

GOVERNMENT OF NAIROBI CITY COUNTY

Laid on 4/4/2026
by Hon. Jene Akama
4/4/26



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY

(FIFTH SESSION)



NCCA/TJ/PL/2026(55)

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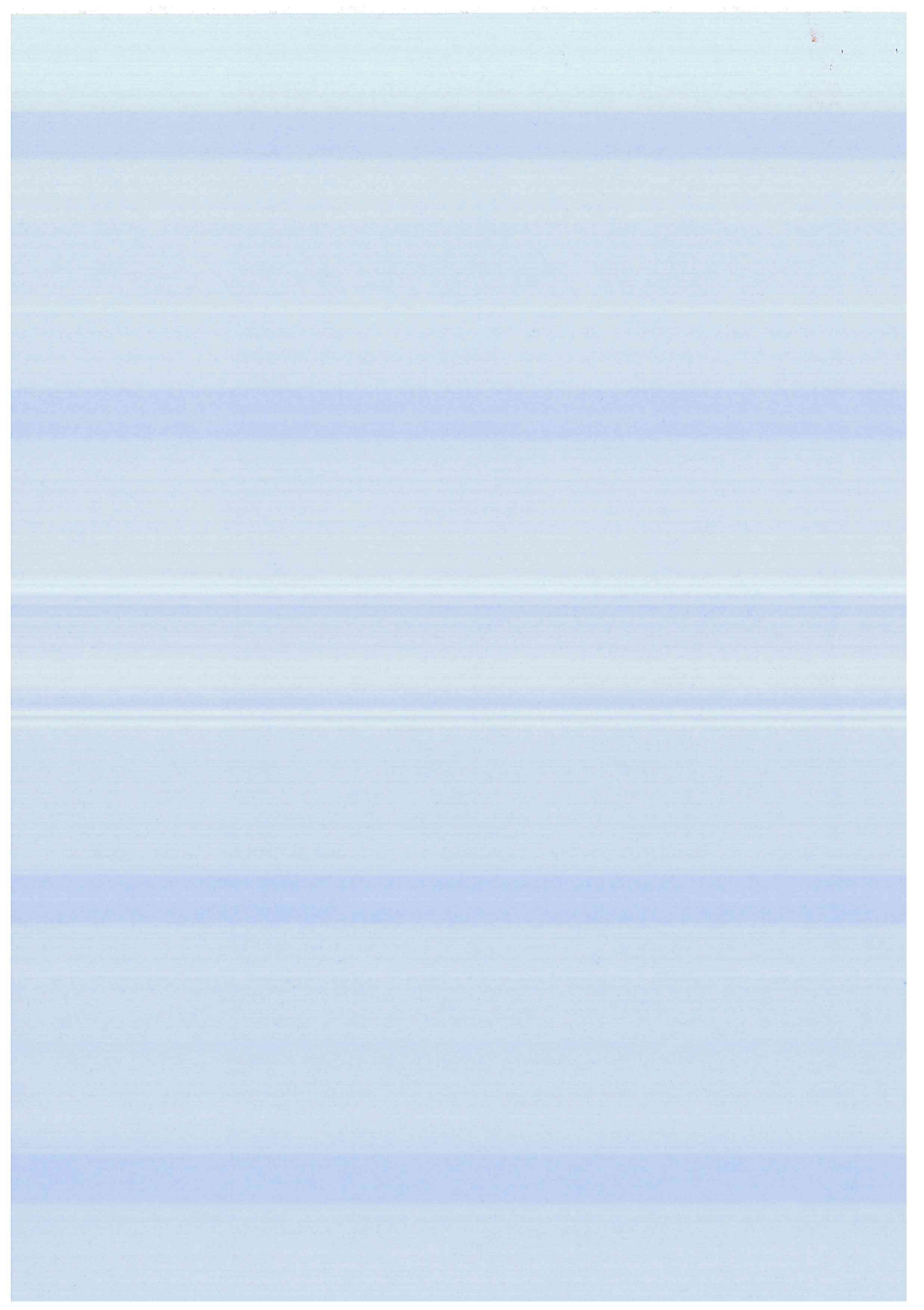
SUBJECT: REPORT OF COMMITTEE

Pursuant to Standing Order 221 (2), I beg to lay the following Paper on the Table of this Assembly, today, Wednesday, 8th April 2026:

— THE REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE PETITION BY BOOK VENDORS AND OTHER LEARNING MATERIALS ON UNWARRANTED BUSINESS DISRUPTION IN NAIROBI CITY COUNTY CENTRAL BUSINESS DISTRICT.

(Chairperson of the Sectoral Committee on Justice and Legal Affairs)

Copies to:
The Speaker
The Clerk
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The Press



COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY–FIFTH SESSION

**FIFTH REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND
LEGAL AFFAIRS ON
THE PETITION BY BOOK VENDORS AND OTHER LEARNING
MATERIALS ON UNWARRANTED BUSINESS DISRUPTION IN NAIROBI
CITY COUNTY CENTRAL BUSINESS DISTRICT**

**CLERK'S CHAMBERS,
CITY HALL,
NAIROBI**

MARCH, 2026

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1.0 PREFACE

1.1. Committee Mandate

Hon. Speaker,

The Sectoral Committee on Justice and Legal Affairs is established pursuant to the Standing Order 209, and is mandated amongst others to:

- i. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- ii. Study the programme and policy objectives of departments and the effectiveness of the implementation;
- iii. Study and review all county legislation referred to it;
- iv. Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- v. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- vi. Vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196 (Committee on Appointments); and
- vii. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.2. Committee Membership

Hon. Speaker,

The Committee on Justice and Legal Affairs comprises of the following Members:-

1. **Hon. Jared Akama Ondieki, MCA** – **Chairperson**
2. **Hon. Suleiman Hamisi Maleya, MCA** – **Vice Chairperson**
3. Hon. Anthony Kiragu, MCA – Minority Leader
4. Hon. Fathiya Abdilahi Mohamed, MCA
5. Hon. Peter Oluoch Owera, MCA
6. Hon. Maurice Ochieng, MCA
7. Hon. Perpetua Mponjiwa, MCA

8. Hon. Hellen Awuor, MCA
9. Hon. Ami Perez, MCA
10. Hon. Silas Matara Ong'wae, MCA
11. Hon. Agnes Wambui, MCA
12. Hon. Asli Mohamed, MCA
13. Hon. Emmy Khatemeshi, MCA
14. Hon. Clarence Munga, MCA
15. Hon. Mwaura Samora, MCA
16. Hon. Diana Katile Mwangagi, MCA
17. Hon. Virginia Kang'ethe, MCA
18. Hon. Clement Ng'ang'a, MCA
19. Hon. Deonysias Mwangi, MCA
20. Hon. Joseph Ndungu, MCA
21. Hon. Francis Kimondo, MCA
22. Hon. Doreen Mugambi, MCA
23. Hon. Stephen Kimani Mugo, MCA

Hon. Speaker,

Pursuant to Standing Order 219, the Clerk of the County Assembly on 20th May, 2025, received a petition from book vendors and other learning materials in the Nairobi City County CBD whose prayer was a request to halt unlawful harassment by County enforcement officers/Inspectorate within the Nairobi CBD.

Pursuant to Standing Order 219 (1) (b), the Hon. Speaker on Tuesday 22nd July, 2025, presented the said petition on behalf of the petitioners on the floor of the Assembly. Pursuant to Standing Order 221(1) and (2), the petition was committed to the Committee on Justice and Legal Affairs for consideration and preparation of a report to the Assembly within forty-five (45) calendar days.

Hon. Speaker,

In order to ascertain the issues raised in the petition, the Committee resolved to meet all parties mentioned in the petition before making appropriate recommendations. The Committee identified the following as parties to the petition;

- a.) The CECM for Business and Hustler Opportunities;
- b.) The CECM for Boroughs, Sub-County Administration and Personnel;
- c.) The Chief Officer for Urban Planning and Development;
- d.) The Chief Officer for Security and Compliance;
- e.) The Chief Officer for Markets and Trade;
- f.) The Director City Inspectorate; and
- g.) The petitioners.

The Committee conducted interviews with all the parties. This report contains the Committee's observations, findings and recommendations on the petition.

1.3. Acknowledgement

Hon. Speaker, I wish to sincerely thank Members of the Committee for their patience, sacrifice and hard work despite their other commitments and tight schedules, in their endeavors to deliberate on the petition. The Committee also wishes to sincerely thank the Offices of the Speaker, the Clerk of the County Assembly and to the secretariat for their support to the committee that enabled Members execute their work.

It is my honor and pleasure on behalf of the Committee to present this Report of the Committee on Justice and Legal Affairs on the petition received from book vendors and other learning materials in the Nairobi City County CBD whose prayer was a request to halt unlawful harassment by County enforcement officers within the Nairobi CBD with recommendations to the Assembly for consideration and adoption pursuant to the provisions of Standing Orders No. 221(1) and (2).

Thank You.

Signed 

Hon. Jared Akama, MCA
(Chairperson Sectoral Committee on Justice & Legal Affairs)

24TH MARCH, 2026

2.0 INTRODUCTION

Pursuant to Standing Order 219, the Clerk of the County Assembly on 20th May, 2025, received a petition from book vendors and other learning materials in the Nairobi City County CBD whose prayer was a request to halt unlawful harassment by County enforcement officers/Inspectorate within the Nairobi CBD.

Pursuant to Standing Order 219 (1) (b), the Hon. Speaker on Tuesday 22nd July, 2025, presented the said petition on behalf of the petitioners on the floor of the Assembly. Pursuant to Standing Order 221(1) and (2), the petition was committed to the Committee on Justice and Legal Affairs for consideration and preparation of a report to the Assembly within forty-five (45) calendar days. The Committee considered the petition pursuant to the provisions of Standing Order 221(2).

In their petition, the petitioners wished to draw the attention of the Assembly to the following, that: -

- a) That the Nairobi City County Government stops the ongoing evictions and enforcement targeting books and other learning materials vendors since they are legally operating their businesses;
- b) The Nairobi City County Government to stop harassing, extorting and discriminating compliant vendors;
- c) A structured and conclusive dialogue between vendors and other relevant stakeholders be held to develop tangible solution to this vexation; and
- d) Permission be given to resume lawful operations in designated zones within CBD without fear of intimidation.

3.0 APPEARANCE BEFORE THE COMMITTEE BY WITNESSES

3.1 Appearance and Submissions by the Petitioners - Mr. Athony Oloo, Mr. John Njoroge, Ms. Patricia Mwasi, Ms. Saumu Nyangasi

In their submissions, they stated as follows;

- i. They were duly licensed vendors of books, newspapers, magazines, gazettes and Competency-Based Education (CBE) learning materials operating within Nairobi's Central Business District (CBD);
- ii. Had a great concern regarding the recent enforcement operations targeting their businesses under the guise of "CBD decongestion";
- iii. They asserted that the said eviction was not only abrupt and oppressive but also conflicted with the rule of law and principles of fair administrative action;
- iv. Their operations were sanctioned under the Nairobi City County frameworks, specifically the policies regulating verandah and public space use. They possessed formal approval letters issued by the County Urban Development Department and held valid business codes obtained through proper licensing channels and have complied with regulations and always conducted their businesses responsibly (Legal recognition and regulatory compliance);
- v. The recent crackdowns were executed without notice, stakeholder engagement, or public consultation. The said actions undermined the rule of law and set a precedent of unilateral enforcement without citizen involvement (Violation of due process and public participation);
- vi. The petitioners cited selective/ discriminatory enforcement. While the book vendors were aggressively evicted, other informal actors- boda boda riders, photographers and other hawkers- operated with no County interference. The stated unequal treatment contravened Article 27 of the CoK, 2010 which guarantees equality and freedom from discrimination (Discriminatory and unequal enforcement);
- vii. The said enforcement offended Article 47 of the Constitution which secures the right to fair administrative action. They added that there was no

- transparency and fairness in the enforcement process (Contravention of Constitutional and administrative justice principles);
- viii. Book vendors and other learning materials support literacy advancement, facilitate access to affordable knowledge resources and cater to learners, teachers, students, researchers and the general public (Contributing to literacy, learning and public knowledge); and
 - ix. The petitioners mentioned that they had on many occasions supported law enforcement by reporting petty crimes, monitoring suspicious activities and alerting relevant authorities when needed. Their presence contributed to a safer, better policed public space and dismantling their operations weakened community safety (Enhancing public safety and supporting security agencies).
 - x. The Committee was informed that the back street spaces allegedly allocated to them were in deplorable state with no security lights hence not conducive for their businesses and clients. Concern was raised that the said spaces were allocated at a fee; and
 - xi. The petitioners distanced themselves from Mega Book Vendors Association, an association that severally held meetings with County officers.

3.2 Appearance and Submissions by the CECM for Boroughs, Sub-County Administration and Personnel, the CECM for Business and Hustler Opportunities, the Chief Officer for Urban Planning and Development, the Chief Officer for Security and Compliance, the Chief Officer for Markets and Trade, the Director City Inspectorate

On Wednesday 6th August, 2025, the aforementioned officers, apart from the CECM for Boroughs, Sub-County Administration and Personnel, appeared before the Committee and submitted both written and oral submissions to the Committee. In their written submissions, they stated as follows;

- i. CECM for Business and Hustler Opportunities and the Chief Officer for Markets and Trade informed the Committee that the Governor gave orders through a public notice Ref:NCC/CS/GA/007, dated 6th January, 2025 directing all street vendors to relocate to backstreets and lanes. The designated

backstreets are within the Zones from Tom Mboya to Kirinyaga road and discontinued hawking on the main streets, walkways and roads, Moi avenue, Haile Selassie, Ronald Ngala street, Mfangano street, Hakati road and River road. Accordingly, the Sector and the City Inspectorate sub-sector among other County Officers engaged all traders, including the book vendors, in several meetings held at Green Park social Hall. Trading spaces in the backstreets/lanes were identified and all traders were allocated and relocated to the new spaces, book vendors included.

- II. The Chief Officer for Markets and Trade mentioned that on Wednesday 28th May, 2025, the Sector held a meeting with officials of an association by the name Mega Book Vendors Association regarding the relocations. It was unanimously agreed that the book vendors to operate at their designated back lanes. She stated that the Transport and Mobility Sector was currently renovating back streets to reduce insecurity and provide favorable spaces for the vendors and other hawkers in general. She reiterated that the book vendors should operate from their designated back lanes as directed.
- III. The Director for Trade Licensing confirmed that the book vendors were not issued with operating licenses.
- IV. The Head, Technical Urban Development Department stated that informal traders should operate from their designated back lanes as directed.
- V. Chief Officer for Security and Compliance admitted the need to retrain enforcement officers on human rights and lawful enforcement practices and conduct fair eviction.
- VI. Director of City Inspectorate committed to investigating reported incidents of harassment and taking disciplinary action where misconduct is established.

4.0 COMMITTEE OBSERVATIONS AND FINDINGS

THAT; -

1. Lack of designated vending areas-The County has not provided specific trading zones for educational material vendors, forcing them into constant conflict with enforcement officers.
2. Bribery and extortion- Enforcement officers allegedly demand bribes to return confiscated goods or to allow vendors to continue operating.
3. There was discriminatory enforcement- boda boda riders, photographers and other hawkers- operated with no County interference.
4. Violation of Constitutional rights- The enforcement actions infringe on the rights to dignity, fair administrative action, equality before the law, and the right to earn a livelihood.

5.0 COMMITTEE RECOMMENDATIONS

The Committee makes the following recommendations:

THAT: -

1. Recommend the immediate halt of arbitrary enforcement actions against the petitioners pending verification of allocation of trading spaces.
2. Licensing department to issue trading licenses to the petitioners (book vendors and other learning materials in Nairobi CBD).
3. The petitioners to furnish the Business and Hustler Opportunities Sector and the Committee an updated list of fifty (50) book vendors.
4. Convene a follow-up meeting in two weeks to assess progress on the above resolutions.
5. The Business and Hustler Opportunities Sector, the Mobility and Works Sector and the Urban Planning and Development sub-sector to work together and renovate all back street/lanes to make them conducive for the traders.
6. Request the County Legal Office to provide guidance on the rights of informal traders and review existing legal gaps.
7. Initiate a Legislative Review: Recommend the review and amendment of relevant County laws and regulations, including the Nairobi City County

Trade Licensing Act and the City Inspectorate Service Act, to better protect the rights of informal traders and clarify enforcement procedures.

8. Establish a Stakeholder Engagement Forum/Institutionalize dialogue: Urge the County Executive to convene a stakeholder forum comprising book vendors, enforcement officers, urban planners, market officials, and Members of the County Assembly to co-create solutions and maintain regular dialogue.
9. Develop a Code of Conduct for Enforcement Officers: Recommend the development and enforcement of a Code of Conduct for the City Inspectorate officers, with specific provisions on respectful engagement with traders and consequences for violations.
10. Training and Sensitization Programs: Direct the CECM for Boroughs and the Director of City Inspectorate to roll out continuous training and sensitization programs for enforcement officers on human rights, legal procedures, and ethics in public service.
11. Create Designated Trading Zones: Recommend the identification and gazettement of trading zones to accommodate informal book and learning materials traders.
12. Direct the City Inspectorate to furnish the Committee with a report on complaints and disciplinary actions taken in the last six months.
13. Public Awareness Campaign: Recommend that the County undertake public awareness campaigns to educate both enforcement officers and traders on legal rights, complaint mechanisms, and available County support programs.
14. Hotline for Reporting Harassment: Propose the establishment of a toll-free County hotline and/or digital platform for traders to report harassment, lodge complaints, and track responses from the County Government.

