

FACT SHEET

OPPOSITION-LED DEMONSTRATIONS IN KENYA AND THREATS TO PEACEFUL COEXISTENCE: PROPOSED IMPEACHMENT OF THE PRESIDENT

The purpose of this fact sheet is to provide a comprehensive and objective overview of the ongoing anti-government demonstrations in Kenya led by the opposition (Azimio La Umoja Coalition party), with a specific focus on the proposed impeachment of the President, His Excellency Dr. William Ruto through the collection of signatures from Kenyan Citizens which serves as one of the key objectives of the demonstrations.

The fact sheet aims to share accurate and reliable information to counter the implications of the proposed impeachment of the President for the safeguarding of peace, security, and democratic governance in the country.

BACKGROUND

- The Azimio Party, has announced plans to impeach the President William Ruto through the collection of 10 million signatures from Kenyan citizens.
- The Kenyan Constitution outlines precise procedures for the impeachment of the President, wherein the involvement of citizens' signature collection is not part of the process.
- Grounds for impeachment include serious violation of the Constitution or any law, gross misconduct, and/or physical/mental incapacity.
- A member of the National Assembly, supported by at least one-third of its members, can initiate impeachment on grounds of gross violation of the Constitution or any law, belief in the President's commission of a crime, or gross misconduct. If the motion garners support from at least two-thirds of the National Assembly, the Speaker must inform the Senate within two days, and the President continues to serve during the proceedings.
- The Senate must convene within seven days to hear charges against the President and can appoint an eleven-member special committee to investigate the matter. The committee must submit its report within ten days, indicating whether the allegations are substantiated.
- The President has the right to appear and be represented before the special committee. If the committee finds the allegations unsubstantiated, no further action is taken. If the allegations are substantiated, the Senate votes on the impeachment charges after granting the President an opportunity to be heard. If at least two-thirds of the Senate members vote to uphold the impeachment charge, the President is removed from office.

COUNTER MEASURES

- To ensure peace and security in Kenya, it is essential that constitutional provisions for impeachment are adhered to in order avoid spread of mis and disinformation that can lead to non-peaceful demonstrations and affect peaceful coexistence among communities.
- By adhering to constitutional procedures, the following safeguards are ensured:
 - **Rule of Law:** Respect for the constitution upholds justice, accountability, and the rule of law;
 - **Democratic Governance:** Following prescribed procedures reinforces democratic principles and public trust; and
 - **Conflict Prevention:** Adherence to constitutional processes prevents potential conflicts and promotes orderly dispute resolution.

As demonstrated in this fact sheet, the impeachment process is a significant constitutional matter, and it is crucial that all stakeholders involved adhere to the constitutional provisions. Upholding the constitutional provisions is essential in preventing the spread of misinformation and disinformation that can lead to social unrest, violence, and social and economic disruptions.