

14th March 2018

Dear Speaker Hon. Muturi,

Ref. Why Mzalendo Makes Parliamentarians Contacts Public

Mzalendo Trust – info.mzalendo.com - is a non-partisan entity that keeps an eye on Kenyan Parliament with a mission *to facilitate public participation in Parliamentary processes through Information Sharing, Research and Networking*. Our vision is to see *Informed, Empowered and Engaged citizens transforming society by holding their leaders to account*.

In the course of our work, we have faced opposition and encouragement in equal measure. It is no surprise that on Tuesday 13th March 2018 during a Parliamentary debate on the Cybersecurity Bill, Members of Parliament mentioned us in bad light for making what they consider as their private information public. Kiambu town Member of Parliament, Hon Jude Jomo tried to link us with the people who abuse their mobile phones by sending profanities. It is true that we provide information about Members of Parliament including their contact but not for malicious ends. Our intention is to ensure that constituents can reach them on issues regarding their Parliamentary roles. Mzalendo cherishes Article 35 which guarantees freedom of information and considers a Members of Parliament as ‘public servants’ whose privacy has a lower threshold compared to other Private Citizens.

Public interest element

The right to privacy of a “public servant” may not be subjected to many restrictions. Although, the right is not entirely forfeited, Members of the Public are allowed to “intrude” to the lives of their leaders whenever they are pursuing an issue of public interest. Mzalendo holds that, contact information belonging to Members of Parliament is directly related to their functions and their position in the society.

The rationale here is to make sure that there is constant communication between the MP and the constituents. It is in Parliament where important issues are discussed and these issues touch *Wanjiku* directly. If there is no channel where *Wanjiku* can talk to her representative, then the essence of representation is watered down. The contacts are solely provided with an aim to enhance the performance of Members of Parliament and their communication channel with their constituents. In a way, the providence of information of that kind enhances accountability and transparency. Imagine a society where constituents send their constructive criticism or even accolades in thousands to their representative?

Law enforcers

It is not lost to us that the contact provided can be used contrary to our primary intention. Now this is where the law enforcers come in. If any member of the public abuse the information provided then the onus is on the authorities to apprehend the abuser and take them to court.

Furthermore, cyberbullying and offline bullying via SMS or use of profanity is something millions of Kenyans go through every day and do not have the instruments and powers that MPs have to deal with the matter in finality. The move to sermon the Inspector General and the main network providers is a decision on the right path and if MPs are able to make the Police and Mobile Network providers work together and apprehend these culprits the society at large will benefit.

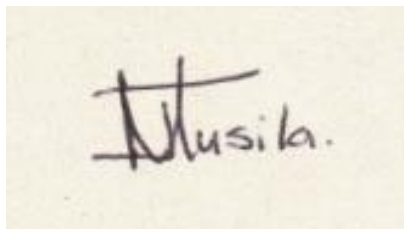
However, Jude Njomo's pronouncement to have Mzalendo come to Parliament to explain why they have their numbers is in bad faith and an attempt at cracking the whip on those deemed to be pushing to make Parliament more open.

Other parts of the world

Providing contact information belong to MPs isn't unique to Kenya. It is also done elsewhere, in United Kingdom where they have [theyWorkForYou](#) an equivalent of Mzalendo displays MPs contact information. In Africa, besides us, there is Ghana where they have [Odekro](#) and in South Africa they have [People's Assembly](#). All these platforms open up Parliament in order to remove the veil of power and demystify the functions Parliamentarians as the servants of the people. In this age of information it is foolhardy to try and put hurdles in the way of information under the guise of privacy. What the government needs to do is to up our game in providing cyber-security and taking action to the offenders.

We believe this letter adequately addresses the National Assembly concerns and questions. Mzalendo remains available and willing to proactively engage Parliament to increase citizens interaction with legislators on their core tasks of representation, legislation, budget making and oversight to enhance transparency and accountability of the house. For further consultation our contacts follow: email info@mzalendo.com and office line: +254 726 464063.

Sincerely,

A photograph of a handwritten signature in black ink on a light-colored background. The signature is stylized and appears to read 'Musila'.

Jessica Musila
EXECUTIVE DIRECTOR