and within the greater Tsavo Conservation Area.
30. Human -Wildlife Conflicts were a major threat to conservation over the years due to population growth, settlement on traditional wildlife dispersal areas or migratory routes and climatic variability with in the Country.
31. Mr. Abednego Musyoki on behalf of Mtito Andei Disaster Control Self-Help Group Petitioned the National Assembly to help in addressing the following:
 - a) the erection of an electric fence from Athi River to Mtito Andei town by the KWS and its partners;

- b) compelling the KWS partners to respect farm lands and undertake requisite Corporate Social Responsibility;
- c) fast tracking of compensation payments to the residents; and
- d) securing the degazettement of the Ngai Ndethya National Reserve.

32. On compensation for human-wildlife conflicts he stated that:

- a) The Wildlife Conservation and Management Act, 2013 provides for Compensation for human death, human injury, livestock predation, crop destruction and property damage cases caused by wildlife as captured in the third schedule of the Act.
- b)
- c) Section 25 of the Wildlife Conservation and Management Act, 2013 guides on the amounts, process and procedures for compensation on personal injury or death or damage to property or crops or predation caused by wildlife.
- d) The Ministry through KWS facilitates payment of compensation in strict compliance with set procedures and process. Compensation claims from Makueni County are usually deliberated upon by the County Wildlife Compensation Committee that recommends an award after which they are forwarded to the Ministry of Tourism and Wildlife for validation and payment thereof. All the Compensation claims lodged by the residents of Mtito Andei area were subjected through the same process and appropriate determination made.
- e) A total of 507 Human Wildlife Conflict Compensation Claims amounting to Ksh. 201,520,265.00 were lodged by members of the community from Makueni County in the period 2014 - 2021. Out of this, 154 compensation claims have been approved and paid at a total cost of Ksh. 121,447,927.00 of which 65 claims amounting to Ksh 44,805,820.00 emanate from Kibwezi East Sub County. Many of the lodged compensation claim cases are approved but the payments are pending release of funds by the National Treasury. A summary of compensation claims lodged within Makueni County as from year 2014 to year 2020 and their status has been attached as annex 4
- f) Within the month of June 2021, The National Treasury released funds totaling Ksh. 23,697,927.00 (twenty-three million six hundred ninety-seven thousand nine hundred twenty-seven shillings) on human injury, crop destruction and livestock predation that were paid within the month of July 2021 to claimants from Makueni County. 33 residents of Kibwezi East sub - county were paid a total of Ksh 8,427,090.00.

33. On Transporting and release of Wildlife by Conservation Partners he stated that translocation of wildlife species is carried out for introduction and reintroduction of species into an area, supplementation, population control and resolution of Human-Wildlife Conflicts. KWS is the only organization mandated to undertake wildlife capture and translocation within the Country with approval of Board of Trustees and the Ministry. Translocation of wildlife species is managed through elaborate policy guidelines in respect of different wildlife species. Conservation partners such as David Sheldrick Wildlife Trust and Tsavo Trust operate under Memorandum of Understanding (MOU) with KWS. They have no mandate to introduce any wildlife with in the Tsavo Ecosystem or on adjacent community. On the contrary these partners have been very supportive to KWS in

mitigating Human- Wildlife Conflicts in the Mtito Andei area as they deploy their resources i.e., Helicopters and fixed wing aircraft to monitor and drive away straying wildlife like Elephants from the community farm lands thereby minimizing losses to the community.

34. On Corporate Social Responsibility he stated that:

- a) KWS collaborates with the County Government of Makueni, National Government Agencies and Conservation Partners in the Tsavo Conservation Area to support the local communities in Kibwezi East with social projects.
- b) A number of projects have been done through collaboration over time. Tsavo Trust in partnership with KWS has specifically undertaken upgrading of the Ngiluni Dispensary, Established the Kamungi Conservancy in 2015 which created direct employment to 36 Permanent staff and 15 Casuals, trained and employed 12 Conservancy Scouts from Mtito Andei area, provided water projects and education projects amounting to Ksh. 159,978,000.00. A copy of letter from Richard Moller the CEO of Tsavo Trust dated February 4, 2021 is attached as Annex 5).
- c) On awareness creation and community sensitization, the KWS has been holding regular meetings with the community in collaboration with conservation partners such as the Zoological Society of London (ZSL), Tsavo Trust, and David Sheldrick Wildlife Trust (DSWT) where the communities are sensitized on Human- Elephant Conflict (HEC) and alternative livelihoods programs that are compatible with wildlife conservation like bee keeping.

35. On Human- Wildlife Conflict Mitigation, he stated that:

- a) KWS had put in place a number of interventions to mitigate Human -Wildlife Conflicts in Kibwezi East Sub-County and specifically the Mtito Andei area. This includes establishment of a fully-fledged Problem Animal Control (PAC) outpost at Ngiluni, ground and aerial drives of problem animals and enhancement of reporting mechanisms by the community for timely response.
- b) KWS was also working with the County Government of Makueni and Conservation Partners (Tsavo Trust) to undertake erection of a 30 km electric fence from Athi River to Mtito Andei to provide barrier between the community and wild animals especially Elephants from Tsavo East National Park. The County had provided for Kshs. 75,000,000.00 (Seventy-Five Million Shillings) to this project in the County approved budget estimates for the Financial Year 2021/22. Public and stakeholder consultation had been done and the Environmental Impact Assessment (EIA) of the fence project forwarded to NEMA for approval.

36. On degazettement of Ngai Ndethya Game Reserve he stated that:

- a) Ngai Ndethya Game Reserve (NNGR) was established vide gazette notice no. 9 of 1st January 1976 and boundary plan 216/32.

- b) The Reserve covers an approximate area of 21,200 Ha under the management of the Makueni County government. Following settlements in the game reserve, there had been attempts to have the Game Reserve degazetted since 1992.
- c) Ngai Ndethya Game Reserve is heavily settled by the local community with well-established public amenities including Schools, Markets, Health Centres and connected with all-weather road networks. Parts of the Game Reserve remained unsettled with pristine vegetation that supports biodiversity conservation.
- d) The community, through the Petition was seeking for the de-gazettement of the game reserve. Article 62 (1) (g) of the Constitution of Kenya 2010 defines public land as government forests other than forests to which Article 63 (2) (d) (i) applies, government game reserves, water catchment areas, national parks, government animal sanctuaries and specially protected areas.
- e) In Article 63 (2) (i) of the Constitution of Kenya 2010, community land consists of land and that is lawfully held, managed or used by specific communities as community forests, grazing areas or shrines; whereas Article 63 (2) (ii) defines community land as land lawfully held as trust land by the County Governments, but not including any public land held in trust by the County Government under Article 62 (2). In view of the above provisions of the Constitution of Kenya 2010, Ngai Ndethya Game Reserve falls under the category of public land.
- f) The Wildlife Conservation and Management Act, 2013 Section 37 provides for the process of variation of boundaries or revocation (de-gazettement) of a National Reserve. A proposal for de-gazettement of Ngai Ndethya Game Reserve must therefore be done in compliance of the process clearly defined by provision of the Law.
- g) The provision of the Section 37 of the Wildlife Conservation and Management Act, 2013 notwithstanding, Ngai Ndethya Game Reserve is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East National Park, Chyulu Hills, and Kibwezi Forest. Though the Reserve is heavily settled, there are several Conservancies in the area which makes the area to remain an important wild life habitat that needs to be protected.
- h) KWS does not support the de-gazettement of the reserve because such action would negate the requirement of increasing the green spaces for wildlife and the conservation targets set by Convention on Biological Diversity (CBD), 1992 which Kenya is a signatory and will not be in compliance with section 37 (2) (a) of the Wildlife Conservation and Management Act 2013. The action will further exacerbate the Human- Wildlife conflict situation in the area.

4.0 COMMITTEE OBSERVATIONS

37. After an analysis of the submissions received, the Committee made the following observations:
38. The Mtito Andei area in Kibwezi East Constituency is under the greater Tsavo Conservancy ecosystem and has high incidences of Human-Wildlife Conflicts.
39. KWS had put in place a number of interventions to mitigate Human -Wildlife Conflicts in Kibwezi East Sub-County and specifically the Mtito Andei area. This includes establishment of a fully-fledged Problem Animal Control (PAC) outpost at Ngiluni, ground and aerial drives of problem animals and enhancement of reporting mechanisms by the community for timely response.
40. On Human Wildlife Conflict mitigation, KWS had put in place a number of interventions to mitigate Human -Wildlife Conflicts in Kibwezi East Sub-County and specifically the Mtito Andei area. The Service has established a fully-fledged Problem Animal Control (PAC) outpost at Ngiluni, ground and aerial drives of problem animals and enhancement of reporting mechanisms by the community for timely response.
41. On securing the erection of electric fence from Athi River to Mtito Andei Town, KWS was working with the County Government of Makueni and Conservation Partners (Tsavo Trust) to undertake erection of a 30 km electric fence from Athi River to Mtito Andei to provide barrier between the community and wild animals especially Elephants from Tsavo East National Park. The County had provided for Kshs. 75,000,000.00 (Seventy-Five Million Shillings) to this project in the County approved budget estimates for the Financial Year 2021/22. Public and stakeholder consultation had been done and the Report on the Environmental Impact Assessment (EIA) of the fence project forwarded to NEMA for approval.
42. On Corporate Social Responsibility, Tsavo Trust in partnership with KWS has specifically undertaken upgrading of the Ngiluni Dispensary, Established the Kamungi Conservancy in 2015 which created direct employment to 36 Permanent staff and 15 Casuals, trained and employed 12 Conservancy Scouts from Mtito Andei area, provided water projects and education projects amounting to Kshs. 159,978,000.00.
43. On the degazettement of the Ngai Ndethya Settlement Scheme, the Wildlife Conservation and Management Act, 2013 Section 37 provides for the process of variation of boundaries or revocation (de-gazettement) of a National Reserve. It was however observed that Ngai Ndethya Game Reserve is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East National Park, Chyulu Hills, and Kibwezi Forest as the area remains an important wild life habitat that needs to be protected.
44. On timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict, a total of 507 Human Wildlife Conflict Compensation Claims amounting to Kshs. 201,520,265.00 had been lodged by members of the community from Makueni

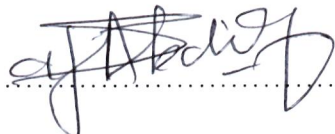
County in the period 2014 - 2021. Out of this, 154 compensation claims had been approved and paid at a total cost of Kshs. 121,447,927.00 of which 65 claims amounting to Kshs 44,805,820.00 emanated from Kibwezi East Sub County. Many of the lodged compensation claim cases are approved but the payments are pending release of funds by the National Treasury.

45. It was observed that in the month of June 2021, The National Treasury released funds totaling Kshs. 23,697,927.00 (twenty-three million six hundred ninety-seven thousand nine hundred twenty-seven shillings) on human injury, crop destruction and livestock predation that were paid within the month of July 2021 to claimants from Makeni County, out of which 33 residents of Kibwezi East sub - county were paid a total of Kshs. 8,427,090.00. However, the seemingly inordinate delays in compensation were as a result of inadequate funding from the National Treasury.
46. The area Member of Parliament, Hon. Jessica Mbalu, MP had Petitioned Parliament regarding Human Wildlife Conflicts in Kibwezi East Constituency. The Committee tabled its Report on this Petition in the House on 5th November, 2019.

5.0 COMMITTEE RECOMMENDATIONS

1. Pursuant to the prayers in the Petition, submissions tabled and observations, the Committee resolves to recommend and urges that:
2. On securing the erection of electric fence from Athi River to Mtito Andei Town; KWS jointly with the County Government of Makueni should expedite the erection of the 30 KM electric fence from Athi River to Mtito Andei Town which has already been allocated Kshs. 75 million by the County Government and other approval processes concluded.
3. On compelling the KWS partners to undertake requisite corporate social responsibility through among others, water provision to the surrounding villages; the KWS together with partners to continue with the corporate social responsibility activities in Mtito Andei area for a harmonious co-existence with the community.
4. On securing the degazettement of the Ngai Ndethya Settlement Scheme, which is a gazetted game reserve in which people live, it is observed that is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East National Park, Chyulu Hills, and Kibwezi Forest as the area remains an important wild life habitat. Consequently, degazetting the area would negate the requirement of increasing the green spaces for wildlife and the conservation targets set by Convention on Biological Diversity (CBD), 1992 which Kenya is a signatory and will not be in compliance with section 37 (2) (a) of the Wildlife Conservation and Management Act 2013. Therefore, KWS should enhance human wildlife conflicts mitigation measures in the area for good co-existence.
5. On securing, through the Ministry of Tourism and Wildlife, timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict, the Ministry of Tourism and Wildlife jointly with the National Treasury should fast track the human wildlife conflict compensation insurance scheme for efficiency in compensating the HWC victims.
6. The Ministry of Tourism and Wildlife to fast track implementing the recommendation of the Departmental Committee on Environment Report on the Petition Regarding Human Wildlife Conflict in Kibwezi East Constituency, which was tabled in the House on 5th November, 2019.

Signed:



Date:

13/04/2022

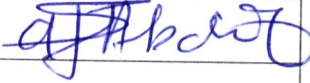

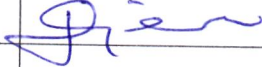


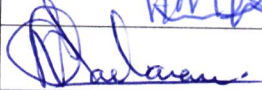
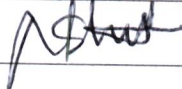
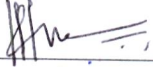
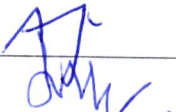
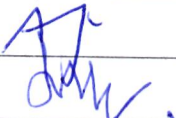
HON. SOPHIA ABDI NOOR, MP
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND
NATURAL RESOURCES

ANNEX 1
ADOPTION LIST

DC-ENR: DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES

REPORT ADOPTION LIST

REPORT ON A PETITION REGARDING NEGLIGENCE BY KENYA WILDLIFE
SERVICE IN MTITO ANDEI WILDLIFE CRISIS

	NAME	SIGNATURE
1.	The Hon. Sophia Abdi Noor , M.P., Chairperson	
2.	The Hon. Eng. Paul Musyimi Nzengu, M.P. Vice Chairperson	
3.	The Hon. Francis Chachu Ganya, M.P.	
4.	The Hon. Bernard Shinali, M.P.	
5.	The David Kangogo Bowen, M.P.	
6.	The Hon. David Gikaria, M.P.	
7.	The Hon. Simon King'ara, M.P.	
8.	The Hon. Janet Ong'era, MP.	
9.	The Hon. Charity Kathambi Chepkwony, M.P	
10.	The Hon. Charles Ong'ondo Were, M.P.	
11.	The Hon. Amin Deddy Mohamed Ali, M.P.	
12.	The Hon. Hassan Oda Hulufu, M.P.	
13.	The Hon. George Kariuki, M.P.	
14.	The Hon. Ali Wario Guyo, M.P.	
15.	The Hon. Nasri Sahal Ibrahim, M.P.	
16.	The Hon. Peter Kimari Kihara, M.P	
17.	The Hon. Rehema Hassan, M.P.	
18.	The Hon. Rozaah Buyu. M.P.	
19.	The Hon. Said Hiribae, M.P.	

ANNEX 2
COMMITTEE MINUTES

MINUTES OF THE 21ST SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD AT THE ELMER RESORT AND SPA, NAIVASHA ON SATURDAY 9TH APRIL, 2022 AT 2.30 PM.

PRESENT

- | | |
|--|--------------------|
| 1. The Hon. Sophia Abdi Noor, M.P., | Chairperson |
| 2. The Hon. Janet Ong'era, M.P. | |
| 3. The Hon. Nasri Sahal Ibrahim, M.P. | |
| 4. The Hon. Simon King'ara, M.P. | |
| 5. The Hon. George Kariuki, M.P. | |

APOLOGIES

- | | |
|---|-------------------------|
| 1. The Hon. Eng. Paul Musyimi Nzengu, M.P. | Vice Chairperson |
| 2. The Hon. Bernard Shinali, M.P. | |
| 3. The Hon. Hassan Oda Hulufu, M.P | |
| 4. The Hon. Charles Ong'ondo Were, M.P. | |
| 5. The Hon. Charity Kathambi Chepkwony, M.P. | |
| 6. The Hon. Francis Chachu Ganya, M.P. | |
| 7. The Hon. David Gikaria, M.P. | |
| 8. The Hon. Rozaah Buyu. M.P. | |
| 9. The Hon. Peter Kimari Kihara, M.P | |
| 10. The Hon. Ali Wario Guyo, M.P. | |
| 11. The Hon. David Kangogo Bowen, M.P. | |
| 12. The Hon. Rehema Hassan, M.P. | |
| 13. The Hon. Said Hiribae, M.P. | |
| 14. The Hon. Amin Deddy Mohamed Ali, M.P. | |

IN ATTENDANCE

THE NATIONAL ASSEMBLY

- | | | |
|-----------------------|---|---------------------|
| 1. Ms. Esther Nginyo | - | Clerk Assistant I |
| 2. Mr. Dennis Mogare | - | Clerk Assistant II |
| 3. Ms. Lynette Otieno | - | Legal Counsel I |
| 4. Mr. Eugene Apaa | - | Research Officer II |
| 5. Mr. Stanley Lagat | - | Sergeant-At-Arms |

AGENDA

- i) Prayers
- ii) Confirmation of Minutes
- iii) Matters Arising
- iv) **Consideration and adoption of a Report on a Petition Regarding Negligence by Kenya Wildlife Service in Mtito Andei Wildlife Crisis.**
- v) Date of the next Sitting

MIN.NO. DC/ENR/099/2022:

- **PRELIMINARIES**

The Meeting was called to order at 2.55 pm after which prayers were said. The Chairperson stated that the main agenda of the day was Consideration and adoption of a Report on a Petition Regarding Negligence by Kenya Wildlife Service in Mtito Andei Wildlife Crisis.

The Members adopted the agenda of the meeting.

MIN.NO. DC/ENR/100/2022:

- **CONFIRMATION OF MINUTES**

Confirmation of minutes of the previous sitting was deferred to the next meeting.

MIN.NO. DC/ENR/101/2022:

- **CONSIDERATION AND ADOPTION OF A REPORT ON A PETITION REGARDING NEGLIGENCE BY KENYA WILDLIFE SERVICE IN MTITO ANDEI WILDLIFE CRISIS.**

The Report on a Petition Regarding Negligence by Kenya Wildlife Service in Mtito Andei Wildlife Crisis. was considered and adopted after being proposed by the Hon. Simon King'ara, M.P. and seconded by the Hon. George Kariuki, M.P.

It was adopted with the following recommendations:

1. On securing the erection of electric fence from Athi River to Mtito Andei Town; KWS jointly with the County Government of Makueni should expedite the erection of the 30 KM electric fence from Athi River to Mtito Andei Town which has already been allocated Kshs. 75 million by the County Government and other approval processes concluded.
2. On compelling the KWS partners to undertake requisite corporate social responsibility through among others, water provision to the surrounding villages; the KWS together with partners to continue with the corporate social responsibility activities in Mtito Andei area for a harmonious co-existence with the community.
3. On securing the degazettement of the Ngai Ndethya Settlement Scheme, which is a gazetted game reserve in which people live, it is observed that is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East National Park, Chyulu Hills, and Kibwezi Forest as the area remains an important wild life habitat. Consequently, degazetting the area would negate the requirement of increasing the green spaces for wildlife and the conservation targets set by Convention on Biological Diversity (CBD), 1992 which Kenya is a signatory and will not be in compliance with section 37 (2) (a) of the Wildlife Conservation and Management Act 2013. Therefore, KWS should enhance human wildlife conflicts mitigation measures in the area for good co-existence.
4. On securing, through the Ministry of Tourism and Wildlife, timely compensation of all the residents of Mtito Andei area affected by the Human Wildlife Conflict, the Ministry of Tourism and Wildlife jointly with the National Treasury should fast track the human wildlife conflict compensation insurance scheme for efficiency in compensating the HWC victims.
5. The Ministry of Tourism and Wildlife to fast track implementing the recommendation of the Departmental Committee on Environment Report on the Petition Regarding Human Wildlife Conflict in Kibwezi East Constituency, which was tabled in the House on 5th November, 2019.

MIN.NO. DC/ENR/102/2022:

- ADJOURNMENT

There being no other business the meeting was adjourned at 4.22 pm.

SIGNED:

THE HON. HON. SOPHIA ABDI NOOR, M.P.

CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

DATE:

MINUTES OF THE 46TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD VIRTUALLY ON THURSDAY 19TH AUGUST, 2021 AT 10.00 AM.

PRESENT

- | | |
|---|-------------------------|
| 1. The Hon. Japhet Kareke Mbiuki, CBS, M.P., | Chairperson |
| 2. The Hon. Sophia Abdi Noor, M.P., | Vice Chairperson |
| 3. The Hon. Francis Chachu Ganya, MP | |
| 4. The Hon. Ali Wario Guyo, M.P. | |
| 5. The Hon. Hassan Oda Hulufu, M.P | |
| 6. The Hon. Simon King'ara, M.P. | |
| 7. The Hon. Peter Kimari Kihara, M. P | |
| 8. The Hon. Nasri Sahal Ibrahim, M.P. | |
| 9. The Hon. Eng. Paul Musyimi Nzengu, M.P. | |
| 10. The Hon. George Kariuki, M.P. | |
| 11. The Hon. Rehema Hassan, M.P. | |
| 12. The Hon. Amin Deddy Mohamed Ali, M.P. | |

APOLOGIES

1. The Hon. Bernard Shinali, M.P.
2. The Hon. Janet Ong'era, MP
3. The Hon. Rozaah Buyu. M.P.
4. The Hon. Charles Ong'ondo Were, M.P.
5. The Hon. David Kangogo Bowen, M.P.
6. The Hon. Said Hiribae, M.P.
7. The Hon. Charity Kathambi Chepkwony, M.P

FRIEND TO THE COMMITTEE

1. The Hon. Jessicah Mbalu, MP

IN ATTENDANCE

MINISTRY OF TOURISM AND WILDLIFE

- | | | |
|----------------------------|---|--------------------------------|
| 1. Mr. Joseph K. Boinnet | - | Chief Administrative Secretary |
| 2. Prof Fred Sengor | - | Principal Secretary |
| 3. Brig. (Rtd) John Waweru | - | Director General, KWS |
| 4. Dr. Erastus Kanga | - | Wildlife Secretary |
| 5. Mr. Dickson Lesimirdana | - | Deputy Director, KWS |
| 6. Mr. Geoffrey Baronjo | - | Principal Wildlife Officer |

7. Ms. Jennifer Kianga - Honorary Warden

PETITIONERS (MTITO ANDEI COMMUNITY)

1. Abednego Musyoki
2. Titus Ndunda
3. Nelson Kimoli
4. Boniface Makau
5. Shadrack Kolu
6. Benard Tama
7. Kamala Mutuku

THE NATIONAL ASSEMBLY

1. Mr. Dennis Mogare - Clerk Assistant II
2. Mr. Benjamin Ngimor - Senior Fiscal Analyst
3. Ms. Lynette Otieno - Legal Counsel I
4. Mr. Eugene Apaa - Research Officer III
5. Mr. Mark Mbuthia - Audio Recording Officer

AGENDA

- i) Prayers
- ii) Confirmation of Minutes
- iii) Matters Arising
- iv) **Meeting with the Cabinet Secretary for Tourism and Wildlife on a Petition Regarding Human Wildlife Conflicts in Mtito Andei**
- v) Date of the next Sitting

MIN.NO. DC/ENR/196/2021: - PRELIMINARIES

The meeting was called to order at 10.28 am after which prayers were said. The Chairperson then stated that the main agenda of the meeting was meeting with the Cabinet Secretary for Tourism and Wildlife on a Petition Regarding Human Wildlife Conflicts in Mtito Andei

The Members adopted the agenda of the meeting.

MIN.NO. DC/ENR/197/2021: - CONFIRMATION OF MINUTES

Confirmation of minutes of the previous sitting was deferred to the next meeting.

MIN.NO. DC/ENR/198/2021: - MEETING WITH THE CABINET SECRETARY FOR TOURISM AND WILDLIFE ON A PETITION REGARDING HUMAN WILDLIFE CONFLICTS IN MTITO ANDEI

Mr. Joseph K. Boinnet, Chief Administrative Secretary, Ministry of Tourism and Wildlife appeared before the Committee and briefed it as follows:

1. Mtito Andei is in Kibwezi East Sub County of Makueni County and within the greater Tsavo Conservation Area.
2. Human -Wildlife Conflicts have become a major threat to conservation over the years majorly due to population growth, settlement on traditional wildlife dispersal areas or migratory routes and climatic variability with in the Country.
3. Mr. Abednego Musyoki on behalf of Mtito Andei Disaster Control Self-Help Group petitioned the National Assembly to help in addressing the following:
 - a) the erection of an electric fence from Athi River to Mtito Andei town by the KWS and its partners,
 - b) compelling the KWS partners to respect farm lands and undertake requisite Corporate Social Responsibility,
 - c) fast tracking of compensation payments to the residents and
 - d) securing the degazettement of the Ngai Ndethya National Reserve.
4. On compensation for human-wildlife conflicts he stated that:
 - a) The Wildlife Conservation and Management Act, 2013 provides for Compensation for human death, human injury, livestock predation, crop destruction and property damage cases caused by wildlife as captured in the third schedule of the Act.
 - b) Section 25 of the Wildlife Conservation and Management Act, 2013 guides on the amounts, process and procedures for compensation on personal injury or death or damage to property or crops or predation caused by wildlife.
 - c) The Ministry through KWS facilitates payment of compensation in strict compliance with set procedures and process. Compensation claims from Makueni County are usually deliberated upon by the County Wildlife Compensation Committee that recommends an award after which they are forwarded to the Ministry of Tourism and Wildlife for validation and payment thereof. All the Compensation claims lodged by the residents of Mtito Andei area were subjected through the same process and appropriate determination made.
 - d) A total of 507 Human Wildlife Conflict Compensation Claims amounting to Ksh. 01,520,265.00 were lodged by members of the community from Makueni County in the period 2014 - 2021. Out of this, 154 compensation claims have been approved and paid at a total cost of Ksh. 121,447,927.00 of which 65 claims amounting to Ksh 44,805,820.00 emanate from Kibwezi East Sub County. Many of the lodged compensation claim cases are approved but the payments are pending release of funds by the National Treasury. (The Ministry provided a summary of compensation claims lodged within Makueni County as from year 2014 to year 2020 and their status)
 - e) Within the month of June 2021, The National Treasury released funds totaling Ksh. 23,697,927.00 (twenty-three million six hundred ninety-seven thousand nine hundred twenty-seven shillings) on human injury, crop destruction and livestock predation that were paid within the month of July 2021 to claimants from Makueni County. 33 residents

of Kibwezi East sub - county were paid a total of Ksh 8,427,090.00 (The summary schedule was provided).

5. On Transporting and release of Wildlife by Conservation Partners he stated that:
 - a) Translocation of wildlife species is carried out for introduction and reintroduction of species into an area, supplementation, population control and resolution of Human-Wildlife Conflicts. KWS is the only organization mandated to undertake wildlife capture and translocation within the Country with approval of Board of Trustees and the Ministry. Translocation of wildlife species is managed through elaborate policy guidelines in respect of different wildlife species. Conservation partners such as David Sheldrick Wildlife Trust and Tsavo Trust operate under MOUs with KWS. They have no mandate to introduce any wildlife within the Tsavo Ecosystem or on adjacent community. On the contrary these partners have been very supportive to KWS in mitigating Human- Wildlife Conflicts in the Mtito Andei area as they deploy their resources i.e. Helicopters and fixed wing aircraft to monitor and drive away straying wildlife like Elephants from the community farm lands thereby minimizing losses to the community.
6. On Corporate Social Responsibility he stated that:
 - a) KWS collaborates with the County Government of Makueni, National Government Agencies and Conservation Partners in the Tsavo Conservation Area to support the local communities in Kibwezi East with social projects.
 - b) A number of projects have been done through collaboration over time. Tsavo Trust in partnership with KWS has specifically undertaken upgrading of the Ngiluni Dispensary, Established the Kamungi Conservancy in 2015 which created direct employment to 36 Permanent staff and 15 Casuals, trained and employed 12 Conservancy Scouts from Mtito Andei area, provided water projects and education projects amounting to Ksh. 159,978,000.00 (backed up the claims with a copy of letter from Richard Moller the CEO of Tsavo Trust dated February 4, 2021).
 - c) On awareness creation and community sensitization, the KWS has been holding regular meetings with the community in collaboration with conservation partners such as the Zoological Society of London (ZSL), Tsavo Trust, and David Sheldrick Wildlife Trust (DSWT) where the communities are sensitized on Human- Elephant Conflict (HEC) and alternative livelihoods programs that are compatible with wildlife conservation like bee keeping.
7. On Human- Wildlife Conflict Mitigation, he stated that:
 - a) KWS has put in place a number of interventions to mitigate Human -Wildlife Conflicts in Kibwezi East Sub-County and specifically the Mtito Andei area. This includes establishment of a fully-fledged Problem Animal Control (PAC) outpost at Ngiluni, ground and aerial drives of problem animals and enhancement of reporting mechanisms by the community for timely response.
 - b) KWS is also working with the County Government of Makueni and Conservation Partners (Tsavo Trust) to undertake erection of a 30 km electric fence from Athi River to Mtito Andei to provide barrier between the community and wild animals especially Elephants from Tsavo East National Park. The County has provided for Ksh. 75,000,000.00 (Seventy-Five Million Shillings) to this project in the County approved

budget estimates for the Financial Year 2021/22. Public and stakeholder consultation has been done and the Environmental Impact Assessment (EIA) of the fence project forwarded to NEMA for approval.

8. On Degazettement of Ngai Ndethya Game Reserve he stated that:

- a) Ngai Ndethya Game Reserve (NNGR) was established vide gazette notice no. 9 of 1st January 1976 and boundary plan 216/32.
- b) The Reserve covers an approximate area of 21,200 Ha under the management of the Makueni County government. Following settlements within the game reserve, there has been attempts to have the Game Reserve degazetted since 1992.
- c) Ngai Ndethya Game Reserve is heavily settled by the local community with well-established public amenities including Schools, Markets, Health Centres and connected with all-weather road networks. Parts of the Game Reserve remain unsettled with pristine vegetation that supports biodiversity conservation.
- d) The community through the petition is seeking for the de-gazettement of the game reserve. Article 62 (1) (g) of the Constitution of Kenya 2010 defines public land as government forests other than forests to which Article 63 (2) (d) (i) applies, government game reserves, water catchment areas, national parks, government animal sanctuaries and specially protected areas.
- e) In Article 63 (2) (i) of the Constitution of Kenya 2010, community land consists of land and that is lawfully held, managed or used by specific communities as community forests, grazing areas or shrines; whereas Article 63 (2) (ii) defines community land as land lawfully held as trust land by the County Governments, but not including any public land held in trust by the County Government under Article 62 (2). In view of the above provisions of the Constitution of Kenya 2010, Ngai Ndethya Game Reserve falls under the category of public land.
- f) The Wildlife Conservation and Management Act, 2013 Section 37 provides for the process of variation of boundaries or revocation (de-gazettement) of a National Reserve. A proposal for de-gazettement of Ngai Ndethya Game Reserve must therefore be done in compliance of the process clearly defined by provision of the Law.
- g) The above notwithstanding, Ngai Ndethya Game Reserve is a designated protected area characterized by dryland biodiversity and provides ecosystem connectivity between Tsavo East N. Park, Chyullu Hills, and Kibwezi forest. Though the Reserve is heavily settled, there are several Conservancies in the area which makes the area to remain an important wild life habitat that needs to be protected.
- h) KWS does not support the de-gazettement of the reserve because such action would negate the requirement of increasing the green spaces for wildlife and the conservation targets set by Convention on Biological Diversity (CBD), 1992 which Kenya is a signatory and will not be in compliance with section 37 (2) (a) of the Wildlife Conservation and Management Act 2013. The action will further exacerbate the Human-Wildlife conflict situation in the area.

OBSERVATIONS

Members observed that:

1. The information provided is general to Kibwezi East Constituency yet the petition was specific to Mtito Andei area.
2. The Mtito Andei area is under the greater Tsavo Conservancy ecosystem and has high incidences of Human-Wildlife Conflicts.
3. The National Environmental Management Authority (NEMA) had approved the erecting of a fence to curb Human-Wildlife Conflict in Mtito Andei area and the KWS was working on the logistics to put up the fence.
4. There was need for the KWS to act with speed to drive the elephants that were then causing havoc to residents of the Mtito Andei area.
5. There was need for the KWS office concerned with community engagement to scale up its operations and work closely with residents of Mtito Andei area with respect to response to HWC cases and corporate social responsibility matters.
6. There was a major backlog of compensation for HWC cases across the country due to inadequate budgetary allocation.

RESOLUTIONS

It was resolved that the KWS should:

1. prepare and submit to the petitioners the compensation data, for HWC cases, that was specific to the Mtito Andei area.
2. expedite the fencing of the Mtito Andei area since the NEMA had approved the erecting of a fence to curb Human-Wildlife Conflict in the area.

MIN.NO. DC/ENR/199/2021: - ADJOURNMENT

There being no other business the meeting was adjourned at 12.33 pm.

SIGNED: 

**THE HON. KAREKE MBIUKI, CBS, M.P.
CHAIRPERSON,
DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

DATE: 25/09/2021

MINUTES OF THE 43RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES HELD VIRTUALLY ON TUESDAY, 9TH AUGUST, 2021 AT 10.00 AM.

PRESENT

1. **The Hon. Japhet Kareke Mbiuki, CBS, M.P.,** Chairperson
2. The Hon. Francis Chachu Ganya, MP
3. The Hon. Hassan Oda Hulufu, M.P
4. The Hon. Ali Wario Guyo, M.P.
5. The Hon. Peter Kimari Kihara, M. P
6. The Hon. Charles Ong'ondo Were, M.P.
7. The Hon. Nasri Sahal Ibrahim, M.P.
8. The Hon. Simon King'ara, M.P.
9. The Hon. Eng. Paul Musyimi Nzengu, M.P.
10. The Hon. Rozaah Buyu. M.P.

APOLOGIES

1. **The Hon. Sophia Abdi Noor, M.P.,** Vice Chairperson
2. The Hon. Bernard Shinali, M.P.
3. The Hon. David Kangogo Bowen, M.P.
4. The Hon. Amin Deddy Mohamed Ali, M.P.
5. The Hon. Janet Ong'era, MP
6. The Hon. Said Hiribae, M.P.
7. The Hon. Charity Kathambi Chepkwony, M.P
8. The Hon. George Kariuki, M.P.
9. The Hon. Rehema Hassan, M.P.

IN ATTENDANCE

PETITIONERS (MTITO ANDEI COMMUNITY)

1. Abednego Musyoki
2. Titus Ndunda
3. Nelson Kimoli
4. Boniface Makau
5. Shadrack Kolu
6. Benard Tama
7. Kamala Mutuku

THE NATIONAL ASSEMBLY

1. Ms. Esther Nginyo - Clerk Assistant II

2. Mr. Dennis Mogare - Clerk Assistant II
3. Mr. Benjamin Ngimor - Senior Fiscal Analyst
4. Ms. Lynette Otieno - Legal Counsel
5. Mr. Eugene Apaa - Research Officer III
6. Mr. Mark Mbuthia - Audio Recording Officer

AGENDA

- i) Prayers
- ii) Confirmation of Minutes
- iii) Matters Arising
- iv) **Meeting with Petitioners regarding a Petition on human wildlife conflict by Mtito Andei Community.**
- v) Date of the next Sitting

MIN.NO. DC/ENR/183/2021: - PRELIMINARIES

The Meeting was called to order at 10.17 am after which prayers were said. The Chairperson then stated that the main agenda of the day was meeting with Petitioners regarding a Petition on human wildlife conflict by Mtito Andei Community.

The Members adopted the agenda of the meeting.

MIN.NO. DC/ENR/184/2021: - CONFIRMATION OF MINUTES

Confirmation of Minutes of the previous Sitting was deferred to the next meeting.

MIN.NO. DC/ENR/185/2021: MEETING WITH PETITIONERS REGARDING A PETITION ON HUMAN WILDLIFE CONFLICT BY MTITO ANDEI COMMUNITY.

Mr. Abednego Musyoki, on behalf of the Mtito Andei Community, appeared before the Committee and briefed it that:

1. Mtito Andei community relied on livestock keeping and cultivation of short rain crops like maize, beans and sorghum.
2. Mtito Andei Division borders the Tsavo National Park both to West and East. Every so often, animals ventured out the park causing human wildlife conflict that resulted in loss of life, injuries and property destruction.
3. The KWS was doing a commendable job, however, there was need to put in place extra measures to curb the human wildlife conflicts in the area.
4. The following were listed as KWS partners who aided the organization in wildlife conservation: David Shedrick, Richard Molla, Kravoss, Mary, and Marcus Dunn. The partners were located in Mtito Andei division, but never bothered to engage in establishing relations with the local community or any corporate social responsibility. They not only let

wildlife to roam community living areas causing havoc but also translocated wildlife to the area without consulting the host community.

5. Losses encountered by the local community included: crops destruction by elephants, livestock attacks by hyenas, leopards, cheetahs, lions among others, serious injuries to community members, water tanks breakages due to animals seeking water.
6. There was delayed compensation for damage, injuries and deaths caused by the wildlife.
7. A permanent solution to the human wildlife conflict in the area would be erection of an electric fence in the area along Mtito Andei River to separate Ngai Ndethya Community residence from the Tsavo East National Park.
8. There was need to investigate the activities of KWS partners in the area who did not engage in any corporate social responsibility. They could be compelled to provide water for domestic use for residents since access to water in the area is still a major challenge.
9. There was need to degazette the Ngai Ndethya Settlement Scheme. As much as it was alleged to be a game reserve, the local community was not involved and therefore did not recognize it as such.

OBSERVATIONS

Members observed that:

1. The Committee had handled a similar Petition by the Hon. Jessicah Mbalu and the Report on the subject matter had been tabled in the National Assembly.
2. Delays in compensation are as a result of inadequate funding from the National Treasury. The National Assembly was working towards compelling the National Treasury to allocate extra funding for compensation purposes.
3. There was need to monitor, control the KWS partners with regard to their intentions, translocation of animals from other regions to the Mtito Andei area without public participation. The partners include: David Shedrick, Richard Molla, Kravoss, Mary, and Marcus Dunn.
4. There was need for the KWS to urgently remove and reign in the elephants that were currently roaming freely in the area and causing damage to property and endangering human life.

RESOLUTION

It was resolved that the Ministry of Tourism and Wildlife be asked to shed light on the operations of the KWS partners in the Mtito Andei area. The partners include: David Shedrick, Richard Molla, Kravoss, Mary, and Marcus Dunn.

MIN.NO. DC/ENR/186/2021:

- ADJOURNMENT

There being no other business the meeting was adjourned at 12.05 pm.

SIGNED: 

THE HON. KAREKE MBIUKI, CBS, M.P.

CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

DATE: *25/09/2021*

ANNEX 3
COPY OF THE PETITION

Hon. Speaker
 You may approve.
 arap Kimiro
 11/5



REPUBLIC OF KENYA

Approved,
 Bmt
 SNA
 11/5/2021

THE NATIONAL ASSEMBLY (FIFTH SESSION)

CONVEYANCE OF PUBLIC PETITION

(No. 018 of 2021)

NEGLIGENCE BY THE KENYA WILDLIFE SERVICE IN MTITO
 ANDEI WILDLIFE CRISIS

Honourable Members, Standing Order 225(2)(b) requires the Speaker to report to the House any petition, other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend or repeal any legislation.

In this regard, **Honourable Members**, I wish to report to the House that my office has received a petition from a group calling itself the Mito Andei Disaster Control Self-Help Group led by one Mr. Abednego Musyoki calling for "urgent intervention in the ongoing wildlife crisis in Mito Andei occasioned by negligence by the Kenya Wildlife Services (KWS)."

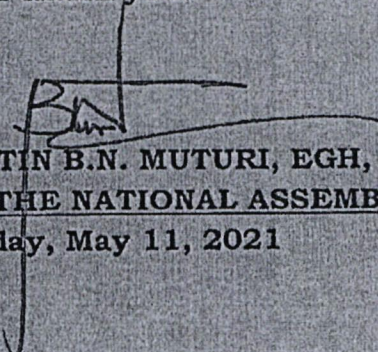
In their petition, **Honourable Members**, the petitioners aver that they are farmers specializing in livestock keeping and cultivation of short-rain crops such as maize, beans, sorghum, millet and green grams which are unfortunately routinely invaded and destroyed by marauding elephants and other wild animals from Tsavo East and Tsavo West National Parks. Their livestock are also attacked and eaten by hyenas, leopards, cheetahs and lions, which also inflict serious injuries and even cause the death of residents attempting to save the livestock from the animals.

Further, **Honourable Members**, the petitioners assert that KWS partners such as David Sheldrick Wildlife Trust, Richard Molla, Kravoss and Marcus Dunn misuse their permits by intentionally releasing wild animals under their care into residents' farms to ensure that the wild animals access food near Mtito Andei as opposed to venturing deep into the Parks in a bid to attract tourists to Mtito Andei market centres. The petitioners claim that the said KWS partners routinely transport wild animals from other parks and dump them into Mtito Andei farms to feast on residents' harvest, and also regularly beat up area residents without cause despite the presence of local administrators. In addition, the petitioners state that no single Mtito Andei resident has ever received any compensation for farm losses, injuries and loss of lives primarily because their names are deliberately omitted from KWS compensation data.

The petitioners seek the intervention of this House in urgently addressing this ongoing crisis by securing the erection of an electric fence from Athi River to Mtito Andei Town, compelling the KWS partners to respect farmlands and to undertake requisite corporate social responsibility including provision of water to all surrounding towns and villages, securing the degazettement of the Ngai Ndethya Settlement Scheme which is gazetted as a game reserve despite having people living in it, and securing the timely compensation of all affected Mtito Andei residents.

Honourable Members, pursuant to the provisions of Standing Order 227(1), this Petition stands committed to the Departmental Committee on Environment and Natural Resources. The Committee is requested to consider the petition and report its findings to the House and to the petitioners in accordance with Standing Order 227(2).

I thank you!



THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, May 11, 2021

MTITO ANDEI DISASTOR CONTROL SELF HELP GROUP

P.O. BOX

0717 468617

MTITO ANDEI

26 MARCH, 2021

TO THE CLARK,
NATIONAL ASSEMBLY,
NAIROBI KENYA.

DEAR SIR/MADAM.

RE: PETITION BY MTITO ANDEI COMMUNITY ON DESTRUCTIONS BROUGHT ABOUT BY WILDLIFE ANIMALS

1. MTITO ANDEI COMMUNITY:

Mtito Andei community is made up of several locations i.e Kambu, Kathekani, Mtito andei, Nthongoni among others all of them in Mtito Andei Division. Majority of its residents are Kamba who dwell in livestock keeping and cultivation of short rain crops i.e Maize, beans, sorghum, millet, green grams etc. The community is tirelessly venturing into fruit farming for example mango farming, orange farming etc.

2. COMMUNITY ELECTED COMMITRTEE:

The community held a special meeting on 19th, 12, 2020 at 10.00am at Kyusani Market and elected an interim committee to act upon the ever existing and increasing human wildlife conflict in Mtito Andei.

PETITION BY MTITO ANDEI COMMUNITY ON DESTRUCTIONS BROUGHT ABOUT BY WILDLIFE ANIMALS

The following are the community elected committee members.

NO	NAME	ID NO	CONTACT
1	Bonface MakaU	22896380	0724335133
2	Nelson Klmoli	0313250	0723260802
3	Shardrack Kolu	30319118	0713573952
4	Titus Ndunda	0398517	0720897646
5	Joseph Munyala	3342713	0704500322
6	Joshua Makumbi	3091879	0728129450
7	Bernard Tama	9937069	0711331620
8	Monicah Kimeu	7056446	0715690642
9	Geoffrey Ndemange	6129018	0713683105
10	Bonface Nzoka	1910974	0720372248
11	Abednego Musyoki	30443145	0717468617
12	Luka Juma	3068297	0794366191
13	Pricillah Joseph	7046138	0710936499
14	Clementina Ndindi	21228510	0712278165
15	Kamala Mutuku	24722317	0720175131

PETITION BY MTITO ANDEI COMMUNITY ON DESTRUCTIONS BROUGHT ABOUT BY WILDLIFE ANIMALS

3. Tsavo National parks:

Mtito Andei borders the said National Park both to West and East. Every now and then very destructive and dangerous wildlife animals are trespassing from this park and bring about unmeasurable destructions to activities being done by Mtito Andei people. For example, crop and fruits damage by elephants, livestock attacks by hyenas, leopards, cheetahs, lions among others. The community has in decades of years recorded losses both in crops cultivations as well as their livestock animals. However, the community is experiencing lots of injuries and deaths from the said dangerous wildlife animals.

4. Kenya wildlife service:

This is the body that manages wildlife animals in Kenya. Mtito Andei community takes this greatest opportunity to appreciate the efforts being taken by Mtito Andei KWS officers to curb these animals from interfering with the people's activities. The community in particular recognizes Mr. Maganga together with his few colleagues who are spending sleepless nights patrolling in our areas for proper monitoring of the wildlife animals. However, the community pleads with the KWS senior warden Mtito Andei as well as the national government through the assistant county commissioner Mtito Andei division to come on board and install extra control measures.

5. David Shedrick, Richard Molia, Kravoss, Mary, Marcus Dunn:

These are KWS partners who intent to help in wildlife conservation. They are based in Mtito Andei Division along Athi river. Upon their arrival, these said KWS partners did not mind the good relationship with the community neither did they mind the corporate social responsibility of the area. The said KWS partners have 100% mistreated the community by beating the community members whom they falsely claim that they are hunting wildlife animals. They are actually being very much negligent on controlling the wildlife animals from trespassing to people's farms and homes. Their core intension is for the wildlife animals to feed on people's crops and livestock animals. We want to be very much categorical that these KWS partners are 100% liable for any loss and damage brought to community by the wildlife animals. The existing poverty within the community members is as a result of the said KWS partners who are intentionally letting the wildlife animals to regularly trespass to community's farms so that they can feed. Sadly enough, they import new wildlife animals from other national parks and dump them to the community which are becoming so canning that they have started bringing people's deaths.

PETITION BY MTITO ANDEI COMMUNITY ON DESTRUCTIONS BROUGHT ABOUT BY WILDLIFE ANIMAL

6. Losses encountered by the Mtito Andei community:

The entire Mtito Andei Community has undergone a very strenuous situation as a result of wildlife animals:

- A. Crops destruction by elephants. A minimum of six acres per household in this case end up being completely destroyed.
- B. Livestock attacks by hyenas, leopards, cheetahs, lions among others have being a biggest threat to the community. The community sends sleepless nights as they watchdog their livestock animals from being attacked. Every household has lost tens of livestock animals as a result.
- C. Some members of the community have undergone serious injuries as they try to rescue their crops and livestock animals from the wildlife animals
- D. Not to forget water tanks breakages as a result of elephants looking for water to drink. Hundreds of plastic tanks have been damaged.

The poverty amongst the community members is purely brought about by wildlife animals as a result of these KWS partners

7. Delayed compensation for proper damages, people injuries and deaths

Since compensation Act on wildlife property destruction , people's injuries and deaths, we of Mtito Andei community have never received any. We undergo a lot of losses as a result of the human wildlife conflict. However, the budget for compensation is annually passed by the ministry of finance. Our biggest question is why don't we get our compensation despite the fact that we normally go through all the legal process of filling our cases? We therefore request the National Assembly as well as any other authority to question the ministry of Tourism and Wildlife on our behalf. Let the said ministry produce their list of any paid case incase you doubt our petition.

NB/It is our right to be compensated and if you don't take our request seriously we are going to protest and demonstrate against KWS.

8. Ministry of Tourism and Wildlife report.

The said ministry gave out its report on 29th March 2021 about their efforts on curbing this human wildlife conflicts. Kindly see the attachment of their report at the end of this petition. Mtito Andei Disaster Control Group is taking this highest opportunity to confirm to this able National Assembly that the ministry of tourism and wildlife gave out a false and fake report. Nothing the Kws, National Government and the said Ministry has done to curb this. As per their report they claim to have held a meeting attended by sixty people. We want them to give out their evidence of the said meeting, i.e Attendees, date and the venue. Additionally there is no where the elephants have been driven by helicopter from ngai ndethya community residence to the deep of Tsavo East National Park. The only permanent solution to the human wildlife conflict is the erection of the electric fence along Mtito Andei river to separate ngai ndethya community residence and the Tsavo east national park. We there for request this house to speed up the proposed electric fence erection from Mtito Andei town to Mtito Andei River to Athi River.

PETITION BY MTITO ANDEI COMMUNITY ON DESTRUCTIONS BROUGHT ABOUT BY WILDLIFE ANIMAL

9. Misuse of an office by Mtito Andei Location Area chief Mr. Paul Luvai

Mtito Andei Disaster Control is a developmental group made up of more than five hundred members all from Mtito Andei Division. The group came into existence on 19th December, 2020 after KWS ignored their outcries to curb the ever increasing human wildlife conflicts in Mtito Andei . Its main objectives are:

- I. Curbing unusual Issues among residents.
- II. To increase post primary learners in the area.
- III. Enlighten citizens on Bill of rights .
- IV. Deal with Domestic Violence.
- V. With injustice existing in public offices.
- VI. Poverty reduction .

In order to formalize its objectives, the group decided to register with the office of social development as a self help group . What shocked the group members and the community at large is that the area chief Mr Paul Luvai contact no; 0720175557 Mtito Andei Location, kibwezi sub county, in Makueni County rejected the group's great idea and refused to sign off his part. Attached is a copy of our filled form for registration where by the chief refused to sign off his part.

It is with this regards that we are writing to this house seeking for total intervention simply because the said chief has always been a very big barrier to Mtito Andei developments. We suggest that if the chief does not want to serve the people with clean heart without barriers he resigns for another person to be employed who is ready to serve Mtito Andei people. In case of any further information feel free to contact any of the members from the list of members. We are looking forward to hear your positive feedback soon.

10. Community's Appeal:

A. Electrical Installation

Mtito Andei is hereby requesting for an electric fence along Athi river all the way to Mtito Andei town. We appreciate our County Government Makueni for initiating this some months ago. Much appreciation to National Environmental Impact Assessment for their successful well done job as well as the gazettelement for the said electric fence. However, the community is worried because this electric fence could be having barriers from some individuals in Mtito Andei Location. The Mentioned KWS partners are approaching the enlightened community members and lobby opposition in this electric fence installation. These KWS partners to achieve their hidden opposition in this case, have started individual three acre electric wire installation to some members of the community. In addition to these, these KWS partners are enticing community members with some case so that they may oppose the electric fence initiative by the Makueni County Government. With regards to this, the community is calling upon the county government Makueni and the National Government to use their special intelligence and deal accordingly

PETITION BY MTITO ANDEI COMMUNITY ON DESTRUCTIONS BROUGHT ABOUT BY WILDLIFE ANIMAL

to any person who may be working against the electric fence installation from Athi river to Mtitto Andei Town.

B. Kenya Conservancy Association.

The Mtitto Andei Community is requesting for total review of the said KWS partners so that the community gets to know if they are wildlife conservancies or tourism investor and the kind of permits they have as per the conservancy Act. Also we request the National Assembly to strictly monitor their activities because they are ever against the Kenya Conservancy Act of 2013. For example they do not mind corporate social responsibilities within Mtitto Andei as they are required by our 2010 constitution. With this regards we request all able authorities to push these kws partners so that they may draw water from Athi river to Kamunyuni ,Ngiluni , Kyusani , Nthunguni ,Mbeetwani , Mavindini and Likoni as one way of minding corporate social responsibility of the community. The said areas are undergoing a lot of difficulties as they walk hundreds of kilometers to reach Athi River to fetch water for domestic use.

C. Pending compensation cases in Mtitto Andei.

We request that we may be compensated damages brought about by wildlife animals. Our community has undergone a lot of damages as described in this petition. Since compensation Act none of the community members has ever been compensated despite many deaths, injuries and property destructions. Every financial year compensation budget is passed. Why don't we get compensation of the damages brought about by wildlife animals and its our right? With reference to KWS list sent to Hon Mutula Kilonzo Junior on 29th March 2021 through our request in his office, we were very shocked to find that the affected Mtitto Andei people are not in the list. We hear by request the National Assembly to interrogate the ministry of Tourism and Wildlife on our behalf and get a strong answer as to why we of Mtitto Andei Division are not in the list despite having many complainants who have filled their cases through KWS Mtitto Andei. See the attached list of the pending compensation cases. Included are some of the damage assessment report documents where by they are not in the list.

D. DE gazettement of Ngai Ndethya settlement scheme.

All Mtitto Andei people are requesting for the said Ngai Ndethya Settlement scheme to be degazetted as soon as possible. Currently it is known as a game reserve but we don't understand how it came to be a reserve with the existence of people inside it. We want to be very much clear that if we are not given Ngai Ndethya settlement scheme as a community we are going to organize for a national demonstration and this would affect the operations of the entire country. Take note of this please. No room at all to value wildlife more than human life.

ANNEX 4

COMPENSATION STATUS –
MAKUENI COUNTY 2014-2020

Annex 4

ANNEX A

MAKUENI COUNTY COMPENSATION STATUS FROM 2014 TO 2020

STATUS	CLAIM_TYPE	NO OF CLAIMS	Amount
PAID	DEATH	18	90,000,000.00
	INJURY	101	28,226,500.00
	CROP DESTRUCTION	29	2,975,227.00
	PREDATION	6	246,200.00
PAID Total		154	121,447,927.00
APPROVED	DEATH	9	45,000,000.00
	INJURY	85	35,072,338.00
APPROVED Total		94	80,072,338.00
DEFERRED	INJURY	9	-
	CROP DESTRUCTION	153	-
	PREDATION	19	-
DEFERRED Total		186	-
REJECTED	DEATH	2	-
	INJURY	24	-
	CROP DESTRUCTION	44	-
	PROPERTY DAMAGE	3	-
REJECTED Total		73	-
Grand Total		507	201,520,265.00

DETAILS OF THE PAID CLAIMS 2014-2020

CLAIM_TYPE	#	Name of Claimant	ID_NO	Amount
DEATH	1	MUSINGI VANAA NGWILI	6274075	5,000,000.00
	2	MARTIN KIMONDIO		5,000,000.00
	3	LOIS NGUVI NZULEE	7706489	5,000,000.00
	4	BEATRICE MUKII MBEVI	3013990	5,000,000.00
	5	MULE KILONZO KALA	1345684	5,000,000.00
	6	DAV MUTUA KISOVIU	12583601	5,000,000.00
	7	SAMUELMUMO MUNYAO	33540740	5,000,000.00
	8	FELIX MUSYOKA MORRIS	29467999	5,000,000.00
	9	MARK MAKAU KYELEMI	12658633	5,000,000.00
	10	GEORGE SIMINYWI AFUYA	1902069	5,000,000.00
	11	MARY MUTINDA KATILIMU	7047049	5,000,000.00
	12	JACKSON MBUTHI MAUNDU	24754607	5,000,000.00
	13	MUNYAO MINGI	MINOR	5,000,000.00
	14	JOHN NGUNDI MATOLO	4361915	5,000,000.00
	15	RUTH MWIKALI MUIA	28702879	5,000,000.00
	16	KIMEU STEPHEN MASYA	27936804	5,000,000.00
	17	ANTONY MWANZIA JAMES	MINOR	5,000,000.00

CLAIM_TYPE	#	Name of Claimant	ID_NO	Amount
	18	KIMINZA MWANIKI	7430317	5,000,000.00
DEATH Total				90,000,000.00
INJURY	1	HALKANO GORESA GODANA	22603355	2,500,000.00
	2	PATRICK NZIOKA MUTUA	MINOR	1,827,000.00
	3	JOEL MUMO MBALU	27626746	1,522,500.00
	4	PAULINE KALEE JOHN	20229543	1,218,000.00
	5	MUTISO NZIVE	29571669	800,000.00
	6	JACOB JUMAA KISUMBA	7826603	609,000.00
	7	COLLINS MASAI	MINOR	500,000.00
	8	NDINDA LUCY MUTUKU	MINOR	400,000.00
	9	KILONZO NDOLO	MINOR	400,000.00
	10	RUTH MUTULA KIANGA	2999508	400,000.00
	11	KUKAN OLE KETEKO	28028057	400,000.00
	12	MBINDYO MUSINGILA	MINOR	350,000.00
	13	DORCAS MWIKALI NGUNGA	MINOR	350,000.00
	14	DAV MUSYOKI KASANGA	MINOR	350,000.00
	15	LUCIA VAATI KIMEU	MINOR	350,000.00
	16	CHRISTINE MUSA	MINOR	300,000.00
	17	PHARES MAWEU MULI	MINOR	300,000.00
	18	PETER MUSILA KYENGO	30247927	300,000.00
	19	ELIZABETH MWIKALI MAKAU	31995054	300,000.00
	20	CHARLES KAULA KIOKO	MINOR	300,000.00
	21	GRACE NZUKI#	1500210	300,000.00
	22	DAMARIS NDINDA MUJIA	14522129	300,000.00
	23	IRENE MBULA KINGOO	MINOR	300,000.00
	24	PETER MUSYOKI MULEI	MINOR	300,000.00
	25	KANINI MWIKALI	MINOR	300,000.00
	26	ROSEMARY WAMBUI NGEI	21452401	300,000.00
	27	KELI NTHENGE	MINOR	300,000.00
	28	MORRIS WAMBUA MULE	MINOR	300,000.00
	29	NGUNGURU JUDY WAWIRA	273319729	250,000.00
	30	MBATHA MUTUNGA	MINOR	250,000.00
	31	ROSEMARY KATUVI LOLE	32266781	250,000.00
	32	JANET NDETEE KYULE	26878810	250,000.00
	33	THERESIA WANZA MWANIA	7827592	250,000.00
	34	FAITH MWENDE MUSYOKI	MINOR	250,000.00
	35	PIUS KATUA MUNYIVA	32749602	250,000.00
	36	KIMEU MUTIO	MINOR	250,000.00
	37	TABITHA NDTIVA KIVAVA	8057502	250,000.00
	38	VERONICA SINA NZEMBEI	13764670	250,000.00
	39	CATHERINE MBITHE NZAMBALI	27274546	250,000.00
	40	SALOME JOHN	MINOR	200,000.00

CLAIM_TYPE	#	Name of Claimant	ID_NO	Amount
	41	BENEDICT WAITA WILLIAM	26966627	200,000.00
	42	FAITH NDUNGE NTHIANI	30563579	200,000.00
	43	AGNES WAYUA KIMILU	S/N2396433444	200,000.00
	44	FLORENCE MBANDU MUTUKU	MINOR	200,000.00
	45	MARSDEN KYALO MALIKA	31254416	200,000.00
	46	TABITHA MUENI MUTUA	5061673	200,000.00
	47	MARTHA MBULA NGULI	13025455	200,000.00
	48	ALI ABDI OSMAN	13442739	200,000.00
	49	CECILIA MUENI MUTHENGI	MINOR	200,000.00
	50	EUNICE MBULA NZUKI	28398451	200,000.00
	51	ALEXANDER KIOKO MUIA	286156602	200,000.00
	52	DOMINIC KASUKI MWANGANGI	9634901	200,000.00
	53	MONICA KANINI MWANGANGI	7774534	200,000.00
	54	STELLAMARIS NDUKU MULI	14523971	200,000.00
	55	DOMINIC MUINDI NZOMO	33637154	200,000.00
	56	TERESIA MUNYILU KIIO	2604130	200,000.00
	57	MOSES MULI MAINA	29576720	200,000.00
	58	DANIEL WAMBUA KYUMU	1497378	200,000.00
	59	MUENI WAMBUA	26552644	200,000.00
	60	PENINA MUNYIVA MASILA	20250555	200,000.00
	61	MUSYOKA MASILA	MINOR	200,000.00
	62	BENJAMIN SILA NGUTU	21368990	200,000.00
	63	MUSYOKA MUSYOKI	MINOR	200,000.00
	64	JOSEPH NDETI WAMBUA	1499709	200,000.00
	65	MUSYOKI NTHITU	MINOR	200,000.00
	66	JACINTA MUKELI KASENG'E	30915023	200,000.00
	67	KENNEDY KILONZO MUTYANDIA	MINOR	200,000.00
	68	RUTH MWIKALI MUOKI	21442731	200,000.00
	69	MUUWO MUTUA	5928587	200,000.00
	70	SILVESTER KIMEU MUSYOKA	MINOR	200,000.00
	71	MWANGANGI AMADI	22400814	200,000.00
	72	TABITHA KALONDU MBOVU	7799540	200,000.00
	73	MWIKALI MUKITI	MINOR	200,000.00
	74	VERONICA MUTANU KIMAU	13765851	200,000.00
	75	MWONGELA NZIOKA	1868541	200,000.00
	76	FAITH KYALO	MINOR	200,000.00
	77	DANIEL KINYUVE MATANG'A	6041686	200,000.00
	78	FRANCISCAH MWENTHYA JOSEPH	13764176	200,000.00
	79	WILSON NDAMBUKI MUTUA	25153899	200,000.00
	80	MAGERATE KASWII NDONGA	21346928	200,000.00
	81	MARGARET MWIKALI KIKUVI	8353534	200,000.00
	82	MUSENYA TIMONA	MINOR	100,000.00

CLAIM_TYPE	#	Name of Claimant	ID_NO	Amount
	83	MUINDI SEBASTIAN MUTHENGI	27880231	100,000.00
	84	NZEMBI KENYA	MINOR	100,000.00
	85	KUKAN SOLOMON SARIKU	MINOR	100,000.00
	86	YVONNE WAVINYA KAWEU	27616318	50,000.00
	87	VERONICA MWENDE PETER	MINOR	50,000.00
	88	DOMINIC MULINGE MAINGI	MINOR	50,000.00
	89	CATHERINE MWIKALI KYENGO	29848014	50,000.00
	90	WAMBUA SALIM	21835741	50,000.00
	91	JOHN NYAMASYO KAUUKU	28009166	50,000.00
	92	CECILIA MWONGELI THOMAS	MINOR	50,000.00
	93	NELIUS MWIKALI MUKILYA	23053403	50,000.00
	94	BEATRICE DANIEL NDILU	7380451	50,000.00
	95	SUSAN MUENI MUTUNE	13792068	50,000.00
	96	KALUNGU KATU MBEKE	3033593	50,000.00
	97	FELIS MBITHE	MINOR	50,000.00
	98	FIATA KINGOO KIMWELI	1554395	50,000.00
	99	MUTUKU MUTISO	MINOR	50,000.00
	100	MBITHE MUTUA	MINOR	50,000.00
	101	JOSEPH MWENDWA MUTHENYA	MINOR	50,000.00
INJURY Total				28,226,500.00
CROP DESTRUCTION	1	PHILIP MULI MUTUVI	6261861	623,615.00
	2	JOHN NZYOKA NYUMU	0435488	354,290.00
	3	KENNEDY MUANGE MUKEKA	10818188	215,000.00
	4	TERESIA MWELU KIOKO	11812790	178,200.00
	5	HENRY MULI MBILO	10397385	123,690.00
	6	MUTUNE MAINGI KYULA	1664745	122,800.00
	7	ELIAS NYAGA NJIRU	10222602	122,000.00
	8	FRANCIS MAKAU MULATYA	2987020	114,850.00
	9	JOSHUA KIOKO MAKUMBI	3091879	88,875.00
	10	JOEL MUNGUTI KISANGI	0584030	87,615.00
	11	JOHN MUTHUI MATUVA	12629786	75,450.00
	12	SCHOLASTICAH SUVA	145240229	72,700.00
	13	DOMINIC KIMINZA MUTUA	7380529	70,000.00
	14	JOSEPHINE NDINDA WETHA	1164702	66,815.00
	15	MILCA KISILU MAKEWA	4643098	61,830.00
	16	JACKSON SILA MALELU	6261563	60,000.00
	17	RAPHAEL NDETI MAINGI	21267561	59,600.00
	18	WILLY MUSYOKI JAMES	12857838	59,120.00
	19	STEPHEN WAEMA KIKUSWI	9264460	50,280.00
	20	JUSTINA MALUKI MUTISYA	2989667	49,335.00
	21	JAMES THOMAS KOTI#	21717081	48,330.00
	22	GALDACIOUS MUTILE NZIOKA	21946293	48,300.00

CLAIM_TYPE	#	Name of Claimant	ID_NO	Amount
	23	GEORGE MATUKU WAMBUA	7000571	48,000.00
	24	RAPHAEL MAKAU MUNGUTI	11562116	46,980.00
	25	ELIZABETH MULE AKENA	1557567	39,760.00
	26	MARY VAATI KISULULU	26931072	35,032.00
	27	JAMES THOMAS KOTI	21717081	27,000.00
	28	JAMES KOMO MAKUNU	24010920	19,280.00
	29	NICODEMUS KIOKO MUTHAMA	11814471	6,480.00
CROP DESTRUCTION Total				2,975,227.00
PREDATION	1	KINGOO NDETIU	9065578	75,000.00
	2	MUTHIANI WAEMA MATOLO	7827070	61,700.00
	3	DANIEL MUTETI MUKUNUKU	1328585	40,000.00
	4	BENSON MIAMI MBILI	1905232	37,000.00
	5	MULI NDUNGA	8057547	22,500.00
	6	LEONARD NDETO WAMBUA	0652730	10,000.00
PREDATION Total				246,200.00
Grand Total				121,447,927.00

**Annex 11.COMPENSATION CLAIMS FOR KIBWEZI EAST CONSTITUENCY, KIBWEZI SUB-COUNTY
FROM WHERE MTITO ANDEI AREA IS LOCATED.**

NO	Name of Claimant	ID Number	MWCC Amount Approved	CONFLICT_TYPE	ANIMAL_RESPONSIBLE
1	MUEMA MUNGELI	23074354	223,000.00	INJURY	HIPPO
2	RUTH KAMENGELE DAVID	ID25393268	11,000.00	INJURY	ELEPHANT
3	MBITHE MUTUA	Minor	50,000.00	INJURY	SNAKE
4	JOSEPHINE WANZA MUTUKU	7820363	4,730.00	INJURY	SNAKE
5	FRANCIS MUTUKU KIOKO	Minor	5,000,000.00	DEATH	CROCODILE
6	LUCIA ALEX NDOLO	ID21428058	2,000.00	INJURY	SNAKE
7	NICHOLAS NDOLO NZAI	ID23770661	5,000,000.00	DEATH	SNAKE
8	MBATHA MALIKA	Minor	5,000,000.00	DEATH	SNAKE
9	ABDUL MUMO JAMES	ID26974030	200,000.00	INJURY	SNAKE
10	MAANGE NZUKI	ID6687243	250,000.00	INJURY	SNAKE
11	ROBERT MUKAI MUTISYA	10288675	18,000.00	INJURY	BUFFALO
12	MARY MWIKALI NZEMBEI	ID34621932	2,000.00	INJURY	SNAKE
13	CHRISTINE MUSA	Minor	300,000.00	INJURY	SNAKE
14	JEDIDA NDUNGE KELI	Minor	200,000.00	INJURY	SNAKE
15	ANGELINA WANZA KIMILU	ID30566292	800,000.00	INJURY	SNAKE
16	ESTHER KIAWA KIANDIKI	ID7392203	250,000.00	INJURY	SNAKE
17	JOEL MUMO MBALU	ID27626746	2,500,000.00	INJURY	CROCODILE
18	COLLINS MASAI	Minor	500,000.00	INJURY	SNAKE
19	NELIUS MWIKALI MUKILYA	ID23053403	50,000.00	INJURY	SNAKE
20	PAUL MUTUNGA	ID13711035		INJURY	HIPPO

	WAKUNGI		50,000.00		
21	MONICA KANINI MWANGANGI	ID7774534	200,000.00	INJURY	SNAKE
22	FAITH NDUNGE NTHIANI	ID30563579	200,000.00	INJURY	SNAKE
23	MUTISO NZIVE	ID29571669	800,000.00	INJURY	CROCODILE
24	CHARLES KAULA KIOKO	<i>Minor</i>	300,000.00	INJURY	SNAKE
25	PIUS KATUA MUNYIVA	ID32749602	250,000.00	INJURY	SNAKE
26	KIKUVI MAVINDU	ID31858870	50,000.00	INJURY	SNAKE
27	MUSYOKA MASILA	<i>Minor</i>	200,000.00	INJURY	SNAKE
28	BENEDETA WAYUA MUSAU	ID5777479	200,000.00	INJURY	SNAKE
29	DOMINIC MUINDI NZOMO	ID33637154	200,000.00	INJURY	SNAKE
30	LEWIS MWENDWA MUTUKU	<i>Minor</i>	400,000.00	INJURY	SNAKE
31	PETER MUSILA KYENGO	ID30247927	300,000.00	INJURY	SNAKE
32	MWIKALI NZOMO	ID12584013	200,000.00	INJURY	SNAKE
33	MUNEE MICHAEL	<i>Minor</i>	300,000.00	INJURY	SNAKE
34	JANET NDETEE KYULE	ID26878810	250,000.00	INJURY	SNAKE
35	EUNICE NZEMBI WAMBUA	ID20308661	500,000.00	INJURY	SNAKE
36	MUTHEU MUTUKU	<i>Minor</i>	2,000,000.00	INJURY	SNAKE
37	MUTUNE MAINGI KYULA	ID1664745	122,800.00	CROP DESTRUCTION	ELEPHANT
38	LEONARD NDETO WAMBUA	ID0652730	10,000.00	PREDATION	HYENA
39	MUTUKU KING'OO	<i>Minor</i>	400,000.00	INJURY	SNAKE
40	JOSHUA MUMO KINDU	<i>Minor</i>	2,000,000.00	INJURY	ELEPHANT
41	PATRICK MANDELA MUTINDA	<i>Minor</i>	2,000,000.00	INJURY	SNAKE
42	CECILIA MUENI MUTHENGI	<i>Minor</i>	200,000.00	INJURY	SNAKE

43	KELI NTHENGE	Minor	300,000.00	INJURY	SNAKE
44	MUTISYA DAVID NZIU	Minor	5,000,000.00	DEATH	SNAKE
45	DOMINIC MULINGE MAINGI	Minor	50,000.00	INJURY	SNAKE
46	BENSON MIAMI MBILI	ID1905232	37,000.00	PREDATION	LEOPARD
47	DANIEL KINYUVE MATANG'A	ID6041686	200,000.00	INJURY	SNAKE
48	PETER MUSYOKI MULEI	Minor	300,000.00	INJURY	CROCODILE
49	DANIEL MUTETI MUKUNUKU	ID1328585	40,000.00	PREDATION	LION
50	NICODEMUS KIOKO MUTHAMA	ID11814471	6,480.00	CROP DESTRUCTION	ELEPHANT
51	JOHN NZYOKA NYUMU	ID0435488	354,290.00	CROP DESTRUCTION	ELEPHANT
52	BETTY KAVENGE WAMBUA	Minor	18,000.00	INJURY	CROCODILE
53	JACKSON SILA MALELU	6261563	60,000.00	CROP DESTRUCTION	ELEPHANT
54	TERESIA MWELU KIOKO	ID11812790	178,200.00	CROP DESTRUCTION	HIPPO
55	MUTHIANI WAEMA MATOLO	ID7827070	61,700.00	PREDATION	HYENA
56	KINGOO NDETIU	ID9065578	75,000.00	PREDATION	LION
57	WILLY MUSYOKI JAMES	ID12857838	59,120.00	CROP DESTRUCTION	ELAND
58	JOHN MULI MUOKI	ID3167043	2,000,000.00	INJURY	LION
59	ARNOLD MUTUA KILONZO	ID13763338	400,000.00	INJURY	HYENA
60	MUSILI MUTAMBUKI KOLA	ID6261707	3,000,000.00	INJURY	HYENA
61	MULI NDUNGA	ID8057547	22,500.00	PREDATION	LEOPARD
62	MWANDULO NDAMBUKI	Minor	200,000.00	INJURY	SNAKE
63	WILSON NDAMBUKI MUTUA	ID25153899	200,000.00	INJURY	SNAKE
64	MBINYA NDAVI	Minor		INJURY	SNAKE

			200,000.00		
65	KALUNGU KATU MBEKE	ID3033593	50,000.00	INJURY	CROCODILE
66	MBATHA KILATYA	<i>Minor</i>	500,000.00	INJURY	SNAKE

COUNT_Y	CONSTITUTE_NCY	SUB_COUNT_Y	Name of Claimant	MWCC Amount Approved	PAID Amount	PAYMENT BALANCE	CONFLICT_TYPE	ANIMAL_RESPONSIBLE	INCIDENT_DATE_ID
MAKUE NI	KIBWEZI EAST	KIBWEZI I	MUTUNE MAINGI KYULA	122,800.00	122,800.00	0.00	CROP DESTRUCTIO	ELEPHANT	23-Feb-16
MAKUE NI	KIBWEZI EAST	KIWEZI I	WILLY MUSYOKI JAMES	59,120.00	59,120.00	0.00	CROP DESTRUCTIO	ELAND	08-Sep-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	TERESIA MWELU KIOKO	178,200.00	178,200.00	0.00	CROP DESTRUCTIO	HIPPO	21-Mar-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	JOHN NZYOKA NYUMU	354,290.00	354,290.00	0.00	CROP DESTRUCTIO	ELEPHANT	27-Jan-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	NICODEM US KIOKO MUTHAMA	6,480.00	6,480.00	0.00	CROP DESTRUCTIO	ELEPHANT	15-Apr-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	JACKSON SILA MALELU	60,000.00	60,000.00	0.00	CROP DESTRUCTIO	ELEPHANT	27-Jan-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	JOEL MUMO MBALU	2,500,000.00	1,522,500.00	977,500.00	CROP INJURY	CROCODILE	07-Mar-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	KALUNGU KATU MBEKE	50,000.00	50,000.00	0.00	CROP INJURY	CROCODILE	26-May-16
MAKUE NI	KIBWEZI EAST	KIBWEZI I	JANET NDETEE KYULE	250,000.00	250,000.00	0.00	CROP INJURY	SNAKE	01-Nov-15
MAKUE NI	KIBWEZI EAST	KIBWEZI I	CHARLES KAULA KIOKO	300,000.00	300,000.00	0.00	CROP INJURY	SNAKE	09-Jun-15

MAKUE NI	KIBWEZI EAST	MAKIN DU	DOMINIC MULINGE MAINGI	50,000.00	50,000.00	0.00	INJURY	SNAKE	27-Jan-17
			MONICA KANINI						
MAKUE NI	KIBWEZI EAST	KIBWEZ I	MWANGA NGI	200,000.00	200,000.00	0.00	INJURY	SNAKE	14-Sep-15
			DOMINIC						
MAKUE NI	KIBWEZI EAST	KIBWEZ I	MUINDI NZOMO	200,000.00	200,000.00	0.00	INJURY	SNAKE	19-Mar-15
MAKUE NI	KIBWEZI EAST	KIBWEZ I	CHRISTINE MUSA	300,000.00	300,000.00	0.00	INJURY	SNAKE	20-Aug-14
			DANIEL						
MAKUE NI	KIBWEZI EAST	KIBWEZ I	KINYUVE MATANG'A	200,000.00	200,000.00	0.00	INJURY	SNAKE	05-Feb-16
			FAITH						
MAKUE NI	KIBWEZI EAST	KIBWEZ I	NDUNGE NTHIANI	200,000.00	200,000.00	0.00	INJURY	SNAKE	30-Jun-15
MAKUE NI	KIBWEZI EAST	KIBWEZ I	COLLINS MASAI	500,000.00	500,000.00	0.00	INJURY	SNAKE	17-May-16
MAKUE NI	KIBWEZI EAST	KIBWEZ I	MBITHE MUTUA	50,000.00	50,000.00	0.00	INJURY	SNAKE	28-Jun-16
MAKUE NI	KIBWEZI EAST	KIBWEZ I	KELI NTHENGE	300,000.00	300,000.00	0.00	INJURY	SNAKE	07-Jan-15
			CECILIA						
MAKUE NI	KIBWEZI EAST	KIBWEZ I	MUJENI MUTHENGI	200,000.00	200,000.00	0.00	INJURY	SNAKE	27-Nov-14
MAKUE NI	KIBWEZI EAST	KIBWEZ I	MUSYOKA MASILA	200,000.00	200,000.00	0.00	INJURY	SNAKE	07-Jul-15

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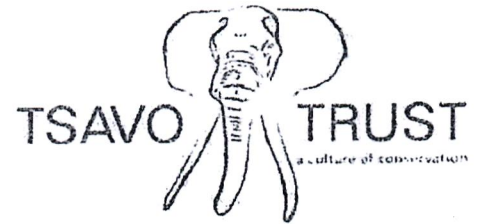
75,000.00

RECENT CONFLICTS REPORT - JANUARY 2021 TO JULY 2021

	NAME	ID. NO	OB.NO	LOCATION	GPS.COOR DINATES	TEL.NO	DESTRUCTION
1	NYEKINI KIOKO	1905224	04/07/04 /2021	KYUSIANI	----- 37m 0413978 utm 9709302	0708292129	Elephants invaded and destroyed 5,000 liters water tank
2	JEREMIAH MUTUKU NZIOKA	21204025	08/26/01 /2021	NTHUNGUNI	----- 37m 0413978 utm 9709302	0725273307	Hyena invaded. 9 goats and 4 sheep were affected. 13 of his livestock were killed
3	ANNAH NDEREVA MUTETI	7406122	03/22/01 /2021	KATHEKANI[m akutano]	----- 37m 0422555 utm 9710241	0729774418	Elephants destroyed 3 acres of maize, bananas, pumpkins, green grams, pigeon peas and cow peas
4	MUTHOKA NDEREVA MUTETI	23242397	04/22/01 /2021	KATHEKANI[m akutano]	----- 37m 0422555 utm 9710241	0726342422	Elephants invaded and destroyed 1.5 acres of maize, pumpkins, green grams and cow peas
5	JEREMIAH NGUMBI MUTUKU	6144022	03/17/01 /2021	MISANI[mutito andei]	----- 37m 0422555 utm 9710241	0705307165	2 acres of maize, green grams, cow peas and sorghum were destroyed by elephants
6	ANNASTACI A NZIVILI NDILI	12408923	03/15/01 /2021	KIBWAUNI[kat hekani]	----- 37m 0421544 utm 9714308	0721128029	Half and acre og maize, cowpeas, green grams was destroyed by elephants

ANNEX 5
LETTER FROM CEO, TSAVO
TRUST

P.O. Box 204-90128
Mtito Andei, Kenya



The County Commissioner
Makueni County
P. O. Box 1 - 90300
MAKUENI

4th February 2021

Dear Sir,

Re: Community Development Support from Tsavo Trust through Kamungi Conservancy – Mtito Andei Ward.

Firstly, I wish to thank you and your team's efforts in recent weeks to halt the tensions within the communities east of Mtito Andei following the Human Wildlife Conflicts (HWC) that have taken shape with some unfortunate results.

Secondly, I would like to bring to your attention a brief summary of the very significant community development and support activities that Tsavo Trust has initiated in this area over the last 8 years. I think that you may have been misinformed of the extent of our commitment, engagement and significant funding that has flowed to the people of Ngiluni and Kamunyu villages that lie within Kamungi Conservancy, established by Tsavo Trust in 2015, to bring development to the area.

The table below shows just some of the key activities and costs involved to date that Tsavo Trust has implemented over the last 8 years in support of Kamungi Conservancy:

Community Development Activity Implemented to date	Funding (Ksh.)
Employment: 36 permanent staff from local area @ Ksh.800,000 monthly over 8 years	76,800,000
Average of 15 casual staff from local area @ Ksh.180,000 monthly over 8 years	17,280,000
Kamungi Conservancy: Established in 2015 by Tsavo Trust in partnership with community members of Ngiluni and Kamunyu villages. Registered as CBO and member of Kenya Wildlife Conservancy Association (KWCA).	1,000,000
Water Projects: Delivery of piped bore hole water to Ngiluni village Phase 1 and Phase 2, including water tanks, plot purchase, dispensing kiosk, meeting area	12,760,000
Healthcare: Total upgrade of Ngiluni Dispensary including power supply, perimeter fencing and water tanks	6,300,000
Education: Payment for 2 nursery schoolteachers (1 at Ngiluni and 1 at Kamunyu) for last 8 years @ Ksh.8,000 monthly	768,000
Security: 12 Scouts under Kamungi Conservancy, trained by KWS at Manyani LEA, with 4x4 vehicle and HQ base within Kamungi, including 7-acre plot purchase, radios etc	14,500,000
HWC mitigation: Set up 7 beehive / elephant fences in Kamungi	4,620,000
Set up and pioneered the 10% fence plan on 3 pilot plots in Kamungi	2,300,000
Human injuries treatment following wildlife attacks in Kamungi	550,000
Mtito to Athi Fence: Over last 4 years we have worked with C/Govt., KWS and stakeholders for approvals of 30km Mtito to Athi elephant fence, now in its final stages of approval (to be implemented by Tsavo Trust following NEMA License)	16,500,000
Tourism: Tsavo Trust has purchased a 25-acre plot within Kamungi where a tourism outlet will be established to bring revenue to Kamungi members	3,500,000
Feeding Program: To support community in 2020 following COVID-19 pandemic	2,400,000
Village Savings & Loan Associations: In partnership with ZSL 7 loan groups setup	700,000
Total Funding of Community Development Activities to date:	Ksh.159,978,000

The above does not cover the many and varying day to day costs incurred such as vehicle running costs, staff time, arranging various participatory meetings and trainings as well as the regular support provided to local Government especially during Public Holiday celebrations.

During some of the recent meetings held in this area it was clear that those informing you were not portraying the true picture of the extent to which we have worked very hard to support this community, not just with funding but as true and meaningful neighbours (as Tsavo Trust HQ is within Kamungi Conservancy). It was also clear that the community themselves were somehow intimidated not to speak out, by someone coming from well outside the Kamungi community, which is most unfortunate given the true facts.

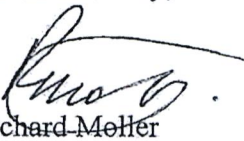
The Makueni County Government through the MCA, Mtito Ward and his team have been most helpful, supportive and engaged in every way as has the Kenya Wildlife Service (KWS) whom we are partners with on conservation matters. Kamungi Conservancy is one of the key Civil Society Organisations (CSO) spearheading the formation of the Makueni Local Development Organisation (LDO), a partnership between the MCG and CSO in Makueni County. Tsavo Trust has and continues to attract supporting organisations and well-wishers to this part of Makueni and I feel the table of activities above clearly reflects this positive approach.

I hope that this brief clarifies and informs you of the reality on the ground and we certainly look forward to working with you and your teams alongside Makueni County Government and other stakeholders going forward.

The setting up of the Mtito Andei to Athi River elephant exclusion fence, that Tsavo Trust, Kamungi Conservancy, County Government and other partners having been working towards over the last 4 years, I am sure will go along way to building better and stronger community relations as we tackle the serious issue of HWC east of Mtito Andei. It would be very unfair if another party was allowed to implement this project, yet we have the experience and we have done all the "leg work" to date for approvals. I trust you understand where I am coming from.

You are welcome to visit Kamungi Conservancy and Tsavo Trust at any time so that you can see for yourself the significant progress made here over recent years.

Yours sincerely,



Richard Moller

CEO – Tsavo Trust

Board Member – Kamungi Conservancy

Tel: 0722 203554

E-mail: richard@tsavotrust.org

TSAVO TRUST LTD.

P. O. Box 204

MTITO ANDEI - 90128

KENYA

KAMUNGI CONSERVANCY

P. O. Box 208, MTITO ANDEI 90128

Cc: Governor – Makueni County Government
MCA – Mtito Andei Ward
Asst. County Commissioner - Kibwezi East Sub County
Area Chief – Mtito Andei
KWS Asst. Director – Tsavo Conservation Area
KWS Senior Warden – Tsavo West Nat. Park
Chairman – Tsavo Trust
Chairman – Kamungi Conservancy