



# NATIONAL COUNCIL ON THE ADMINISTRATION OF JUSTICE

*A Unified Justice Sector that Serves the People*



## **Communiqué by the National Council on the Administration of Justice**

### ***A Call for the Rule of Law, Peace, Unity, and Respect for Human Rights***


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1. The National Council on the Administration of Justice (NCAJ) convened to reflect on the state of justice in our nation, with a particular focus on recent protests that have tested our collective commitment to the rule of law, the protection of human rights, and national cohesion.
2. We meet at a moment of national concern following demonstrations that have resulted in the loss of life, violations of rights and destruction of property.
3. The Council extends its deepest condolences to families that have lost their lives, and goodwill to all those injured and affected. The Government should fast-track measures to support all those adversely affected by the protests.
4. We reaffirm that the Constitution of Kenya remains our shared compass, guaranteeing every individual the right to peaceful assembly and protest while entrusting each of us with the responsibility to protect peace, order and dignity for all.
5. The recent expressions by our youth speak to deep-seated governance concerns around service delivery, accountability, employment and inclusion. These voices must be heard, understood, and addressed through constructive and lawful means.

6. We recognise that sustained unrest risks undermining the gains made in justice and governance and destabilising livelihoods and social cohesion. The Council affirms its support to the business community and calls upon the National Police Service to upscale the protection of investments.
7. Justice sector institutions must remain steadfast in upholding their constitutional mandate to serve all Kenyans without fear or favour. Above all, we must protect the most vulnerable, uphold human dignity, and reinforce public confidence in the justice system.
8. We express deep concern over inflammatory political rhetoric that undermines the rule of law and risks inciting divisions along ethnic lines. Kenya's history reminds us of the grave consequences of political radicalisation. We, therefore, urge all political actors to exercise restraint.
9. The Council recognises that there is tension between public order management and freedom of assembly and protests. There are gaps and challenges in the law. The NCAJ, through the Kenya Law Reform Commission and other players, is to play a pivotal role in these legal reforms. Police concerns should also be incorporated while pursuing the amendment process.
10. All justice sector institutions reaffirm their commitment to the Constitution and the rule of law as the foundation for peace and national unity. There should be dialogue, restraint and mutual respect in moments of national tension and challenges.
11. The preservation of peace, the promotion of unity, and the advancement of justice is not the duty of institutions alone, it is a shared national responsibility. We call on all Kenyans, across all walks of life, to reject violence and work together in pursuit of a more just and peaceful society.

12. The National Police Service shall maintain law and order with professionalism, proportionality, and respect for human rights. All security operations must comply with constitutional safeguards in line with human rights principles.
13. The Council calls on the National Police Service to enhance cooperation with all other justice sector agencies, including timely information sharing to facilitate independent monitoring of conduct during protests. Equally, all other justice sector agencies must support the Police to carry out their mandate effectively. The Council supports accelerated reforms to build public confidence in policing.
14. The Police, as the first point of contact, should work with all stakeholders to ensure safety and dignity for women, children, and other vulnerable groups during periods of unrest. Immediate steps must be taken to address cases of Sexual Violence that increased during protests.
15. The Council notes the grave concern about the existence of organised criminal gangs at the local level. The Police must dismantle these infrastructures of violence through intelligence-led operations and community-based interventions.
16. The Council calls for enhanced cooperation between the Judiciary, the Office of the Director of Public Prosecutions, the National Police Service, IPOA, Civil Society Organisations, and other oversight bodies to ensure law enforcement is effective, accountable, and aligned with constitutional mandates.
17. The Youth have great potential and are an untapped national resource. Engagement with them must be strengthened to respond swiftly to their concerns, including enabling employment opportunities.
18. The independence of the Judiciary must be upheld. Courts are encouraged to exercise discretion in bail and bond decisions with fairness, proportionality and balance, ensuring justice for all persons.

19. The independence of other Constitutional Commissions and Independent Offices must be upheld to enable them to undertake their mandate effectively.
20. The Council calls on all actors, including Governors and County leadership, to champion peace in this moment. Justice sector institutions commit to greater transparency and responsiveness to citizens' concerns. There is a need to operationalise County Policing Authorities, and strengthen partnerships through Court Users Committees and community policing approaches to maintain cohesion and harmony.
21. The Council calls for immediate activation and resourcing of the Victim Compensation Fund by the National Treasury to enable courts to grant compensation orders to victims of violence and wrongful arrests.
22. The Council affirms that human rights defenders and organisations must not be criminalised, harassed, or intimidated for their work. A safe civic space is essential to constitutional democracy.
23. The Council emphasised the imperative to move beyond tribal alliances and towards a cohesive national identity, calling for a fresh vision of nationhood rooted in justice, unity and shared responsibility.

  
**Hon. Justice Martha K. Koome, EGH**  
**Chief Justice of the Republic of Kenya**  
**& Chairperson, NCAJ**

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