

REPUBLIC OF KENYA



TWELFTH PARLIAMENT- (FOURTH SESSION)

THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 005 of 2020)

**REGARDING INCESSANT INCIDENTS OF INSECURITY IN BUMULA
CONSTITUENCY**

Approved,
Bnt
SNA
5/3/2020

PARLIAMENT
OF KENYA
LIBRARY

I, the **UNDERSIGNED**, on behalf of the Concerned residents of Bumula Constituency,

DRAW the attention of the House to the following: -

- 1. THAT**, Articles 26 of the Constitution guarantees every Kenyan the inalienable right to life by providing that a person shall not be deprived of life intentionally while Article 29 of the Constitution safeguards every person's right to freedom and security, which includes the right not to be subjected to any form of violence from either public or private sources;
- 2. THAT**, Article 238 of the Constitution envisages national security as the protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity;
- 3. FURTHER THAT**, Article 239(2) of the Constitution places the primary responsibility and obligation for promoting and guaranteeing national security on the national security organs, which are the Kenya Defence Forces, the National Intelligence Service and the National Police Service;
- 4. THAT**, residents of Bumula Constituency have been experiencing incessant cases of insecurity involving armed gangs that have been attacking homes, businesses and individuals causing loss of lives, property, injury to victims and continued disruption of livelihoods;
- 5. THAT**, on 15th September 2019, a second year University student named Amos Faluma was attacked, murdered in cold blood at Syoya Village in Kabula Ward and his motorbike stolen;
- 6. THAT**, on 19th November 2019, thugs armed with guns struck Napara market in Kimaeti Ward and injured a number of people, including Moses Kokonya, a woman by the name Evelyn and Martin Khapwondi;
- 7. THAT**, on 21st November 2019, a form 2 student named Nipher Wafula of St. Antony Naburereya Secondary school in Kabula Ward was shot dead at Sibembe market by armed attackers;

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REGARDING INCESSANT INSECURITY INCIDENTS IN BUMULA CONSTITUENCY

8. **THAT**, on 19th December 2019, armed thugs attacked Mareba Bar at Mateka market in South Bukusu Ward and shot one person identified as Mambo;
9. **THAT**, in December 2019 and January 2020, several heads of cattle were stolen from Kibachenje, Tabuti, Mateka and Muanda among other villages in South Bukusu ward and the theft of livestock has been going on almost on a daily basis throughout the constituency;
10. **THAT**, on 10th of January 2020, a young man named Chrispinus Murakhi Wamalwa was attacked by the said gang at a local pub at Miyanga Township in Kimaeti ward and later succumbed to injuries;
11. **THAT**, on 15th January 2020, a young businessman named Philip Osiyako Mutichiro was fatally shot by thugs at night at Samichi village in Kabula ward and the following day on 16th January 2020, Yonah Simiyu was hacked to death at his home and his wife raped in front of their children in Bitobo village;
12. **THAT**, due to the proximity of the constituency to the Kenya-Uganda border there are claims that some perpetrators of the heinous attacks sneak in from the neighbouring country, wreak havoc then retreat;
13. **THAT**, despite these numerous incidences and many others not detailed here, and despite the numerous complaints filed by residents, no definitive security measures have been taken by the security agencies in the constituency to secure lives and property of residents;
14. **THAT**, while victims and families of those who lost their loved ones are crying for justice, efforts to have the matter addressed by way of Questions raised on the floor of this House, letters to the Cabinet Secretary for Interior and Coordination of National Government and the Inspector General of Police have been futile;
15. **THAT**, the matters raised in this Petition are not pending before any court of law;

THEREFORE, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Administration and National Security inquires into all the matters raised in this Petition with a view to compelling the relevant state agencies to take necessary action towards restoration of security, protection of lives and property of residents and compensation of victims of the said attacks.

And your Petitioners will forever pray.

PRESENTED BY:


HON. MWAMBU MABONGAH, MP
MEMBER FOR BUMULA CONSTITUENCY



REPUBLIC OF KENYA
PARLIAMENT

Hon. Mwambu Mabongah, MP.

Bumula Constituency

Member: Communication, Information & Innovation Committee

Member: Special Funds Account Committee

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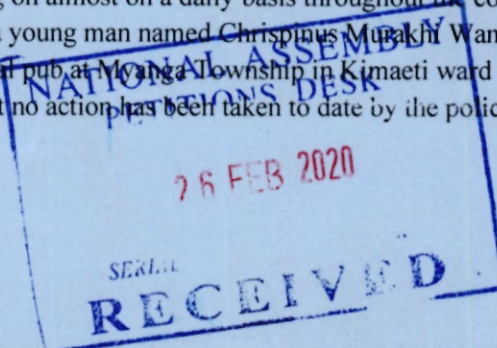
SPEAKER OF THE NATIONAL ASSEMBLY
P.O BOX 41842 – 00100
NAIROBI.

RE: PUBLIC PETITION ON BEHALF OF RESIDENTS OF BUMULA CONSTITUENCY **REGARDING INSECURITY**

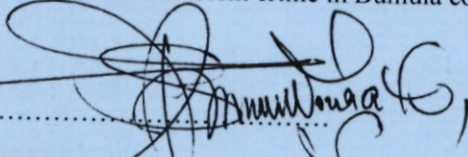
I, the **UNDERSIGNED**, on behalf of the residents of Bumula Constituency,

DRAW the attention of the House to the following:-

1. **THAT**, Article 26 of the constitution guarantees Kenyans their inalienable right to life by establishing that a person shall not be deprived of life intentionally while Article 29 of the same constitution safeguards the freedom and security of Kenyans by establishing the right not to be subjected to any form of violence from either public or private sources;
2. **THAT**, Article 239 (2) of the constitution places the primary responsibility and obligation for promoting and guaranteeing national security on the national security organs which are the Kenya Defence Forces, the National Intelligence Service and the National Police Service;
3. **THAT** Bumula Constituency has been experiencing increased cases of insecurity involving armed gangs attacking homes, businesses and individuals causing loss of lives, property, and injury to victims.
4. **THAT** on 15th September 2019, a Second Year University student named Amos Faluma was murdered in cold blood and his motorbike stolen at Syoya village in Kabula ward.
5. **THAT** on 19th November 2019, thugs armed with guns struck Napara market in Kimaeti ward injuring a number of people including Moses Kokonya, Evelyn and Martin Khapwondi.
6. **THAT** on 21st November 2019, a form 2 student named Nipher Wafula of St. Antony Naburereya Secondary school in Kabula ward was shot dead at Sibembe market.
7. **THAT** on 19th December 2019, armed thugs attacked Mareba Bar at Mateka market in South Bukusu ward and short one person identified as Mambo.
8. **THAT** in the months of December 2019 up to January 2020, several cattle were stolen from Kibachenje, Tabuti, Mateka and Muanda among other villages in Bumula constituency.
9. **THAT** this theft of cattle is going on almost on a daily basis throughout the constituency.
10. **THAT** on 10th of January 2020, a young man named Chrispinus Mwachhi Wamalwa was attacked by the said gang at a local pub at Myanga Township in Kimaeti ward and succumbed to the injuries a few days later but no action has been taken to date by the police.



11. **THAT** on 15th January 2020, a young businessman named Philip Osiyako Mutichiro was fatally shot by thugs at night at Samichi village in Kabula ward.
12. **THAT** on 16th January 2020, Yonah Simiyu was, at his home, hacked to death and his wife raped in front of their young children in Bitobo village.
13. **THAT** Bumula constituency is close to the Uganda border and there are claims that some of the perpetrators sneak in from the neighboring country, wreak havoc and disappear.
14. **THAT** despite these numerous incidences and many others not detailed here, and despite the numerous complaints from the residents, they have not seen any definitive security measures taken by security agencies in the constituency to secure the lives and property of my people.
15. **THAT** I have raised this issue on the floor of this House, I have written to the Cabinet Secretary for Interior and Coordination of National Government, I have also written to the Inspector General of Police as well as to the Chairman of the Committee on Administration and National Security.
16. **THAT** I have not received any response from the aforesaid offices and to-date there has not been any arrests and there is no one who has been arraigned in court.
17. **THAT** there seems to be general negligence, laxity and probably collusion in the perpetration of these crimes and people are living in total fear.
18. **THAT** the victims and families of those who lost their loved ones are crying for justice.
19. **THAT** the matters raised in this Petition are not pending before any court of law in Kenya.
20. **THAT** the Petitioner therefore prays for:-
 - (a) Pursuant to Standing Order 216(5)(a), the relevant Committee of the House does inquire into all the matters raised in this Petition in particular why there is an increased rate of violent crime in Bumula Constituency, why there have not been arrests and arraignment to court and measures that the national security organs have taken to protect people's right to life and freedom and security contemplated under Articles 26 and 29 of the constitution
 - (b) Pursuant to Standing Order 216(5)(a), the relevant Committee of the House does make recommendations necessary for the promotion of security and compensation of the victims of violent crime in Bumula constituency.


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HON. MWAMBU MABONGAH, MP.
BUMULA CONSTITUENCY


.....
DATE

PUBLIC PETITION
REGARDING INSECURITY IN BUMULA CONSTITUENCY

S/No	NAME OF PETITIONER	ID NUMBER	CONTACT	SIGNATURE
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2.	FLORENCE J. MURAKHI	6412911	0717890186	
3.	BEN N SIMIYU	13886493	0718663830	
4.	PAUL WANDILI	0722364	0705208913	
5.	FRANCIS IN. KHARABA	13157900 0705557284	0705557284	
6.	Alex Sifuna	28499120	0712753712	
7.	ISAC W Wandili	28476495	0714706206	
8.	Andrew Wajala	6324067		
9.	Peter Wanjide	0824291	0713456853	
10.	ERIC WAFOLA	24741825	0729816060	
11.	MAURICE WECHEBE	25433130	0716905438	
12.	SIMON WALEKHWA	14685055	0712131391	
13.	JOHN G HISA	24814495	0719384656	
14.	MIRIAM N WANYAMA	11658949	0728981055	
15.	PENINAH O. AMUTSA	3622461	0722469171	
16.	MOSES F. MASONI	8012570	0736211212	
17.	Ignatius Mahhany.	21668111	0720200735	
18.	DOPRAS WUMULWA	2097561	0728673564	
19.	PAUL CHEMIATI LUKORIO	23210905	0723064312	
20.	TOBIAS MARIKA	29778451	0708228595	
21.	Jemima WANTOMI	29115699	0710401251	