

Hon. Speaker,  
You may approve.  
Administrative  
2/2/24



REPUBLIC OF KENYA

Approved  
SNA  
2/2/24

THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT (THIRD SESSION)

**PUBLIC PETITION**

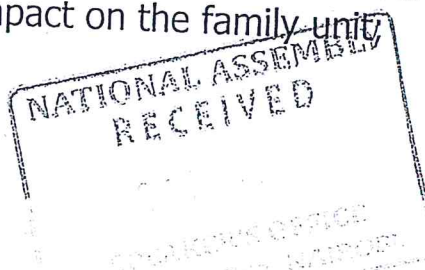
(No. 4 of 2024)

**REGARDING THE PROLIFERATION OF LESBIANS, GAYS,  
BISEXUALS, TRANSGENDER AND QUEER (LGBTQ) IN THE  
COUNTRY**

I, the **UNDERSIGNED**, on behalf of citizens of Kenya, representing Christian and Muslim Religious leaders and organizations, Non-Governmental organizations, and individuals;

**DRAW** the attention of the House to the following:

1. **THAT**, over the past decade, the Lesbians, Gay, Bisexuals, Transgender, and Queer (LGBTQ) community members and representatives have consistently made efforts to challenge in various courts laws that prohibit homosexuality and other acts deemed unnatural;
2. **THAT**, these meticulously planned and financially supported endeavours are also prevalent in numerous African countries, such as Uganda Botswana, Zimbabwe, Namibia, and several others;
3. **THAT**, representatives and community members claim that their rights and freedoms have been infringed upon due to discrimination based on sexual orientation and gender identity;
4. **THAT**, the Supreme Court in *Non-Governmental Organizations Coordination Board V EG & 5 others* overstretched its mandate in holding that the right to equality before the law would not be advanced if people were denied the right not to be discriminated against based on their sexual orientation;
5. **THAT**, this judgement sets the pace for legalization of same sex unions in Kenya and will have a drastic negative impact on the family unity



## **REGARDING THE PROLIFERATION OF LGBTQ IN THE COUNTRY**

6. **THAT**, the infiltration of LGBTQ agenda in books and study material through subtle depiction of same gender relationships within the Kenyan and international school curricula is a matter of concern;
7. **THAT**, there have been concerted efforts from foreign non state actors through financial lobbying to effect changes to the penal code in order to decriminalise acts that have been decriminalised such as homosexuality;
8. **THAT**, the Constitution in the preamble recognizes the ultimate authority of God as the source of objective moral laws, and Article 119 of the Constitution allows every person to petition Parliament to consider any matter within its authority, including among other issues the protection of family life and society as a whole;
9. **THAT**, the matters presented in this petition are not pending before any court of Law, constitutional or legal body;

**THEREFORE**, your humble Petitioners pray that the National Assembly through the Public Petitions Committee;

- i. Intervenes with a view to have the Ministry of Interior and National Administration strictly enforce the provisions of the Penal Code Act, CAP 63 particularly sections 162, 163 and 165 that prohibit homosexuality in the Country;
- ii. investigates into the possibility of approved curriculum or content by the Ministry of Education, through the Kenya Institute of Curriculum Development as regards to LGBTQ in the Country; and
- iii. recommends consideration and fast-tracking of the Family Protection Bill, 2023 into law; and,
- iv. Makes any other orders or directions that it deems fit in the circumstances of the matter.

And your **PETITIONERS** will ever pray.

**PRESENTED BY:**

A handwritten signature in black ink, appearing to be 'M. Ali', written over a vertical line that extends from the word 'PETITIONERS' in the line above.

**THE HON. MOHAMED ALI MOHAMED, MP**  
**MEMBER FOR NYALI CONSTITUENCY**

Date: 21<sup>st</sup> Feb 2024.....

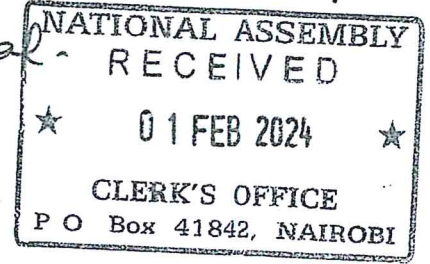


PETITION TO PARLIAMENT TO INQUIRE INTO THE PROLIFERATION OF LGBTQ IN KENYA.

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Please deal  
S.L.  
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To:  
National Assembly of Kenya  
C/O The Clerk Kenya National Assembly  
Parliament Buildings  
P.O Box 41842 - 00100,  
Nairobi, Kenya



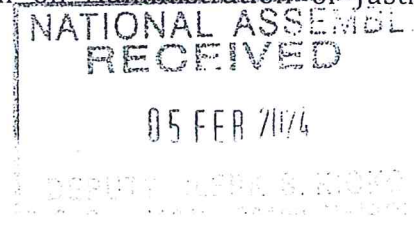
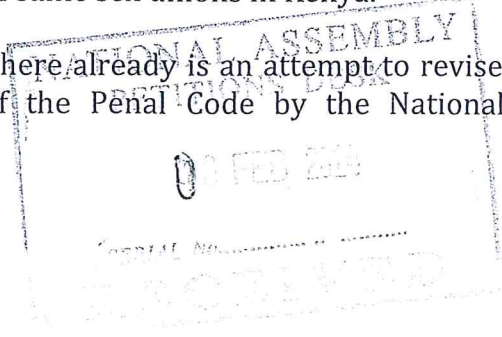
Date: 1st February, 2024

PETITION TO PARLIAMENT TO INQUIRE INTO THE PROLIFERATION OF LGBTQ IN KENYA.

WE, the undersigned, Citizens of Kenya, representing Christian and Muslim Religious leaders and organizations, Non Governmental organizations, and individuals **DRAW the attention of the House to the following:**

That;

1. The Constitution of Kenya 2010 reposes all sovereign authority in the People of Kenya;
2. Article 119 of the Constitution of Kenya grants any citizen or group the right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.
3. In the past ten years, we have witnessed persistent, well-choreographed and well financed/funded attempts by persons identifying themselves as representing homosexuals (or more precisely Lesbians, Gay, Bisexuals, Transgender, and Queer (LGBTQ) to have laws prohibiting homosexuality and other unnatural acts impugned or declared unconstitutional. They have filed numerous court cases and petitions in our courts. This has not only been witnessed in Kenya but in many African countries including Uganda, Botswana, Zimbabwe, Namibia and many others.
4. The common thread through all these attempts throughout the world has been their claims that their rights and freedoms have been violated through **discrimination on grounds of sexual orientation and gender identity**. These two terminologies are alien not just to the African but to anyone with a moral fiber in their being.
5. The Supreme court in *Non-Governmental Organizations Co-ordination Board v EG & 5 Others* overstretched its mandate in holding that the right to equality before the law would not be advanced if people were denied the right not to be discriminated against based on their sexual orientation. If this judgement is not remedied, there will be a drastic negative impact on the family in Kenya. It sets the pace for the legalization of same sex unions in Kenya.
6. There already is an attempt to revise our moral code through proposed amendments of the Penal Code by the National Council on Administration of Justice (NCAJ)





## PETITION TO PARLIAMENT TO INQUIRE INTO THE PROLIFERATION OF LGBTQ IN KENYA.

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7. The Kenyan curriculum has also unfortunately seen the infiltration of LGBTQ agenda. The agenda is being pushed in books and study material. A specific example in one of the Grade 4 books that has less than subtle depiction of gay relationships. This is an affront on future generations and seeks to further confuse and mislead our young children. Parliament must as a matter of urgency investigate unsanctioned publishers and book distributors of these offensive material.
8. International basic education curricula have also taken the form of open access to LGBTQ material. Urgent action must be taken by Parliament to ensure that all Kenyan children studying a variety of international curricula are not swayed by this infiltration.
9. There have been concerted efforts from foreign non state actors through financial lobbying to effect changes to our penal law in order to decriminalize such acts long criminalized such as homosexuality. This is the beginning of a slippery slope from which the country may not recover from if left unattended.
10. Apart from background financial lobbying there is presently ongoing aggressive public recruitment into the LGBTQ agenda. There are scores of seemingly harmless programs across campuses and institutions of higher learning couched as caucuses on sexual freedoms and minority rights. These are inoculation and breeding grounds for the LGBTQ agenda. Unless Parliament intervenes and has these activities nipped in the bud, the moral decay we have seen over the last couple of years will continue to dizzying levels.
11. That the preamble to the Constitution acknowledges the supremacy of the almighty God who is the objective moral law giver and that this informed the decision to petition Parliament to further protect the family, life and society at large.

### **That:**

12. We have made inquiries into the foregoing issues to the concerned ministries and state agencies.

### **That:**

14. That we confirm that the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.

### **HEREFORE your humble petitioners Pray that Parliament—**

- a. Parliament, pursuant to Standing Orders 25A, 40, and in exercise of its oversight role to ensure the Cabinet Secretaries of Education, Health, Foreign Affairs, and Labour and Social Protection, and the Inspector General of Police to confirm the measures they are taking on;
  - i. Sneaking of the LGBTQ agenda into the Kenyan and International curriculum offered in Kenya.





**PETITION TO PARLIAMENT TO INQUIRE INTO THE PROLIFERATION OF LGBTQ IN KENYA.**


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- ii. The ministry of Health's position on the definition of sexual health and rights vis a vis the WHO definitions and agenda.
  - iii. The proliferation of foreign actor funding and lobbying on LGBTQ matters.
  - iv. The Ministry of Labor and social protections plans to safeguard the family from such erosive influences.
  - v. Enforcing the Penal Code provisions, including Sections 162, 163 & 165 of the Penal Code that prohibit homosexual conduct in Kenya.
- b. Fast tracks the discussion and passage of the Family Protection Bill sponsored by Hon. Peter Opondo Kaluma- *The Kaluma Bill*
- c. Rejects in toto the proposed decriminalization Bill by the NCAJ and only amend the Penal Code in a manner that gives life to the Constitution rather than suffocate it. The Penal Code Amendment Bill No. 56 of 2022 is one perfect example of how such an amendment should be done

**And your PETITIONERS pray:**

That this petition be heard and considered expeditiously.

Dated this 1<sup>st</sup> day of February 2024.

  
Presented by: HON. GEORGE PETER KALUMA, MP On behalf of the Petitioners  
HOMA BAY TOWN CONSTITUENCY

