



INSTITUTION OF SURVEYORS OF KENYA

FOR IMMEDIATE PRESS RELEASE

NAIROBI, KENYA – February 18, 2026

ISK PRESS STATEMENT ON CONCERNS REGARDING THE EXCLUSION OF CORE LAND PROFESSIONALS IN THE APPOINTMENT OF COMMISSIONERS TO THE NATIONAL LAND COMMISSION

The Institution of Surveyors of Kenya (ISK) wishes to register its great disappointment with the communication coming from the Executive Office of the President i.e. notification of Presidential Action No. V of 2026 dated 17th February 2026 on the Nomination of Chairperson and Six Members of the National Land Commission (NLC).

ISK was among the key institutions that championed for the inclusion of Chapter 5 on environment and land in the Constitution. This background was necessitated by the need to improve land management and governance in the country. The birth of the National Land Commission was necessary to ensure:

- a) Constitutional and policy reforms;
- b) Professionalism within the realm of land administration and management;
- c) Address historical injustices; and
- d) Ensure accountability in land governance.

The land governance reforms were also based on recommendations of: the Njonjo Commission (1999 Commission of Inquiry into the Land Law Systems of Kenya); the Ndungu Commission (2003 – 2004) inquiry into illegal, irregular, and secret allocations of public land to individuals and corporations; and the National Accord and Reconciliation Act of 2008 to end the violent crisis following the 2007 disputed presidential election.

While ISK respects the constitutional mandate of the appointing authorities under Article 67 and Article 250 of the Constitution of Kenya, and the procedure set out in

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the First Schedule to the National Land Commission Act (Cap. 281), we express our deep concern regarding the apparent exclusion of core land professionals, despite their express recognition under the law as core competencies required for appointment. **We wonder whether there was a scoring system by the Selection Panel. Does it mean that the landed professionals who applied for these position scored so low to warrant their exclusion! Can these scores be made public.**

Section 8(1) and 8(2) of the National Land Commission Act (Cap. 281) clearly provide that a person qualifies for appointment as Chairperson or Member of the Commission if they:

1. Hold a degree from a recognized university;
2. Have knowledge and experience of at least fifteen (15) years for Chairperson, and ten (10) years for Members, in matters relating to specified fields; and
3. Meet the requirements of Chapter Six of the Constitution.

Critically, Section 8(1)(b)(v) and Section 8(2)(b)(v) explicitly list: *“land law, land survey, spatial planning or land economics”* as recognized and relevant fields of expertise for appointment to the Commission. The law therefore expressly contemplates and anticipates representation from professionals in these disciplines.

Under Section 5 of the National Land Commission Act, the functions of the Commission include: Managing public land on behalf of national and county governments; advising on registration of title in land throughout Kenya; conducting research related to land and natural resource use; investigating historical land injustices; monitoring registration of rights and interests in land; developing and maintaining effective land information systems; and oversight over land use planning nationwide.

These functions are inherently technical and spatial in nature. They require deep expertise in; Land Surveying, Valuation, Physical Planning, Environmental

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Management and Land Administration & Governance. The Commissioners will require to play a leading role in advising on: Land Survey; Land Acquisition; Valuation; Physical Planning; Land alienations and leases, and National Land Information Management Systems. **How will the team which has been proposed carry out these core functions when all these matters are alien to them? We reiterate that the team as proposed are not subject matter experts and would find it difficult to provide professional and strategic direction. This appointment should not be a learning experience for the Commissioners but an avenue for them to give back to Kenyans through proper adjudication of land matters.**

Landed Professionals are trained, licensed and regulated and meet precisely the statutory qualifications envisioned under Section 8 of the Act. Their technical knowledge is not peripheral; it is foundational to the execution of the Commission's mandate. We insist that land professionals are best placed to oversee and develop policies for prudent public land governance; recommend national land policies; guide research on natural resources; adjudicate historical land injustices; and advise on national land taxation regimes; as well as act judiciously in public interest.

The exclusion of professionals from these disciplines raises legitimate concerns about:

1. Technical capacity in executing land-related investigations and oversight;
2. Institutional balance in ensuring multi-disciplinary representation within the Commission; and
3. Effective discharge of functions under Sections 5, 6 and 14 of the Act, including review of grants and dispositions of public land.

Land governance in Kenya remains one of the most sensitive and technically complex areas of public administration. Decisions taken by the National Land Commission have far-reaching consequences for; Property rights, public infrastructure development, historical land justice, safeguarding of public land, revenue administration and public trust in land institutions Ensuring that the Commission benefits from specialized

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professional expertise is therefore not merely a sectoral concern, it is a national governance imperative.

The whole point of establishing the National Land Commission as a constitutional commission was to safeguard public land and increase professionalism and prudence in land governance for sustainable development. This we reiterate cannot be done without landed professionals, and their absence will undermine policy making.

The National Land Commission is supposed to be a land experts' driven organ, just like the Judicial Service Commission (a legal experts' driven organ) or the Salary Review Commission (HR and Financial Experts).

The Institution of Surveyors of Kenya reaffirms:

1. Its commitment to upholding professional standards in land governance;
2. Its readiness to collaborate constructively with the National Land Commission and other state agencies;
3. Its support for transparent, merit-based public appointments; and
4. Its dedication to safeguarding the public interest in matters of land management and administration.

We urge the President to relook at these appointments. The appointments need to give effect to both the letter and spirit of Section 8 of the National Land Commission Act, ensuring that the NLC reflects the multidisciplinary expertise necessary for the effective management of Kenya's land resources. We reiterate that land governance must be guided by law, technical competence, and public interest.

**Eric Nyadimo, MISK, LS(K)
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About ISK

The Institution of Surveyors of Kenya (ISK) is the professional body that brings together professionals who provide services in the Land built sector. The professionals fall within eight major disciplines of the surveying profession namely Land Surveying, Valuation, Building Surveying, Land Administration Management, Engineering Surveying, Geospatial Information Management, Estate Agents and Property Management. Our membership of over 7,200 is widely spread across the Country.

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