REPUBLIC OF KENYA

THE NATIONAL TREASURY

PUBLIC NOTICE

DRAFT PUBLIC FINANCE MANAGEMENT (OGIEK COMMUNITY DEVELOPMENT FUND) REGULATIONS, 2026

The Ogiek Community is among the 44 ethnic communities living in Kenya. The community (approximately 40,000 in number) primarily inhabits the Mau Forest Complex and Mount Elgon in Kenya. The community has faced decades of evictions and marginalization by colonial and post-colonial governments as government struggle with the balance between conservation of the ecosystem (Mau Forest) and the rights of ethnic communities to their ancestral home, cultural practices, and socio-economic development.

The African Court on Human and Peoples' Rights (the Court), in its judgment dated 26th May 2017, found that the records placed before it showed that the Ogiek Community suffered from continued subjugation and marginalization, their suffering as a result of evictions from their ancestral lands and forced assimilation, and a lack of recognition of their status as a tribe or indigenous population.

The Court ordered the Republic of Kenya to pay **Kshs 57,850,000** as compensation for the material injustice suffered by the Ogiek community. The Court also ordered the Republic of Kenya to pay **Kshs 100,000,000** as compensation for the moral prejudice suffered by the Ogiek community. These sums will be placed in a community fund to support projects for the benefit of the Ogiek community in health, education, food security, natural resource management, and other causes beneficial to the Ogiek community's well-being.

A multi-agency task force comprising officers from the National Treasury, the State Department for Forestry, the State Department for Social Protection and Senior Citizen Affairs, Office of the Attorney General and Department of Justice, and the Minorities and Marginalized Affairs Unit in the Executive Office of the President, was formed for the purpose of establishing the Fund.

The multi-agency task force has finalized the draft Public Finance Management (Ogiek Community Development Fund) Regulations, 2026. The draft Regulations seek to establish the Ogiek Community Development Fund; set out its sources of funds and purposes; establish the Ogiek Community Development Fund Committee; and provide for consultation with the Ogiek and for the Fund's administration, financial management, reporting, and accountability.

The draft Regulations have been posted on the National Treasury website **http://www.treasury.go.ke** in English, together with a version translated into the Ogiek language. Printed copies in English and Ogiek will be available at the public consultation venues where the public participation meetings will be held.

Now, pursuant to Article 10 of the Constitution of Kenya and sections 4(a) and 5(3)(a) and (b) of the Statutory Instruments Act, 2013, the National Treasury invites members of the public and in particular members of the Ogiek community to submit comments, inputs or memoranda they may have on the draft Public Finance Management (Ogiek Community Development Fund) Regulations, 2026.

Written submissions: The comments, inputs or memoranda may be forwarded, in the format provided on the website, to the **Principal Secretary, National Treasury, P. O. Box 30007-00100, Nairobi**, or hand-delivered to the Office of the Principal Secretary, National Treasury Building, Nairobi, or emailed to **pstnt@treasury. go.ke** and copied to **jona. wala@ treasury.go.ke**, to be received by **Friday, 15th December, 2026 at 5.00 p.m**. Written submissions maybe made in English, Kiswahili or the Ogiek language. Comments are most helpful if they indicate the specific regulations to which they relate, contain a clear rationale and, where applicable, suggest alternative wording.

Oral submissions: Members of the public, and in particular the Ogiek community, may also make oral submissions in English, Kiswahili, or the Ogiek language at the public consultation meetings. An interpreter will be present to translate the submissions, and a rapporteur will record them in writing.

The comments, inputs or memoranda received, whether written or oral, will be considered public record and may be shared with the legislative arm of the government. The draft Regulations may be modified in light of the comments received before being published in their final form.

PUBLIC CONSULTATION MEETINGS SCHEDULE

There shall be in-person public consultation meetings on the draft Public Finance Management (Ogiek Community Development Fund) Regulations, 2026 as per the schedule below: -

No.	County	Date of meeting	Time	Venue
1.	Nakuru (032)	Tuesday, 8th December, 2026	10.00 a.m	Kenya Red Cross, Nakuru
2.	Narok (033)	Wednesday, 9th December, 2026	10.00 a.m	Maasai Mara University, Narok

This notice will also be aired on KASS FM in the Ogiek language. Members of the Ogiek community residing in Baringo, Nakuru, Narok, Kericho, Uasin Gishu, Nandi, Elgeyo Marakwet, and Bungoma Counties are invited to attend the meeting in Narok or Nakuru, whichever is nearer.

HON. FCPA JOHN MBADI NG'ONG'O, EGH
CABINET SECRETARY/THE NATIONAL TREASURY

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