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CIVIL SOCIETY CALLS ON THE DIRECTORATE OF CRIMINAL INVESTIGATIONS (DCI) AND OTHER STATE INVESTIGATIVE AGENCIES TO ESTABLISH THE TRUE OWNERSHIP OF THE BEACH PLOT BEING CONSTRUCTED IN TOTAL DISREGARD TO REGULATIONS AND BRING TO BOOK THE STATE OFFICER(S) AND POLICE OFFICERS WHO ORDERED AND EXECUTED THE ATTACK ON JOURNALISTS

The Civil Society Reference Group (CSRG) condemns the brutal attack meted out on journalists, Laban Walloga and Karim Rajan by police officers attached to Bamburi Police Station and calls on the Directorate of Criminal Investigations (DCI) to immediately launch investigations into the matter. The two journalists did not commit any crime known to the law. They were merely doing their job drawing public attention to a project apparently being undertaken with impunity at a time when public outrage and support for ongoing government efforts to rid the country of constructions on riparian land is at its peak.

It is obvious that the land in question is not a protected area whose filming violated the law. The mere fact that it may be owned by a senior government official does not make it one. It was therefore within the right of the two journalists and the Media House they work for, as indeed the right of every Kenyan to film and publicise a construction project being undertaken on riparian land. The DCI should also establish and make public the ownership of the land on which the hotel is being built and whose construction seems to have encroached on a public beach so that Kenyans can get to know the said top government official whose personal interests seem to be in conflict with public interest.

The provisions of Article 73 (2) (ii) of the Constitution on Leadership and Integrity are clear and obligate a State or Public Officer to declare “any personal interest that may be in conflict with public interest”. No such declaration has been made and as such, any government official who will be confirmed by the DCI to have interest in the said beach plot should be probed further by the Ethics and Anti-Corruption Commission (EACC) and other investigative agencies so that a process of their removal from office for violating the Constitution and the Leadership and Integrity Act can be initiated.

If indeed it is independently established that the said plot under construction is owned by a State or Public Officer, and that the said State or Public Officer used the police to protect personal interests at the expense of public interest, the said public officer and the police so used should be charged in court with abuse of office. Such State or Public Officers could be the ones President Uhuru Kenyatta was referring to as pestering him with telephone calls to go slow on the ongoing demolition of structures on road reserves and riparian land but when in public platforms engage in double-speak and polemics about their unwavering commitment to the fight against corruption and grabbing of public land.

The civil society also calls for an immediate halt to the ongoing construction on the said plot failure to which the sector will be forced to move to court under the provisions of Article 70 (2) (a) of the Constitution and apply for orders “to prevent, stop or discontinue any act or omission that is harmful to the environment”.

Signed by:



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Presiding Convener

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