

**PETITION TO THE SENATE CONCERNING RADIO FREQUENCY
INTERFERENCE TO SAWANGA FM IN KINAMBA, LAIKIPIA COUNTY,
BY SIDAI FM**



Daniel K. Waturu
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P. O. Box 109
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23rd July, 2021

The Clerk of the Senate

Parliament Buildings

P.O. Box 41842 – 00100

NAIROBI

Email: senate.petitions@parliament.go.ke

**RE: PETITION TO THE SENATE CONCERNING RADIO FREQUENCY
INTERFERENCE TO SAWANGA FM IN KINAMBA, LAIKIPIA
COUNTY, BY SIDAI FM**

DKPS
Please deal,
Ward
28/7/21

I, the undersigned,

Citizens of the Republic of Kenya, and residents of Laikipia County

DRAW the attention of the Senate to the following:

PETITION TO THE SENATE CONCERNING RADIO FREQUENCY INTERFERENCE TO SAWANGA FM IN KINAMBA, LAIKIPIA COUNTY, BY SIDAI FM

1.

- We, Kinamba residents of Ng'arua Subdivision of Laikipia County operate a Community Radio Station known as Sawanga FM, whose main objective is to broadcast to residents, mainly in local languages, development matters pertaining but not limited to, education, farming, pastoralism, ANTI- FGM, Anti-cattle rustling and encouraging community peaceful co-existence in this volatile region. We also collaborate with both National, County Governments, local and international organizations such as UNESCO, Media Council of Kenya (MCK) and CA on development matters, and in particular on Covid-19 mitigation.

1.1 THAT, in 2015, the above referred radio station, was assigned frequency **99.0 Mhz** by Communications Authority of Kenya (CA)

1.2 THAT, on 16th September, 2016, Sawanga FM came on air and started broadcasting in Kiswahili, Kikuyu, Kalenjin and Turkana Languages publicizing the above stated goals for the benefit of all the communities who live in the area. The impact was immediate as warring communities (due to scarce resources such as water) started talking through interactive broadcast programs. We continue to collaborate with security agents to ensure harmonious co- existence among different communities living in the area and Laikipia in general. We intend to include other communities living in the area on our broadcasting programs.

1.3 THAT, Sawanga FM continued operating and observing all legal and regulatory requirements as stipulated by CA. We even won 3rd Position in 2019 in the CA Kuza Awards for Regional Broadcasting Category, in North Rift.

- THAT in March 2019, Sidai FM, a commercial radio station located in Narok County installed and operates powerful transmitters close to our radio station and using our assigned frequency of **99.0 Mhz** effectively interfering with Sawanga FM signals. Sometimes their power is so high it completely shuts off our transmission, occasioning us a lot of customer complaints and depleted advertising revenues

2.1 THAT, Sawanga FM raised an official complaint to Communications Authority of Kenya (CA) who confirmed the veracity of our complaint, by sending their technical personnel to Sawanga FM offices at Kinamba in early 2019. Nothing was done to rectify the situation and our subsequent complaints received no action from CA therefore the interference persists to date. This is very disappointing bearing in mind that CA has state-of-the-art modern system for detecting and resolving frequency interference disputes!

2.2 THAT, we reminded CA that Sidai FM was wrongly operating on our frequency and that if the frequency was assigned to them by CA, as the owners claim, it was an illegal assignment

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as no two broadcasters can be assigned the same frequency. The rules state that the "late comer"- in this case Sidai FM- must move out whenever there is a dispute.

We continue to receive Sidai FM Broadcasts on our frequency (99.0 Mhz). Some CA officials have confided to us that Sidai FM has adamantly refused to move out of our frequency, and it seems CA has developed cold feet to enforce compliance! This is wrong because every Kenyan has a right to be treated fairly and justly.

3.1 THAT, We feel that owners of Sidai FM are in breach of Kenya Information Communications Act of 1998, Clause 45 and the Constitution of Kenya Clauses 10, 232 on Leadership and Integrity.

3.2 THAT, the interference is denying a large community their right to information, education and entertainment from Sawanga FM. In particular, it is denying the population critical information on Covid-19 mitigation which our station regularly broadcasts on behalf of various stakeholders such as MoH, UNESCO, GoK and Laikipia County Governments who use our station to propagate their development messages

3.3 THAT, we have lost advertising revenues as well as listeners to our competitors as a result of this interference;

- THAT, we have made the best efforts to have these matters addressed by the relevant authorities (CA) all of which have failed to give a satisfactory response.

Petition to the Senate by (Sawanga FM)	concerning (Radio Frequency Interference)

- THAT, none of these issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body.


WHEREFORE, your humble petitioners pray that the Senate-

- Prevails upon Communication Authority to assign another frequency to Sidai FM so that they can move out of Sawanga FM frequency of 99.0Mhz at Kinamba in Laikipia County

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- Ensure that Sawanga FM is fully compensated for the loss occasioned by the Sidai FM interference since March 2019. We are ready to quantify the loss, if required to do so.

Dated this 23rd day of July 2021.

No	NAME	ADDRESS	I.D. No.	SIGNATURE
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