

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT (FIRST SESSION)

PUBLIC PETITION  
(NO. 14 OF 2022)  
REGARDING POLLUTION OF RIVER ATHI

CNA  
Approved for  
Presentation  
SWA  
16/11/22.

PARLIAMENT  
OF KENYA  
LIBRARY

Mr. An. Gathor,  
You may sponsor,  
also Kimani  
16/11

I, the **UNDERSIGNED** on behalf of the residents of Mwala Constituency and Machakos County;

**DRAW** the attention of the House to the following:

1. **THAT**, Article 42 of the Constitution of Kenya states that every person has the right to a clean and healthy environment;
2. **THAT**, Article 62(1)(i) of the Constitution defines all rivers as public land, while Article 69(1) mandates the State to establish systems of environmental impact assessment, environmental audit and monitoring of the environment;
3. **THAT**, for several years now, River Athi has been blatantly polluted with heavy metals and other harmful chemicals
4. **THAT**, the discoloration of the River's water indicates that the pollution source is in Nairobi's downstream section, with various companies openly releasing their sewer and chemical wastes into the River;
5. **THAT**, the pollution is a serious health hazard that exposes residents of Machakos County to infections such as cholera, skin infections and dysentery, especially in view of the fact that most people consume the River's water directly;
6. **THAT**, a number of residents living along and near River Athi have already tested positive for cancer, which is directly linked to the presence of chemicals and heavy metals in the River.
7. **THAT**, further, the pollution is affecting a hydro-electric project initiated by the Member for Mwala Constituency that is meant to pump water for small scale farming since the use of polluted water for

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irrigating vegetables and other plants predisposes residents to multiple diseases.

8. **THAT**, efforts to have the matter addressed by various authorities have not borne fruit;
9. **AND THAT** the matter in respect of which this Petition is made is not pending before any Court of Law or Constitutional body.

**THEREFORE**, your humble Petitioners pray that the National Assembly through the Public Petitions Committee: -

- (i) Engages the Government Chemist and the National Environment Management Authority (NEMA) to ascertain the specific chemicals and heavy metals that have permeated the waters of River Athi, in order to use these chemicals to identify the companies responsible for releasing them into the River;
- (ii) Secures due compensation of residents affected by the pollution of River Athi;
- (iii) Secures thorough clean-up of River Athi through budgetary and related provisions;
- (iv) Intervenes to bring an end to any further pollutions and makes proposals for the withdrawal of licences of companies that pollute River Athi and other water bodies in the country;
- (v) Secures the demarcation of riparian lands and analyzes the feasibility of making them recreational areas, and
- (vi) Makes any other appropriate recommendations it deems fit in addressing the matters raised in this Petition.

And your Petitioners will ever pray.

**PRESENTED BY:**  
**THE HON. VINCENT MUSYOKA MUSAU KAWAYA, MP**  
**MEMBER FOR MWALA CONSTITUENCY**

**SIGNATURE:** .....

**DATE:** ..... 10/11/2022 .....