



Approved:
SNA
19/11/2020

Hon. Speaker
You may approve.
amapkmi
to KSP
19/11/20

**REPUBLIC OF KENYA
TWELFTH PARLIAMENT (FOURTH SESSION)**

THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 41 of 2020)

PARLIAMENT
OF KENYA
LIBRARY

**REGARDING RECOGNITION OF THE PEMBA PEOPLE OF KENYA AS CITIZENS OF
THE REPUBLIC OF KENYA**

I, the **UNDERSIGNED**, on behalf of the Pemba People of Kenya;

DRAW the attention of the House to the following: -

1. **THAT**, the Pemba community whose population in Kenya exceeds 5,000 people are part of the 16 Swahili dialects of the traditional Swahili of Kenya whose root word *Suhailya* means 'people residing on the shores of the ocean';
2. **THAT**, the Pemba People of Kenya are originally from the eponymous island in the Zanzibar archipelago and were part of the Swahili states from Sokotra all the way to Mozambique and Madagascar;
3. **THAT**, the Swahili states as established accorded people not only freedom of movement but also equal citizenship rights to settle, farm, marry and trade freely without restrictions which formed the basis of negotiations between the Sultan of Zanzibar and the British Colonial Government on the administration of the Kenyan Coast Ten-Mile Strip;
4. **THAT**, the Pemba community settled within the Ten-Mile Strip which was part of the Sultanate of Zanzibar and therefore under the sovereignty of the Sultan of Zanzibar and not under the British, and which was officially recognized as a Protectorate of Kenya;
5. **THAT**, as the British ceded sovereignty over inland Kenya for independence in 1963, so did the Sultanate of Zanzibar cede sovereignty over the Ten-Mile Strip, and subsequently, Kenya became a country comprised of the Ten-Mile Strip where the Pemba community lived as well as the inland protectorate;
6. **THAT**, the Pemba People were therefore no longer in the Sultanate of Zanzibar but in the newly formed country called Kenya but were unfortunately not listed as part of the indigenous communities of Kenya which has presented huge difficulties in accessing or replacing identity cards;

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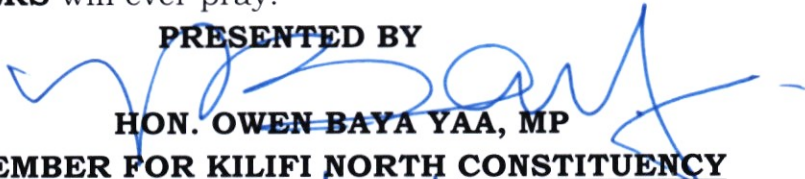
7. **THAT**, majority of the Pemba community reside in Kilifi and Kwale where they live without identity and are stateless because they are not recognized in Kenya and have no nationality in Tanzania either, and while the Government of Kenya has accorded varying degrees of recognition of the Makonde Community as well as the Malakote Community of Tana River, the Pemba People of Kenya have not been accorded similar citizenship recognition;
8. **THAT**, failure by the Government of Kenya to recognize the Pemba people of Kenya as citizens continues to cause great anguish and inconvenience to them since they are unable to register their children at birth, they miss out on education, health and other social services, are excluded from employment, are unable to register businesses or to open bank accounts or even to register a phone sim cards, have unrecognized marriages, are compelled to register assets such as land through proxies, and are regularly exposed to arbitrary arrests for falling to carry Identity Cards and for allegedly being in Kenya illegally;
9. **THAT**, the continued delay in the recognition and registration of the stateless communities in Kenya such as the Pemba community by the authorities is in clear breach and violation of both the constitutional and statutory provisions on citizenship in Kenya;
10. **THAT**, efforts to have this matter addressed by the relevant authorities have been futile;
11. **AND THAT**, the matter in respect of which this petition is made is not pending before any Court of Law or Constitutional body.

NOW THEREFORE, your humble petitioners pray that the National Assembly through the Departmental Committee on Administration and National Security: -

- i. Enquires into the matter with a view of securing the urgent recognition of the Pemba People of Kenya as citizens of the Republic of Kenya so as to safeguard their constitutional right as well as recognizing their economic and social contribution to the coastal region and the country at large, and
- ii. Secures the submission of a Report by the Cabinet Secretary for Administration and National Security on measures, including affirmative action programmes, taken by the state to address the plight of stateless persons and communities living in Kenya.

And your **PETITIONERS** will ever pray.

PRESENTED BY


HON. OWEN BAYA YAA, MP
MEMBER FOR KILIFI NORTH CONSTITUENCY

Date.....19/11/2020.....

PETITION ON RECOGNITION OF THE PEMBA PEOPLE OF KENYA;
MEMBERS OF A STATELESS COMMUNITY IN KENYA, LACKING
IDENTITY AS KENYAN CITIZENS

NAME OF PETITIONER	FULL ADDRESS	SIGNATURE/ THUMB IMPRESSION
AISHA MUHAMMAD ALI	MALINDI	A
RAFIQ ALI HARUN	MATUNSI	RAFIQ
HALIMA ALI ASHUMAN	MATUNSI	HALIMA
HAMIS HAJI KUMBO	MATUNSI	HAMIS
SWALEH KUMBO OMAR	MATUNSI	SWALEH
Bawa Khamis Mohamed	MATUNSI	Bawa
Khamis Swaleh Khamis	"	Khamis
Hassan Sheha Haji	"	Hassan
Omar Khamis Sheha	"	Omar
BUMBO Masoud Nasser	"	BUMBO
Masoud Hassan Suleiman	"	Masoud
Nura Bakar	"	Nura
Mariam Hassan Juma	"	Mariam
Wahida Masoud Ali	"	Wahida
Habiba Salim Nasser	"	Habiba
Nasser Masoud Nasser	"	N-M-N.
Musa Khamis Hassan	"	Musa
Zenab Rashid Kumbo	"	Zenab
Khamis Hassan Khamis	"	Khamis
BUMBO Khamis	"	B.K.
Aisha Ali Hassan	"	Aisha
Omar Kumbo Khamis	"	Omar
Hassan Said Bakar	"	Hassan
Said Masoud Mwingi	"	Said
Shahar Khamis Mohamed	"	Shahar
Abubakar Said Ali	"	Abul
Zakya Hassan Ali	"	Zakya
Juma Sheha Faki	"	Juma
Bahiga Rayab Kumbo	"	Bahiga
Nasser Masoud Nasser	"	N-M-N.
Salim Said Ali	"	Salim
Said Mohamed H.	"	Said

**PETITION ON RECOGNITION OF THE PEMBA PEOPLE OF KENYA;
MEMBERS OF A STATELESSNESS COMMUNITY IN KENYA, LACKING
IDENTITY AS KENYAN CITIZENS**

NAME OF PETITIONER	FULL ADDRESS	SIGNATURE/ THUMB IMPRESSION
ISMAIL FAKI ISMAIL	MTONDIA	
BIZUME HAMAD KOMBU	MTONDIA	BH
HAMAD BAKAR CHARD	MTONDIA	
SURIA LUMA BWANA	MTONDIA	
HADRA YUSSUF SWALEH	MTONDIA	
ALI ISMAIL FAKI	MTONDIA	
YISRA ALI SALIM	MTONDIA	
NASRA SHAME KOMBO	MTONDIA	
MUSA YUSUF ALI	MTONDIA	
MUSRA MOHAMMED KHAMIS	MTONDIA	
FAKI Omar FAKI	UYUMBO	
Mwanambizi MJIWIRI	UYUMBO	
OMAR FAKI Omar	UYUMBO	
HASSAN Omar MOHAMED	UYUMBO	
FATMA KOMBU KHAMIS	UYUMBO	
ALI HASSAN OMAR	UYUMBO	
FATMA Omar KHALFAN	UYUMBO	
Amina HASSAN Omar	UYUMBO	
SAID NASSER SAIA	UYUMBO	
MAICAME SHECH HAJI	UYUMBO	
BUCOMBE ABEID SEIF	UYUMBO	
YUSSUF MAICAME SHOJA	UYUMBO	
SAID KHAMIS ALI	UYUMBO	
SALMA SHAMATA HAMAD	UYUMBO	
RUCIA SULLEIMAN	UYUMBO	
SHAME SAID ALI	UYUMBO	
IBRAHIM KHAMIS ALI	UYUMBO	
ALI HASSAN OMAR	UYUMBO	
NASRA SAID NASSER	UYUMBO	
MOHAMED SULEIMAN	KHAMWIANGO	
HABIBU MIAJA HAMAD	MAZAN'GOMBE	
M FAKI HAJA FAKI	MTONDIA	

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NAME OF PETITIONER	FULL ADDRESS	SIGNATURE/ THUMB IMPRESSION
SHAAME KOMBO HASSAN	MTONDIA-	
SULEIMAN KHAMIS MAKAME	KUSUMWANGO	
OMAR BAKAR KOMBO	MWARANI.	
SALIM SULEIMAN HAMADI	TAKAUNGU	
JUMA YUSSUF JUMA	MAYUNGU	
JUMA HAJA JUMA	MAYUNGU	
SULEIMANI RUI MAKAME	TAKAUNGU	
Mahmoud Ali Juma	TAKAUNGU	
Abdullah Abdalla Salim	TAKAUNGU	
SULEIMAN ABID KHALIF	TAKAUNGU	
KHAMIS HEMED KHAMIS	TAKAUNGU	
ABEDI ALI HAMADI	TAKAUNGU	
SULEIMAN FADHIL HAMADI	TAKAUNGU	
ABU KHATIBU BAKAR	TAKAUNGU	
Salim Sidi Haluaci	KILIFI	
MOHAMED SHAME SHOKA	KILIFI	
BURUHANI ZOME JUMA	KILIFI	
Haji HAJIB HASAN	MTONDIA	
PHILIP KOMBO	MTONDIA	
Sharibu Wama Sharibu	MTONDIA	
hasif ISMAIL faki	MTONDIA	
Abubakar Mohammed	MTONDIA	
MHAMMEN KHAMISI	MTONDIA	
ALI KHAMISI	MTONDIA	
HAMAD ALI	MTONDIA	
ISMAIL FAKI ISMAIL	MTONDIA	
KHAMIS SHEE ALI	MATUNGU	
HASI SIMBA FAKI	MATUNGU	
MOZA SULCUMAN MASUDI	MATUNGU	
ZAINABA KOMBO	MATUNGU	
MAARUFU ABDALLA JUMA	MATUNGU	
SULEIMAN MASUDI KHATIBU	MATUNGU	

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NAME OF PETITIONER	FULL ADDRESS	SIGNATURE/ THUMB IMPRESSION
Omar Kumbo	Klatamu	
Kumbo Faki Bakar	"	
Hassan Seleem Hamad	"	
Muhammad Shaka Bakar	"	
Bakar Salim Mselem	"	
Khadja Khamsi	"	
Muhammad Omar Kumbo	"	M.O.K.
Khamsi Musa Khamsi	"	
Ali Rashid	"	
Mbarak Msafah	"	
Nuru Khamsi	"	
Amer Seleem	"	Amer
Khatib Hamad Haji	"	
Seleem Muhammad Shaka	"	
Hajra Omar Khamsi	"	Hajra
Abubakar Omar K.	"	
Shame Masud M.	"	
Fatuma Mfaki Makame	"	Fatuma
Khatib Mbarak Khatib	"	Khatib
Yusuf Khamsi	"	
KHATIB ALI ALI KHATIB	Miwapa	
ABDULLA OMAR FAKI	Miwapa	
OLACHO KOMBO OTHMAN	Miwapa	
HAMAD OMR FAKI	Miwapa	
MUHAMMAD HAMAD DADI	Miwapa	
FAKIH OMR FAKIH	Miwapa	
MARYAM SAID ALI	Miwapa	M.O.F.
SALEM OMR FAKI	Miwapa	
BIDALLA KHATIB ALI	Miwapa	
FAKI TONDO O	Miwapa	
DAUD MASUD	Miwapa	
MUHAMMAD MUBAWA ALI	Miwapa	

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NAME OF PETITIONER	FULL ADDRESS	SIGNATURE/ THUMB IMPRESSION
OMAR AZI OMAR	0718833987	
JUMA AZI OMAR	0723608845	
MAKAME MWINTI AZI	0720 838193	
ALI HANAN AZI	0704233070	
MWANAJUMA SITARA JUMA	TEZO	M.P.
MWANAJUMA ALI JUMA	TEZO	Al
HAMADI AZI JUMA	0770763387	H.M.S
NIKAZI AZI OMAR	0755 24 22 87	MKA
AMIR AZI OMAR	0770308414	H.S.T
KAZI AZI JUMA	TEZO	Lectro
SITARA JUMA YUSSUF	0712574737	
MIBHANA JUMA FAKI	0739852682	MKA
SHARAF AZI OMAR	0714863959	Bulao
KHADIJA BAHAMU KHATIBU	0718833987	HB
FATUMA ISMAEL AHMED	0762 583829	FD
JUMA SALIMU JUMA	0748857567	AS
AZI HELELE AZI	0785191744	Al
SAID AZI OMAR	0759518801	
RIAMI AZI OMAR	0701210953	Rami
ISHAKA JUMA AZI	0715749138	ISHAKA
BIHJA ABBAZLA SAID	0112215433	FD
MAKAME KHATIBU MAKAME	0710869311	FD
MARUKU AZI JUMA	0716516955	MARUKU
ZAKARIA HELELE AZI	TEZO	ZAK
YAHZA HELELE AZI	TEZO	ZAK
FATUMA KHATIBU MAKAME	TEZO	F.H.
FATUMA HAJJ ALAWI	TEZO	FD
HAMAD HAJJ ALAWI	TEZO	HAMAD
IDD AZI JUMA	0780719717	FD
MIRABOU AZI	0704 398148	M.P.
MWASILI ALAWI YUSSUF	0707940576	MW
SALIM HAMADI AZI	TEZO	FD

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JUMA KHATIB ALI	MALINDI	
ABUBAKAR HASHAMY KHAMIS	MALINDI	
HUSNA AZI HAMAD	MALINDI.	HUSNA
MBARUK BAKAR HAMAD	MALINDI	
ABUBAKAR MUMINYI ABUBAKAR	MALINDI	
SADA JUMA OMAR	MALINDI	
ESHA KHAMIS KHATIBU	MALINDI	
OMAR SHAKA ISMAIL	MALINDI	
OMAR JUMA SHARLA	MALINDI	
YUSRA JUMA ISA	MALINDI	
JUMA SHARA HAMAD	MALINDI	
ZAYINI KOMBO HAMAD	MALINDI	
GIRAJI HASSAN MAKAME	MALINDI	
JUWEIRIA RAJAB KOMBO	MALINDI	
KHADINA RASHID AZI	MALINDI	
HAMAD AZI SHAMME	MALINDI	
ZAKARIA YAHYA OMAR	MALINDI	
AHMED KHARFAN AHMED	MALINDI	
ABUBAKAR FARI KHATIBU	MALINDI.	
IDI OMAR IDI	MALINDI	
SWAREHE KOMBO KWALE	MALINDI	
RASHID HAMAD AZI	MALINDI	
OMAD YAHYA OMAR	MALINDI.	
SADIK RASHID AZI	MALINDI.	
KOMBO BAKAR HAMAD	MALINDI	
NURA SHARIF BAKAR	MALINDI	
HAMAD NASSOR HAMAD	MALINDI	
FATMA OMAR BAKAR	MALINDI	
HASSAN MAKAME AHMED	MALINDI	
MARIAM AZI HAMAD	MALINDI	
FATMA HAMAD JUMA	MALINDI	
ALI SAZIM AZI	MALINDI	