



Kenya National Commission on Human Rights

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WE HAVEN'T LEARNT YET:

Ladies and gentlemen, it is seventeen days to one the most historic elections in our country. We join other stakeholders in voicing the following concerns relating to the ongoing electoral process:

1. It is evident that our actions, both as institutions and individuals, appear not be informed by the lessons of the past. Repeatedly we have been urged, including by our international partners that we are at a defining moment in terms of the growth of our democracy and realization of our constitutional aspirations. It is however alarming that we appear to be inclined to maintain our old bad habits even when it is evident that in the past they have led to loss of lives and destruction of property and threatened the very existence of our nationhood.
2. It is in this regard that as a commission we feel constrained to make a passionate appeal to all of us to play our roles in safeguarding our nationhood.
3. We are proceeding towards the March 4th elections in the wake of poorly conducted party nominations and there is almost a deliberate effort on our part to overlook that process and ignore the obvious indicators that we are not fully committed to reforms.
4. We continue to monitor political campaigns and our observation is that increasingly candidates have resorted to door to door campaigns as an alternative to public

rallies. Our concern with this change of strategy is that in some instances these campaigns are being used to mobilize along ethnic lines with the consequence that in some regions certain communities and groups are fearful of their security regardless of the outcome of the elections and are beginning to move from their homes. In Changamwe for instance, we are aware that houses belonging to members of certain communities have been marked and targeted for possible attacks or evictions based on their perceived voting patterns.

5. Even as the NCIC has intensified their efforts to curb hate speech, we wish to draw their attention to this subtle intimidation. The obvious concern is that these people will not enjoy the right to participate in the elections but more fundamental is that as Kenyans we have refused to embrace our diversity and move towards being a cohesive nation.
6. We are also compiling incidences where politicians have used hate speech and inflammatory language and shall be forwarding this NCIC for their action. For instance, just last weekend at a CORD coalition rally in Kwale, we recorded senior and prominent politicians uttering the following potentially inflammatory statements:

Politician 1: *“Mnakubali rais wa Kenya watoke makabila mbili tu? Kwani wanawake wa huku hawawezi zaa rais? Kwani wanaume wa huku hawawezi panda kitanda na kutoa mbegu ya rais? (Do you accept that the president of Kenya should only come from two tribes? Are the women from this place incapable of giving birth to a president? Can’t the men from this place get onto the bed and produce presidents?)*

Politician 2: *“Haiwezekani kabila mbili tu kuongoza Kenya”* (It is not acceptable that only two tribes should lead Kenya)

Politician 3: *“95% of kikuyus are good, lakini 5% ni wabaya”* (95% of Kikuyus are good, but 5% are bad)

Politician 4: *“Wakiiba hii kura watajua wakenya ni nani”* (If they rig the elections, they will know who Kenyans are.)

7. Further in our monitoring it is evident to us that even as we have talked about voter bribery, as Kenyans we are not innocent parties. We have witnessed incidents of Kenyans holding politicians hostage demanding for bribes in blatant disregard for the law. At the public rallies we have attended we have seen Kenyans cheering on these politicians as they make sexist, vulgar, unsavoury and inciteful statements.
8. This must cease because it will inevitably contribute to whipping up ethnic animosity and deepening the divisions. The widespread use of social media such as facebook and twitter to spread hate, stereotypes and harmful propaganda against fellow Kenyans on the basis of their ethnicity must also cease. As evidenced during the public presidential debate it is possible for us to demand that politicians address us only on issues that concern us.
9. We remind all Kenyans, leaders and institutions that it is our individual and collective responsibility to safeguard the integrity of our nation, no matter the outcome of the forthcoming elections.

Signed:

Anne M. K. Ngugi
Acting Chair, KNCHR