## COUNTY GOVERNMENT OF NAIROBI CITY

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NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

(FOURTH SESSION)

[PUBLIC PETITION PURSUANT TO STANDING ORDER 214]

PUBLIC PETITION BY VENDORS OF BOOKS AND OTHER LEARNING MATERIALS ON UNWARRANTED BUSINESS DISRUPTION IN NAIROBI CITY COUNTY CBD.

WE THE UNDERSIGNED Citizens of Kenya who are duly licensed vendors of books, newspapers, magazines, gazettes, and Competency-Based Education(CBE) and other learning materials operatring within Nairobi Central Business District;

DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County Governments in the County Assembly;

THAT WHEREAS, Section 116 of the County Governments Act, 2012 imposes an obligation on the County Government and its agencies to deliver services within its designated area of jurisdiction;

THAT, we vendors of books, books, newspapers, magazines, gazettes, and Competency-Based Education(CBE) and learning materials operating within Nairobi Central Business District register our concern regarding recent unlawful enforcement operations targeting our businesses under the guise of decongesting the CBD;

THAT, we play a vital role in both economy and educational ecosystem of Nairobi;

THAT, our operations are under existing Nairobi City County frameworks, specifically the policies regulating veranda and public space use;

THAT, we have approved letters and licences issued by relevant departments from Nairobi City County Government and our operations are within existing laws and regulations;

THAT, recently, there has been a crackdowns executed without notice, Public Participation or stakeholder engagement as required under County Governments Act 2012 which done selectively since other economic actors were not targeted;

THAT, the manner in which enforcement is being carried out offends Article 47 of the Constitution, which secures the rights to fair administration action. Additionally, the absence of transparency and procedural fairness in the enforcement process runs afoul of the Constitution and related policy instruments intended to protect the rights and dignity of citizens;

THAT, the vendors of educational and reading materials serve a critical public interest. That we support literacy advancement, facilitate access to affordable knowledge resources, and cater to learners, students, researchers and the general public. In so doing we directly contribute to the County's Education objectives and Kenya's Vision 2030, particularly Quality Education;

THAT, the constant presence of vendors in the Central Business District, act as informal community sentiments and have on many occasions supported law enforcement by reporting petty crimes, monitoring suspicious activity and alerting relevant authorities when needed. Thus, our presence contributes to a safer, better-policed public space, and dismantling our operations weakens this informal but vital layer of community safety;

THAT WHEREAS, petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

AND THAT, all the matters in respect of which the petition is raised are not pending before any court of law or constitutional body.

NOW THEREFORE, your humble Petitioners PRAY that the County Assembly of Nairobi City County intervenes and ensures that; -

- a) The ongoing enforcement and evictions by the Nairobi City County Government targeting books and other learning materials vendors be suspended with immediate effect since they are legally operating their businesses;
- b) The Nairobi city County Government to stop harassing, extorting and discriminating complaint Vendors;
- c) A structured and conclusive dialogue between Vendors and other relevant stakeholders be held and develop tangible solution to this vexation;
- d) Permission be given to resume lawful operations in designated zones within CBD without fear of intimidation; and
- e) Any other order that it may deem fit is made in the circumstances of this petition.

And your Petitioners will forever pray.

Presented by; Hon. Speaker

On behalf of:

- Duly licensed vendors of books, newspapers, magazines, gazettes, and Competency-Based Education(CBE) and other learning materials operating within Nairobi Central Business District.

And by extension;

- All residents of Nairobi County.

