



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY-GENERAL

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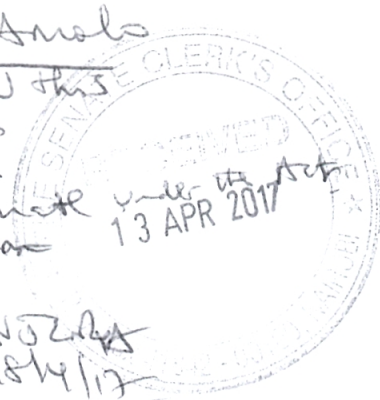
DEPARTMENT OF JUSTICE

THE SENATE
RECEIVED

13 APR 2017

SENIOR DEPUTY CLERK (M.A.)

Mr. Analo
pls review this
petition with
respect to the
role of the Senate
let us discuss on
19/4/17



Our Ref.: AG/CONF/6/B/18/2 VOL.1

10th April 2017

Mr. Micheal Rotich Sialai, EBS
The Clerk of the National Assembly
The Clerk's Chambers
Parliament Buildings
NAIROBI



Mr. Jeremiah M. Nyegenye, CBS
The Clerk of the Senate
The Clerk's Chambers
Parliament Buildings
NAIROBI



DLPS
Please review and
deal in line with
the SOs
13/4/17

RE: PETITION FOR THE REMOVAL OF THE CHAIRPERSON OF NATIONAL
COHESION AND INTEGRATION COMMISSION

We are in receipt of a petition by residents of Laikipia North Constituency seeking to remove the Chairman of the National Cohesion and Integration Commission from office under section 23 of the National Cohesion and Integration Act No. 12 of 2008.

In view of the above, I have instructions from the Hon. Attorney General to forward to you a copy of the petition for consideration by the relevant Parliamentary Committee as stipulated under section 23(4) of the Act.

Tom Odede
FOR: ATTORNEY GENERAL

SHERIA HOUSE, HARAMBEE AVENUE

P.O Box 40112-00100, NAIROBI, KENYA.TEL:+254 20 2227461/2251355/0700072929/0732529995

EMAIL: info@ag.go.ke WEBSITE: www.attorney-general.go.ke

DEPARTMENT OF JUSTICE

CO-OPERATIVE BANK HOUSE, HAILE SELASSIE AVENUE, P.O. Box 56057 – 00200, Nairobi – Kenya TEL: Nairobi
2224029/2240337

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REPUBLIC OF KENYA



**PUBLIC PETITION TO H. E. THE PRESIDENT ON THE REMOVAL OF THE
CHAIRPERSON OF NATIONAL COHESION AND INTEGRATION
COMMISSION (NCIC)**

**TO: H.E. President Uhuru Kenyatta Through the Office of the Honourable
Attorney General**

WE, the UNDERSIGNED, Residents of Laikipia North Constituency on
behalf of the people of Kenya;

MAKE this Petition in accordance with Section 23 of the National Cohesion and
Integration Act 2008.

DRAW the attention of your Excellency to the following:

1. **THAT** the National Cohesion and Integration Commission (NCIC) primary function is prevention of discrimination on the basis of race or ethnicity, advocating for cohesiveness among the diverse groups in Kenya and enforcing the legal provisions of the National Cohesion and integration Act 2008.
2. **THAT** one of the commission's key result areas is to establish interactive space between NCIC and the society on public complaints.
3. **THAT** we are gravely concerned that the NCIC Chair Mr. Francis Ole Kaparo has irredeemably undermined the mandate of the NCIC and his oath of office, through his action and the attitude he has exhibited towards communities in Laikipia North Constituency.

4. THAT it is our humble view that his action and attitude makes him a person **UNFIT** to continue holding the position of Chair or member of the NCIC.

5. THAT specifically we wish to bring to your attention the following incidents and facts that support our view that the NCIC Chair is unfit to continue to hold the office of the Chair of the NCIC:

- a. THAT on 10th Nov 2016 Mr. Kaparo grossly exhibited bias and discrimination when he failed to give the Samburu and Pokot community members opportunity to air their views on matters insecurity at a meeting held in Rumuruti Worse, he was hostile and abusive to members of the two communities and even at one point he told one member who wanted to expose the true cause of conflicts “to find his meeting to expose as the meeting belonged to him” (Kaparo).
- b. **THAT** he has, on several occasions, held undisclosed meetings ostensibly to address insecurity issues in the area without representation of the Samburu community. What is most aggravating is that he has used these meetings to discuss and incite other communities against the Samburu community. One such meeting was held in Nanyuki on 13/12/2016. In fact he asked the only Samburu community member present to leave the meeting.
- c. **THAT** despite the NCIC’s mandate to launch the ethnic and diversity Audit Report of Public Institutions and give recommendations. Against the commission principles, he is the cause of ethic discrimination, negative ethnicity perceptions of discrimination and unequal distribution of resources.
- d. **THAT** while in Laikipia, the major communities are Kikuyu, Samburu, Turkana, Maasai, Pokot, Kalenjin, the Maasai

community has taken major job positions in the county through the influence of Francis Ole Kaparo. Two nominations to the County assembly, two members of the Executive committees, two members of the County Public Service Boards who he in turn uses to influence disproportionate employment of the Masaai Community.

- e. THAT his influence has resulted in members of Maasai community taking positions of Sub county administrator, two ward administrators, Clerk of the County Assembly and many other positions whereas the Samburu community has only one position senior position which is the Chief Officer for water, Mr. Loosenge.
- f. **THAT** it is in NCIC chair (Kaparo) knowledge that police operations he constantly endorses in the area have never yielded cohesion, forgiveness but results to resentment and activities that do not respect human dignity. Yet, he has supported shown bias in supporting the police to take action against the Samburu community while ignoring the aggression meted on Samburu.
- g. THAT as NCIC Chair he has failed in his mandate to create and effectively coordinate, collaborative structures that address reconciliation and integration in Laikipia, yet he was quick to recommend military operations on innocent people, without assessing the negative impact it could lead to. This should have come as the last resort. To date he has not facilitated an inclusive meeting to discuss peaceful co-existence.
- h. THAT as NCIC Chair, he failed the test of his mandate by not carrying out thorough research on the real cause of conflict but was fast to make blanket condemnation on the entire Samburu community when the cause of conflict was public knowledge.
- i. That it is well known by communities that the operations and evictions he advocates are meant to reduce those who can

vote from the Samburu community in order to increase the chances of a win of his preferred candidate.

- j. THAT he has openly shown support for Hon. Sarah Lekorere for Laikipia North parliamentary seat causing further division within the constituency. Importantly his actions in this regard are in violation of the provisions of Public Officers Ethics Act. and has succeeded by bringing in the spirit of division. His main agenda through Hon. Lekorere is planting a seed of discord and division among communities. HON. Lekorere is on record telling other communities that Samburus are bad, immigrants and whose aim is to displace other communities. She is on record as having claimed that all other Samburu politicians except her have a militia. These are unfounded allegations that a leader of her stature would utter in public. Her utterances have drawn the support of various politicians from the County who have convinced their communities that Samburu people are a bad neighbor. This has resulted to planned evictions of people who have lived in the constituency for more than 20 years. Despite her constant hateful statements, the NCIC Chair continues to protect her and has failed to take appropriate action.
- k. THAT he has failed as the Chair to unify and integrate Kenyans into a cohesive society guided by national values and principles of governance contained in article 10 of the constitution.
- l. **THAT** it is our humble view that he has failed to perform the core values of the constitution and NCIC of professionalism, integrity, inclusivity, respect for diversity and affirmative action for the marginalized and the minorities.

THEREFORE your humble Petitioners **PRAY** that;

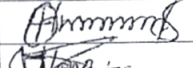
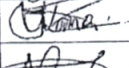
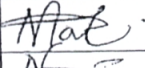
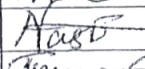
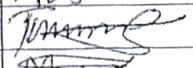
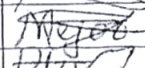
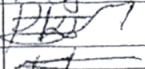
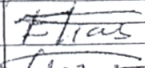
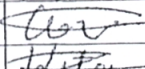
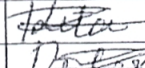
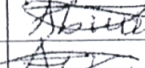
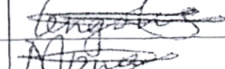
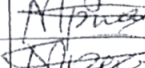
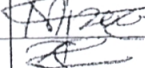
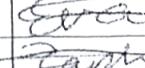
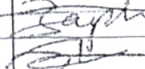
1. This this petition discloses grounds for removal of the named Chairperson under **Section 23(1) (a) and (b)** of the National Cohesion and Integration Act 2008;
2. That the Office of the Attorney General forwards this Petition to the relevant Parliamentary Committee pursuant to subsection 23(4) in order that the Committee may inquire into the matter and make recommendation to the President.

And your **PETITIONERS** will ever pray.

Date: 12/03/2017

Copy to: The Vice-Chairperson, NCIC

**PUBLIC PETITION TO H. E THE PRESIDENT ON THE REMOVAL OF THE
CHAIRPERSON OF NATIONAL COHESION AND INTEGRATION
COMMISSION (NCIC), BY**

S/No.	Name	ID/Number	Mobile Number	Signature
1.	LEKAMARIO HENRY	31690629	0728937524	
2.	JAPHETH LOLUSU	31524528	0728937525	
3.	Margaret Lenalopha	23346992	0727850942	
4.	Nasteku Lekopier	26208064	0728273499	
5.	Tumunying Lekamario	3981976	0713157094	
6.	Lemejole Lenana	28913528	0700216421	
7.	Lekopien Parlete	22324979	0722936979	
8.	Elias Lemarile	24860944	0704632961	
9.	Wata Iokitekui	29677188	0724908056	
10.	Lekutasharan rigar	32288020	0714273784	
11.	Peter con Lekamario	31494132	0729374823	
12.	Abraham Lemangoh	29144830	0726346797	
13.	Anthony lenalparipia	27313937	0718404907	
14.	Lengolas Gabriel	31648415	0705774287	
15.	Lemugi Samuel	31676719	0704714873	
16.	Lalampaa fredric	30546672	0726376061	
17.	Felix lororua	31639747	0728566420	
18.	Evaline lejamara	30096677	0708576496	
19.	Japheth Lolusu	31524528	0728937525	
20.	Loidimu Lekamario	28870044	0717116843	
21.	Region Lekamario	26457748	0727373642	

22.	lorkiirek francis	29305203	0725390476	lengkirek
23.	lorkakasi loosenge	3443297	07087722063	kakass
24.	Pati lekopiem	20383979	0712921990	Stm
25.	Rehi lekitaahara	31339463	0718882454	Re
26.	Natukura lenaageta	25375260	0765808505	Kamey
27.	San lororua	28444490	0706092619	lork
28.	Sante lengela	30077078	0717318642	Kana
29.	Damia lengopito	10938071	0727267557	Pao
30.	Tikao lenalepina	28497341	0728497341	lork