

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF SIAYA



**IN THE MATTER OF CONSIDERATION OF PETITION ON ILLEGAL AND IRREGULAR GOLD MINING ACTIVITIES
IN SIAYA COUNTY**

PUBLIC ENGAGEMENT AND CALL FOR MEMORANDA ON IRREGULAR GOLD MINING ACTIVITIES IN SIAYA COUNTY

In line with Article 37 of the Constitution of Kenya, 2010; the County Assembly of Siaya is in receipt of a Petition from residents of Siaya, on illegal and irregular gold mining activities within Yala Township Ward, East Gem Ward, South Sakwa Ward, North Sakwa Ward, East Asembo Ward, West Asembo Ward and South Gem Ward.

The Petitioner aver **THAT**:

- Gold mining activities within the County are undertaken **without valid permits and licenses** as required by provisions of the Mining Act, 2016
- Mining companies within the County are utilizing prospecting and mining methods which have **adverse effects to the environment and social heritage of the communities where they operate**
- Mining companies are in **violation of Occupational Health and Safety regulations** that should guide in the engagement of workers in the mines; as these workers lack the right gear and operate beyond recommended time
- It is not clear whether the mining companies **pay for the mineral royalties** and whether such royalties are shared as per the prescribed revenue sharing formula of 70:20:10; where 70% is allocated to the mining company, 20% to the County Government and 10% to the local community
- There is doubt as to whether the mining companies which operate in the County spend at least 1% of their gross revenue on agreed community projects in the areas in which they operate as part of their **Cooperate Social Responsibilities**, as is provided for in the Mining Act, 2016
- These mining companies operate within community land without proper plans for: **compensation of the affected communities, land use and land restoration** in line with Sections 38 (2)(a) (b) and 176 of the Mining Act, 2016.
- The mining companies are operated by foreign nationals whose legality for being in the Country and undertaking mining activities is questionable
- Some of the mining companies are operated by proxies of foreign nationals who do not possess requisite work permits to operate mining activities within the County

The Petitioners pray that the County Assembly to:

- Undertake investigations into the operations of the gold mining companies operating within the County of Siaya
- Provide a platform for community engagement with the mining companies on issues of land use, compensation, environmental impact, occupation health and safety, Cooperate Social Responsibility among other issues
- Make recommendation on the activities of these companies for further engagement with the State Department of Mining and State Department for Immigration

The Petition was committed to County Assembly Committee on Water, Environment and Natural Resources. Guided by the provisions of Article 196 of the Constitution of Kenya, 2010, the Committee plans to engage relevant stakeholders in investigating the matters raised in the Petition as guided in the program drawn below:

Ward/Activity	Meeting with Miners	Site/Mine Visits	Meeting with Community
Yala Township Ward	Monday, 17.06.2024 at 9:00AM Venue: County Assembly Ward Office	Monday 17.06.2024 at 11:00 AM	Monday, 17.06.2024 at 2:00PM Venue: County Assembly Ward Office
East Gem Ward	Tuesday, 18.06.2024 at 9:00AM Venue: County Assembly Ward Office	Tuesday 18.06.2024 at 11:00 AM	Tuesday, 18.06.2024 at 2:00PM Venue: County Assembly Ward Office
South Sakwa Ward	Wednesday, 19.06.2024 at 9:00AM Venue: County Assembly Ward Office	Wednesday 19.06.2024 at 11:00 AM	Wednesday, 19.06.2024 at 2:00PM Venue: County Assembly Ward Office
North Sakwa Ward	Thursday, 20.06.2024 at 9:00AM Venue: County Assembly Ward Office	Thursday 20.06.2024 at 11:00 AM	Thursday, 20.06.2024 at 2:00PM Venue: County Assembly Ward Office
East Asembo Ward	Monday, 24.06.2024 at 9:00AM Venue: County Assembly Ward Office	Monday 24.06.2024 at 11:00 AM	Monday, 24.06.2024 at 2:00PM Venue: County Assembly Ward Office
West Asembo Ward	Tuesday, 25.06.2024 at 9:00AM Venue: County Assembly Ward Office	Tuesday 25.06.2024 at 11:00 AM	Tuesday, 25.06.2024 at 2:00PM Venue: County Assembly Ward Office
South Gem Ward	Wednesday, 26.06.2024 at 9:00AM Venue: County Assembly Ward Office	Wednesday 26.06.2024 at 11:00 AM	Wednesday, 26.06.2024 at 2:00PM Venue: County Assembly Ward Office

Miners/Mining Companies, interested parties and members of the public are invited to submit any information/memorandum/petition, that may have a bearing on matters pertaining to mining within the County; in person to the office of the County Assembly Clerk, using the address below or through Assembly Email: clerk@siayaassembly.go.ke by Wednesday, 26th June 2024 at 5.00pm.