2nd December, 2022

To The Governor
Nairobi County Government
His Excellency Johnston Sakaja

OUR REF: AIK-02122022

DEMAND LETTER

On 8th November 2022, we wrote a letter to your office asking your government to tackle noise pollution effectively by creating an effective complaints department. We asked your office to roll out a portal where Kenyans living in Nairobi can lodge complaints about noise pollution, especially within residential areas.

It is in the public domain that in your speech during the official commissioning of the Green Park Bus Terminus on Thursday, December 1, 2023, you (Nairobi Governor, Johnston Sakaja) said that you won’t shut down churches located in residential areas in the city. Instead, your government will hold talks with the clergy to come up with an appropriate solution.

On 25th November 2022, your office issued a public notice on noise targeting bars, restaurants, and liquor-selling premises. This was done without any consultation with the business community.

On the face of it, you are treating the religious community with privileges.
8th November, 2022

Article 27 (4) of the Constitution (2010) states as follows:

The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language, or birth.

Your decision to hold talks with the clergy, and not with the business community on this matter amounts to direct discrimination against the business community.

We would like to reiterate that noise pollution should be dealt with without favoring any particular constituency, and we expect your office to comply with Article 27(4) of the Constitution.

We demand that you rescind your public notice dated 25th November 2022 and issue a fresh one to include the religious community WITHIN 7 DAYS, so as to be seen to be tackling the issue of noise pollution without any favoritism.

FAILURE TO DO SO, we will seek appropriate relief before a court of proper jurisdiction.

Sincerely,

Harrison Mumia
President, Atheists In Kenya Society

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