

PRESS STATEMENT

THE JUDICIARY IS AIDING & ABETTING EXECUTIVE IMPUNITY IN KENYA!

Dear Kenyans,

The Judiciary under the leadership of the Chief Justice Martha Koome has today appalled us and made a mockery of its constitutional role by presiding over the **7.00am** swearing in of 50 illegal Chief Administrative Secretaries (CAS) despite an active case. The case, challenging the appointments of CAS, was due for a mention today at 9.00am.

The Judiciary has had numerous opportunities to stop these illegal appointments, but failed to act. Instead, the Judiciary by this stroke, is responsible for aiding and abetting impunity. This action undermines the rule of law, and increases the public wage bill, even as Kenyans reel under an economic crisis.

When Eliud Matindi and others challenged the CAS appointments, the courts denied them conservatory orders to protect the constitution. Instead, the court fixed the case for mention (not hearing) today at **9:00am**. Yet by sunrise, the same Judiciary had sent a top official to swear in the 50 illegal CAS at State House. These actions by the Judiciary are akin to a wild goose chase!

Kenyans know that conservatory orders preserve and protect the Constitution while a case is pending. By refusing to issue conservatory orders and giving dates so far into the future, the Kenyan Judiciary is facilitating Executive impunity. Amidst signs of an imperial presidency, the Kenyan Judiciary has abandoned its job of protecting Kenyans from impunity and violation of the Constitution of Kenya.

We stand against the rising judicial *Utado!* and demand that the Judiciary stops serving Kenyans hot air!

Signed:

1. Inuka Ni Sisi Ltd
2. Transparency International Kenya
3. The Institute for Social Accountability
4. Constitution and Reform Education Consortium
5. Siasa Place
6. Inform Action
7. Muslims for Human Rights
8. Haki Yetu Organisation
9. CSO Network

10. Kenya Human Rights Commission
11. Midrift Human Rights Network
12. Defenders Coalition
13. Centre for Enhancing Democracy and Good Governance
14. Mazingira Institute