



## KURA YANGU, SAUTI YANGU STATEMENT ON THE MOSES KURIA'S INFLAMMATORY REMARKS

*Kura Yangu, Sauti Yangu* is a citizen movement spearheaded by a number of like-minded civil society organizations (Kenya Human Rights Commission, Independent Medico-Legal Unit, Constitution and Reforms Education Consortium, Inform Action, the Africa Centre for Open Governance, the Civil Society Organization Reference Group, Inuka Trust, Katiba Institute, and the Kenyan Section for International Commission of Jurists) who have come together to proactively support Kenya's preparations for the 2017 elections with a view to ensuring that the country minimizes the risks related to dysfunctional electoral systems and practices which the country has experienced in the recent past.

As *Kura Yangu, Sauti Yangu*, we would like to express our dismay over recent inflammatory remarks made by the Member of Parliament for Gatundu South, Hon. Moses Kuria, during a function at the Safaricom Kasarani Stadium on 12<sup>th</sup> June, 2016. In his remarks, Hon. Kuria was reported to have suggested the possible assassination of Raila Odinga.

As the country gears up for the upcoming 2017 Elections, it ill befits those charged with the responsibility of representing the interests of the people to display such recklessness and utter such negligent remarks that run high risks of fanning ethnic animosity, hatred and violence. The goal of having peaceful elections come 2017 will not be achieved if those making such inflammatory and divisive utterances are not held accountable. It was only last year when Hon. Kuria was arraigned in a Nairobi Court to face charges of incitement to violence, ethnic contempt, and hate speech.

For a country that is still grappling with the challenge of ethnic polarization and mobilization during elections, the failure of the relevant institutions to expeditiously handle matters relating to hate speech poses a clear and present danger to a free, fair, peaceful, credible, transparent and accountable 2017 electoral process.

### Co-Conveners

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The Civil Society Organization  
References Group  
(CSO-RG)



The Independent  
Medico-Legal Unit  
(IMLU)



The Africa Center  
for Open Governance  
(AfriCOG)



Constitution & Reforms  
Education Consortium  
(CRE-CO)



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**Kura Yangu, Sauti Yangu**, notes with deep concern that the so-called, ‘Honorable’ Member **continuously** opts to make a mockery of the Constitution that affords every Kenyan freedoms and rights without any effective repercussions. While the ‘Honorable’ Member could argue that he was exercising his freedom of speech, the exercise of this right is not absolute and should be mitigated to ensure it is not construed as hate speech, advocacy of hatred or inciting the public to violence.

**Furthermore**, in light of the demonstrations against the IEBC, we want to note that the pursuit of legitimate political interests through assembly, demonstration, and picketing is recognized in the Constitution and it is anticipated that no section of the public shall be denied the opportunity to exercise this right.

**Kura Yangu, Sauti Yangu** therefore notes that the remarks made by Hon. Moses Kuria not only contravene various Constitutional Provisions, but also the National Cohesion and Integrity Act which clearly stipulate that utterances of this nature constitute an offence.

In this regard, **Kura Yangu, Sauti Yangu**

- i) **Calls upon the National Cohesion and Integrity Commission** to urgently **investigate** Hon. Moses Kuria’s utterances regarding Hon. Raila Odinga and thereafter recommend for his prosecution.
- ii) **Calls upon the Director of Public Prosecutions** to institute and undertake criminal proceedings against Moses Kuria, and
- iii) **Calls upon the Inspector General of Police** to arrest Moses Kuria for committing this criminal offence.

As a public official who is expected to personify the Constitutional provisions on national values and principles as well as leadership and integrity as enshrined under Chapter 6 of the Constitution, **it is extremely disheartening** for Hon. Moses Kuria to display such blatant disregard of the law.

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*Kura Yangu, Sauti Yangu* strongly urges all members of the public to be vigilant in defending and upholding their democratic rights and national values while exercising utmost restraint in their conduct to ensure peaceful co-existence during this electioneering period. |

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**Kura Yangu  
Sauti Yangu**

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