



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Tuesday, 8th October 2024

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

Hon. Speaker: Hon. Members, we have quorum to sit. Clerk-at-the-Table, proceed.

MESSAGES

(Several Members walked into the Chamber)

Members on your feet, take your seats.

DECISION OF THE SENATE ON THE NATIONAL ASSEMBLY'S AMENDMENTS TO THE EQUALIZATION FUND APPROPRIATION (NO.2) BILL (Senate Bill No.30 of 2023)

Pursuant to the provisions of Standing Order 41(4), I wish to report to the House that I have received two Messages from the Senate regarding its decision on two Bills, namely; the Equalization Fund Appropriation (No.2) Bill (Senate Bill No.30 of 2023) and the Division of Revenue (Amendment) Bill (National Assembly Bill No.38 of 2024).

The First Message conveys that on Tuesday, 17th September 2024, the Senate considered and rejected the National Assembly's amendments to the Equalization Fund Appropriation (No.2) Bill (Senate Bill No.30 of 2023). You will recall that this House considered and passed the Bill with amendments on 13th June 2024. Thereafter, I referred the Bill back to the Senate for reconsideration in accordance with the provisions of Article 112(1)(b) of the Constitution.

The decision of the Senate on the National Assembly's amendments to the Equalization Fund Appropriation (No.2) Bill (Senate Bill No.30 of 2023) effectively commits the Bill to a Mediation Committee, pursuant to the provisions of Article 112(2)(b) of the Constitution.

Consequently, the Speaker of the Senate has appointed the following Senators to the Mediation Committee on the Bill:

1. Sen. Joe Nyutu, MP;
2. Sen. Mohamed Abass Sheikh, MP;
3. Sen. (Prof.) Margaret J. Kamar, EGH, MP;
4. Sen. Tabitha M. Mutinda, MP;
5. Sen. Daniel Maanzo, MP;
6. Sen. Beatrice Ogola, MP; and,
7. Sen. Faki Mohamed Mwinyihaji, MP.

In order to fully constitute the Mediation Committee on the Bill, the National Assembly is required to appoint seven Members to sit in the Committee. I therefore call upon the Majority and Minority Leadership of the House to nominate Members to represent the National Assembly in the Mediation Committee by 7.00 p.m. today, Tuesday, 8th October 2024. I will

then communicate to the House tomorrow the National Assembly Members appointed to this Mediation Committee, to ensure timely commencement of the mediation process.

DECISION OF THE SENATE ON THE DIVISION OF REVENUE (AMENDMENT) BILL
(National Assembly Bill No.38 of 2023)

Hon. Members, the Second Message conveys that on Thursday, 3rd October 2024, the Senate considered and passed the Division of Revenue (Amendment) Bill (National Assembly Bill No. 38 of 2023) with amendments. You will also recall that on 7th August 2024, this House considered and passed the Bill with amendments, following which I referred the Bill to the Senate for consideration in accordance with the provisions of Article 110(4) of the Constitution. The Senate has now referred the Bill back to the National Assembly for reconsideration.

With respect to the Division of Revenue (Amendment) Bill, 2024, I direct the Clerk to circulate the Senate amendments to the Bill to all Members. Thereafter, the amendments will stand referred to the Budget and Appropriations Committee.

I urge the Committee to expedite consideration of the Senate's amendments and report back to the House on Tuesday, 15th October 2024. Conscious that the House is scheduled to proceed on a short recess next week, I direct that the matter be prioritized for consideration on the same day. I hasten to remind Members that the conclusion of the Division of Revenue (Amendment) Bill, 2024 will pave way for reconsideration of the County Allocation of Revenue Bill, 2024, which was referred back to the Senate under Article 115 of the Constitution by H.E. the President following rejection of the Finance Bill, 2024. This will facilitate disbursement of the requisite funds to our county governments and avoid further stalling of operations of the devolved units.

The House is accordingly guided. I thank you.

SPECIAL MOTION

PROPOSED REMOVAL FROM OFFICE OF H.E. RIGATHI GACHAGUA,
DEPUTY PRESIDENT OF THE REPUBLIC OF KENYA

THAT, pursuant to the provisions of Article 150 (1) (b) and (2) and Article 145 of the Constitution and Standing Orders 64 and 65 of the Standing Orders of the National Assembly of the Republic of Kenya, This House Resolves to Remove from Office, by Impeachment, His Excellency Rigathi Gachagua, EGH the Deputy President of the Republic of Kenya on The Following Grounds:

Part A: Gross Violation of The Constitution or any other Law pursuant to Article 150 (1) (b) (i) of The Constitution

Ground 1: Gross Violation of Articles 10 (2) (a), (b) and (c); 27 (4), 73 (1) (a) and (2) (b); 75 (1) (c), and 129 (2) of the Constitution and Articles 147 (1), as read with Article 131 (2) (c) and (d) of the Constitution.

1. The Preamble of the Constitution provides (among other things) that the people of Kenya adopted and enacted it—
 - (a) being proud of the ethnic, cultural, and religious diversity, and a determination to live in peace and unity as one indivisible sovereign nation; and

- (b) recognising the aspirations of all Kenyans for a government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law.
2. The Preamble of the Constitution is supplemented by Article 10 (2) (a), (b) and (c) of the Constitution, which establishes the core national values and principles of governance that bind all State Officers (including the Deputy President).
 3. These values and principles include patriotism, human dignity, national unity, equity, social justice, inclusiveness, non-discrimination, equality, human rights, protection of the marginalised, democracy, and good governance.
 4. Moreover, Articles 73 (1) (a) and (2) (b) of the Constitution establish responsibilities of leadership. They provide that the authority assigned to a state officer (such as the Deputy President) is a public trust to be exercised in a manner that is consistent with the purpose and objects of the Constitution, demonstrates respect for the people, brings honour to the nation and dignity to the office and promotes public confidence in the integrity of the office.
 5. Also, Article 27 (4) of the Constitution prohibits all forms of discrimination, including discrimination based on ethnic or social origin, conscience, belief, language and birth.
 6. Further, Article 73 (2) (b) of the Constitution provides that decision-making should be objective and impartial and should not be influenced by favouritism and improper motives.
 7. Furthermore, Article 75 (1) (c) of the Constitution provides that a State Officer should behave, “whether in public and official life, in private life, or in association with other persons,” in a manner that avoids demeaning the office he holds.
 8. Therefore, as a matter of constitutional compliance, the Deputy President of the Republic of Kenya, who is the principal assistant to the President of the Republic of Kenya, is required—
 - (a) to promote the constitutional core values such as peace and unity of all Kenyans in the context of ethnic, cultural, and religious diversity, patriotism, national unity, rule of law, democracy and participation of the people, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; and good governance;
 - (b) to respect and uphold representation of Kenya’s multi-ethnic and culturally diverse society through the promotion of equality and affording equal opportunities to all Kenyans in appointments to the public service and allocation of public resources; and
 - (c) to make, promote, and implement public policy decisions that do not discriminate against any Kenyan based on conscience, ethnic or social origin, language or birth.
 9. However, on diverse dates throughout the last two years, His Excellency Rigathi Gachagua has persistently made utterances threatening to discriminate, exclude and unlawfully deny sections of the people of Kenya and regions of the Republic of Kenya equal opportunities for public service appointments and allocation of public resources.
 10. Besides, the utterances are highly inflammatory and inciteful and significantly undermine national unity and the peaceful co-existence of Kenya’s diverse communities.
 11. To illustrate—
 - (a) Sometime in 2023, at a public forum in Kajiado County within the Republic of Kenya, His Excellency Rigathi Gachagua made highly inflammatory and inciteful public pronouncements to the effect that the ‘Government of Kenya is a company’ and that the allocation of government development projects and

public sector jobs are based on ‘shares’ determined by how the populace of the various ethnic communities voted in the 2022 general election. Specifically, he stated as follows—

“A Government is like a company, there is shareholding. Kuna wale who have invested a lot of shares, kuna wale wameweka kidogo, kuna wale wamekataa, lakini wote ni wakenya. So ndio tukasema, kama wewe umeenda kupanda mahindi, ama wacha nipeane example ya ng’ombe kwasababu niko Kajiado. Wewe uko na ng’ombe yako ya maziwa, hio ng’ombe imezaliwa ikiwa njaù umeichunga vizuri, umepatia majani, umenunulia dairy meal, umepatia chumvi, umepeleka kwa malisho, umepatia maji, imezaa, imeanza kukamuliwa. Wewe unatakiwa kwanza ukuwe mutu ya kwanza kukamua hiyo ng’ombe na kunywa maziwa.”

12. His Excellency Rigathi Gachagua emphasised the divisive and inciteful narrative embodied in the above utterances as follows—

“Haiwezekani mtu ambaye alikua anakupigia kelele ukichunga hii ng’ombe, na kusema hii ng’ombe ni ile ya kienyeji hakuna haja ya kushugulika naye, hii ng’ombe ni bure haiwezi kutoa maziwa, hii ng’ombe ata ikipona jicho moja, wachana nayo unapoteza wakati. Saa ile ng’ombe imezaa imetoa maziwa...amekuja na kikombe, amekuja na sufuria, anataka atolewe maziwa. Mimi nikasema hiyo haiwezekani. Nikasema yule mwenye hii ng’ombe na kuichunga na kuitunza, kwanza akamue maziwa, yeye na watoto wake wakunywe, ile itabaki aitie majirani. Ata yule alikuwa anapiga kelele akisema hii ng’ombe ni bure na haiwezekani kama kunayo imebaki pia apewe, kama hakuna imebaki atembe. Si hiyo namna hiyo?”

13. His Excellency Rigathi Gachagua made similar remarks at another public forum as follows—

“A Government is like a company, I did not say it is a company, I said it is like a company. In every company, there are shares: preferential shares and ordinary shares. When there is an AGM, non-shareholders do not vote or attend the AGM. When there are dividends to be divided, they are divided according to the number of shares. That is the truth.”

14. His Excellency Rigathi Gachagua continued the inciteful and divisive utterances at yet another forum where he stated as follows—

“Sisi lazima tungeangalia nyinyi. Hii serikali ni kampuni na ni ya shares. Sindio? Ni ya shares. Kuna wenye kampuni, wale wako na shares mingi, wale wako na chache. Kuna wale hawana. Sasa nyinyi muli invest kwa hii kampuni ya William Ruto na Rigathi Gachagua; sasa lazima mvune. Yule ambaye alipanda, atafanya nini? Si mulipanda? Si muliamuka mapema?”

15. At another forum in Nandi County, His Excellency Rigathi Gachagua continued the same divisive and inciteful narrative as follows—

“Rais ako pale niko hapo. Huyu Felix ako hapo....Mimi mnanijua msimamo wangu. Ya kwamba watoto wakiwa wengi, kuna wale kwanza ya kuangaliwa. Si mnajua? Sasa huyu Felix ako pale, ndie kuunganisha mawaya. Mambo yenu tumepanga. Mambo iko sawa. Chakula iko jikoni, karibu kuiva. Watoto ni wengi, chakula ni kidogo. Iko watoto ya nyumbani, iko wa jirani. Iko namna hio. Na nyinyi mtulie. Chakula ikiiva, sisi ndio wenye kupakua. Na watoto tunawajua kwa sura na kwa msimamo. Hatuwezi kuwa confused. Kuna mtu hajui Watoto wake? Na wiki inakuja, tutatangaza hatua kali ile tutachukua, na ile maneno tumepanga....”

16. In addition, in September 2024, during a public rally in Nairobi, His Excellency Rigathi Gachagua made public utterances that incited other communities against the ethnic communities that live around the Mt Kenya region by stating as follows—

“Na mimi mkaniambia nimsaidie Rais kwa kazi! Lakini nikiwa hapo kwa serikari, nikue pia nikichunga mambo ya watu wa mlima! Niendeleo kuchunga mambo ya mulima, ama

nisichunge? Sasa hio kuchunga mambo ya mulima, inaniletea matatizo. Ati naambiwa mimi ni mkabila! Mimi ni mkabila kweli? Nikichunga mambo ya watu wa mlima, hiko makosa? Hiko makosa?"

17. His Excellency Rigathi Gachagua's utterances throughout the past two years undermine the promotion of national unity in the context of Kenyan society's multi-ethnic demography and multi-cultural diversity. In addition, they have the potential to alienate, isolate, and create disharmony among the various ethnic communities of Kenya.
18. In Summary, His Excellency Rigathi Gachagua's abovementioned utterances over the last two years are impeachable offences to the extent that they grossly violate Articles 10 (2) (a), (b) and (c); 27 (4), 73 (1) (a) and (2) (b); 75 (1) (c), and 129 (2) of the Constitution and Article 147 (1), as read with Article 131 (2) (c) and (d) of the Constitution. Specifically, His Excellency Rigathi Gachagua's divisive and inciteful public utterances over the last two years —
 - (a) are incompatible with the high calling and dignified status of the office of the Deputy President of the Republic of Kenya.
 - (b) can stir ethnic hatred and promote ethnic balkanisation of the Republic of Kenya.
 - (c) falsely alluded to a non-existent government policy to discriminate and marginalise the populace of the regions and tribes that did not vote for the current administration in the 2022 general elections.

Ground 2: Gross Violation of Articles 147 (1) and 152 (1) of the Constitution

19. Article 147 (1) of the Constitution provides that the Deputy President "shall be the principal assistant of the President and shall deputise for the President in the execution of the President's functions."
20. In addition, Article 152 (1) of the Constitution states that the Deputy President is a member of the Cabinet.
21. On various dates throughout the last two years, His Excellency Rigathi Gachagua undermined the President and the Cabinet and the effective discharge of the national government's executive mandate by making unilateral public statements that were inconsistent with policy positions collectively adopted by the Government.
22. To illustrate—
 - (a) On or around 30th April 2024, the Cabinet passed a resolution for the evacuation of people residing along the Nairobi River.
 - (b) Shortly after that, His Excellency Rigathi Gachagua made a public statement opposing the Nairobi River Riparian Evacuation Orders, which the Cabinet had sanctioned for public safety and climate change mitigation. His Excellency Rigathi Gachagua made contradictory public statements despite being a Member of the Cabinet and being assigned the function of superintending the Nairobi River Riparian Evacuation Order.
23. In addition, His Excellency Rigathi Gachagua has on several occasions throughout the last two years, made public statements contradicting the President on critical matters of governance and the exercise of the President's function as a symbol of national unity.
24. To illustrate—
 - (a) In March 2023, at a public forum in the Nyanza region, the President said Kenya belongs to all, notwithstanding how people voted in the 2022 general elections, and that he would ensure the government does not discriminate against anyone. However, His Excellency Rigathi Gachagua, speaking after the President at

another public forum, contradicted him by saying that Kenya is a company in which the provision of government services is based on shares.

- (b) His Excellency Rigathi Gachagua has made numerous other utterances at public forums, where he publicly restates the divisive narrative that Kenya is a company in which the rights of citizens are based on shares determined by how various ethnic communities voted in the 2022 general elections.
25. His Excellency Rigathi Gachagua's unilateral, divisive and inciteful public statements are impeachable offences to the extent that—
- (a) They undermine the effective discharge of the national government's executive mandate.
 - (b) They violate the doctrine of collective responsibility.
 - (c) They are equivalent to insubordination of the President, which is incompatible with his constitutional status as the Principal Assistant to the President of the Republic of Kenya.

Ground 3: Gross Violation of Articles 6 (2), 10 (2) (a), 174, 186 (1), 189 (1) and the Fourth Schedule to the Constitution (Undermining Devolution)

26. Article 10 (2) (a) of the Constitution provides that devolution is a fundamental national value and principle of governance. In addition, Article 6 (2) of the Constitution provides that governments at the county and national levels are distinct and interdependent and shall conduct their mutual relations based on consultation and cooperation. These provisions are supplemented by Article 189 (1) of the Constitution, which provides that governments at each level shall perform and exercise their powers “in a manner that respects the functional and institutional integrity of government at the other level...”
27. Under paragraph 7 (a) of Part 2 of the Fourth Schedule to the Constitution, county governments are responsible for trade development and markets as an exclusive function. Moreover, the Deputy President chairs the Intergovernmental Budget and Economic Council, an essential organ for consultation between the two levels of government.
28. On or around 20th September 2024, His Excellency Rigathi Gachagua, recklessly unmindful of the high calling and dignified status of the Office of the Deputy President of the Republic, unlawfully interfered with the running of Nairobi City County Government by holding a public rally in which he incited citizens against lawful directives of the Nairobi City County Government on the planning and relocation of markets.
29. Further, His Excellency Rigathi Gachagua publicly disparaged the leadership of the Nairobi City County Government and its decisions.
30. Moreover, His Excellency Rigathi Gachagua has interfered with the proper discharge of county governments' constitutional functions regarding alcohol control and regulation.
31. His Excellency Rigathi Gachagua's inciteful and demeaning public statements and conduct are impeachable offences to the extent that—
- (a) They undermine devolution.
 - (b) They undercut the functional and institutional integrity of county governments.
 - (c) They unjustifiably vilify and ridicule the leadership of county governments, especially the Nairobi City County Government.
32. Consequently, His Excellency Rigathi Gachagua has grossly violated Articles 6 (2), 10 (2) (a), 174, 186 (1) and 189 (1) of the Constitution as read with the Fourth Schedule to the Constitution.

Ground 4: Gross Violation of 160 (1) of the Constitution (Undermining the Institutional and Decisional Independence of Judges)

33. Article 160 (1) of the Constitution provides that the Judiciary “shall be subject only to this Constitution and the law and shall not be subject to the control or direction of any person or authority.” Many international law instruments, treaties, and principles require the guarantee of the judiciary's independence and require all governmental and other institutions to respect and observe it.
34. In 2023, His Excellency Rigathi Gachagua, recklessly unmindful of the high calling and dignified status of the Office of the Deputy President of the Republic of Kenya and the need to respect, protect and uphold the independence of the Judiciary, made a scathing public attack against the Honourable Lady Justice Esther Maina, Judge of the High Court of Kenya, and falsely threatened to file a petition for the removal of the said Judge in gross violation of Article 160 (5) of the Constitution.
35. The Honourable Judge had presided over a case in which His Excellency Rigathi Gachagua was a party and had, in the lawful performance of her judicial function, ordered His Excellency Rigathi Gachagua to forfeit to the State the sum of KShs.200 million, which she had found to be proceeds of corruption and money laundering.
36. His Excellency Rigathi Gachagua’s public attacks against the Judge are impeachable offences to the extent that they undermine the functional and decisional independence of judges.

Ground 5: Gross Violation of Articles 3 (1) and 148 (5) (a) of the Constitution (Breach of the Oaths of Office and Allegiance)

37. His Excellency Rigathi Gachagua’s actions and utterances outlined in Grounds 1, 2, 3 and 4 of this Motion constitute a gross violation of Article 3 (1) of the Constitution, which requires every person to respect, uphold and defend the Constitution. Further, the actions and utterances of His Excellency Rigathi Gachagua grossly violate Article 148 (5) (a) of the Constitution, which prescribes the Oath of Allegiance of the Office of the Deputy President that obligates the Deputy President to obey, preserve, protect and defend the Constitution and all other laws.

Part B: Serious Reasons to Believe that the Deputy President has Committed a Crime under National Law pursuant to Article 150 (1) (b) (ii) of the Constitution

Ground 6: Serious reasons to believe that His Excellency Rigathi Gachagua has committed crimes under sections 13 (1) (a) and 62 of the National Cohesion and Integration Act

38. Section 13 of the National Cohesion and Integration Act provides that it is an offence for any person to use threatening, abusive or insulting words or behaviour where the person intends to stir up ethnic contempt, hatred, hostility, violence or discrimination. The section also makes it an offence to use such words or engage in such behaviour when, having regard to all the circumstances, ethnic hatred is likely to be stirred up.
39. Besides, section 62 of the National Cohesion and Integration Act states a person commits an offence when the person makes statements that are intended (or are likely) to stir up feelings of ethnic contempt, hatred, hostility, violence or discrimination.

40. His Excellency Rigathi Gachagua's persistent inflammatory, reckless, inciteful public utterances over the last two years, the details of which are set out in Grounds 1, 2, 3 and 4 of this Motion, establish serious reasons to believe that he has committed crimes under section 13 (1) and 62 of the National Cohesion and Integration Act.

Ground 7: Serious reasons to believe that His Excellency Rigathi Gachagua has committed crimes under sections 45 (1), 46, 47 (a) (3), and 48 (1) of the Anti-Corruption and Economic Crimes Act and sections 2, 3, 4, and 7 of Proceeds of Crime and Anti-Money Laundering Act

41. For the past two years, His Excellency Rigathi Gachagua has inexplicably amassed a humongous property portfolio estimated at KShs.5.2 billion, primarily from proceeds of corruption and money laundering.
42. The value of the property and wealth that His Excellency Rigathi Gachagua has acquired over the last two years is incompatible with his known legitimate income (i.e., KShs.Twelve Million per annum or thereabouts).
43. His Excellency Rigathi Gachagua has acquired the abovementioned property and wealth using his two sons, Kevin Rigathi Gachagua ('Kevin Gachagua') and Keith Ikinu Rigathi ('Keith Ikinu') and other close family members and associates as proxies.
44. His Excellency Rigathi Gachagua and his proxies (especially the two sons) have used the following companies to massively launder money, conceal proceeds of crime, corruption, and benefit from influence peddling—

S/No.	Company	Date of Incorporation	Shareholders
1.	Spirit Way Limited (PVT-Y2ULDMKY)	14/11/2023	Dorcas Wanjiku Rigathi— Director/Shareholder/Beneficial Owner—100 Shares
2.	Fortis Vis Group Limited (PVT-MKUMAKEE)	14/02/2023	Kevin Rigathi Gachagua—50 Shares Keith Ikinu Rigathi—50 Shares
3.	Grand Bypass Apartments Limited (PVT-5JUZEKL8)	11/01/2024	Rigathi Gachagua—Director John Mwai Mathenge (7676931)—Director Peter Njoroge Regeru (4686103)—Director Vipingo Beach Resort Limited (C.159289)—Shareholder—1 Share
4.	Kuruwitu Properties Limited (PVT-EYUBKG83)	26/04/2023	Vipingo Beach Resort Limited (C.159289)—Shareholder—1000 Shares John Mwai Mathenge
5.	The Anansi Collective (BN-JRCG76AG)	29/03/2021	Keith Ikuni Rigathi
6.	Biovet (K) Limited (CPR/2009/4880)	10/06/2009	Rigathi Gachagua—200 Shares Dorcas Wanjiku Rigathi—200 Shares
7.	Calvary Creed International Limited (CPR/2015/186154)	16/04/2015	Rigathi Gachagua—50 Shares Dorcas Wanjiku Rigathi—950 Shares

S/No.	Company	Date of Incorporation	Shareholders
8.	Cosmere Venture Limited (PVT-Q7ULE6Z)	26/02/2018	Herman Thuita Maina–200 Shares James Mwangi Kagotho–50 Shares Kevin Rigathi Gachagua–250 Shares Keith Ikinu Rigathi–50 Shares Irene Nyanjau Wachira–250 Shares David Kipkemboi Muthamia–200 Shares
9.	Crystal Kenya Limited (CPR/2009/4898)	12/06/2009	Kevin Rigathi Gachagua–200 Shares Keith Ikinu Rigathi–200 Shares
10.	Delta Merchants Limited (CPR/2009/4874)	09/06/2009	Rigathi Gachagua–200 Shares Dorcas Wanjiku Rigathi–200 Shares
11.	Vipingo Beach Resort Limited (C.159289)	05/08/2008	Kevin Rigathi Gachagua– Director Keith Ikinu Rigathi–Director Estate of the deceased James Nderitu Gachagua–Shareholder 10,000 Shares
12.	Rigathi Gachagua Foundation (CLG-XXFXRG)	11/11/2022	Rigathi Gachagua
13.	Dorcas Rigathi Foundation (CLG-G9FV2G)	19/10/2022	Kevin Rigathi Gachagua Keith Ikinu Rigathi Dorcas Wanjiku Rigathi Nancy Wambui Kangethe
14.	Heartland Supplies Limited (CPR/2009/4881)	11/06/2009	Rigathi Gachagua– Director/Shareholder–200 Shares Dorcas Wanjiku Rigathi– Director/Shareholder–200 Shares
15.	Karandi Farm Limited (C.94303)	25/06/2001	Rigathi Gachagua – Director/Shareholder–700 Shares Dorcas Wanjiku Rigathi– Director/Shareholder–100 Shares

S/No.	Company	Date of Incorporation	Shareholders
16.	Morani Manufacturers Limited (PVT-8LU7Q8GD)	13/10/2021	Dorcas Wanjiku Rigathi– Director/Shareholder–200 Shares Keith Ikinu Rigathi– Director/Shareholder–200 Shares Joshua Karianjahi Waiganjo– Director/Shareholder –600 Shares Grace Wachuka Mwangi– Beneficial Owner
17.	Mothers of the Land Limited (CLG-55FD3B)	01/12/2021	Louiza Njeri Wanjiru– Director/Member Caroline Jepkemboi Waiyaki– Director/Member Lucy Njuguini Mutegi– Director/Member Dorcas Wanjiku Rigathi– Director/Member
18.	Pioneer Medical (K) Limited (CPR/2009/4910)	09/06/2009	Rigathi Gachagua– Director/Shareholder–200 Shares Dorcas Wanjiku Rigathi– Director/Shareholder–200 Shares
19.	Ridor Furniture Mart Limited (C.141876)	18/07/2007	Rigathi Gachagua– Director/Shareholder–500 Shares Dorcas Wanjiku Rigathi– Director/Shareholder–500 Shares
20.	Royal Crimson Ventures Limited (PVT-LRU2QZL)	26/02/2018	Kevin Rigathi Gachagua– Director/Shareholder –400 Shares Keith Ikinu Rigathi– Director/Shareholder –400 Shares Peter Kangangi Githaiga– Director/Shareholder–200 Shares
21.	Technical Supplies and Services (K) Limited (CPR/2009/4895)	06/06/2009	Rigathi Gachagua– Director/Shareholder–400 Shares Francis Muchiri Wanguo– Director
22.	Wamunyoro Investments Limited (C.93670)	23/04/2001	Kevin Rigathi Gachagua– Director/Shareholder–1 share Keith Ikinu Rigathi– Director/Shareholder–1 share

45. To illustrate—

- (a) In November 2023, Crystal Kenya Limited, a proxy company of His Excellency Rigathi Gachagua, purchased Outspan Hotel, situated at Nyeri Municipality Block/1/1669, from Aberdare Safari Hotels for KShs.535,000,000.00. The Directors of Crystal Kenya Limited are the sons of His Excellency Rigathi Gachagua, namely Kevin Gachagua and Keith Ikinu. Sometimes, in August 2024, His Excellency Rigathi Gachagua publicly admitted that his family had acquired this property.

- (b) In November 2023, Kevin Gachagua and Keith Ikinu, the proxies of His Excellency Rigathi Gachagua, acquired Treetops Lodge, a high-end hotel situated in Nyeri County. Sometimes, in August 2024, His Excellency Rigathi Gachagua publicly admitted that his family had acquired this property.
- (c) His Excellency Rigathi Gachagua and his proxies also acquired Olive Gardens Hotel and Queens Gate Serviced Apartments in Nairobi.
- (d) His Excellency Rigathi Gachagua acquired Vipingo Beach Resort, in Kilifi County.
- (e) His Excellency Rigathi Gachagua acquired a parcel of land known as Ruguru/Kiamariga/1223 in Mathira East Constituency, where he has constructed a helicopter landing facility.
- (f) His Excellency Rigathi Gachagua acquired approximately 40 acres of land in Kakuret in Kamburaini in Nyeri County.
- (g) His Excellency Rigathi Gachagua acquired 80 acres of land in Meru County.
- (h) His Excellency Rigathi Gachagua acquired a dairy farm in Nyandarua County.
- (i) Additionally, His Excellency Rigathi Gachagua used his office of Deputy President to exert influence and connive with unscrupulous Ministry of Lands officials to issue an allotment letter to Wamunyoro Investments Limited, a company that he owns, to acquire L. R. 209/12077 and LR 90923, situated at Embakasi in Nairobi. After that, this company used the fraudulently acquired documents to support a court case at the expense of the legitimate owner of the property.
- (j) Moreover, companies associated with His Excellency Rigathi Gachagua and his proxies were involved in the KEMSA KShs.3.7 billion irregular procurement of Malaria nets that put the lives of millions of Kenyans at risk.
- (k) In addition, His Excellency Rigathi Gachagua has used the office of Deputy President to corruptly influence unnecessary and expensive renovation of his official residence in Karen and Mombasa running into millions of shillings. In essence, His Excellency Rigathi Gachagua has chosen personal comfort, extreme luxury, and pomposity at the expense of service delivery to the people of Kenya.
- (l) The following are images of some of the properties that His Excellency Rigathi Gachagua has acquired from proceeds of corruption, influence peddling, and money laundering—
- | S/No. | Name and address |
|-------|---|
| 1. | Treetops Hotel, located in Nyeri. |
| 2. | Outspan Hotel, located in Aberdare Ranges |
| 3. | Olive Gardens Hotel, Argwings Kodhek Road |
| 4. | Vipingo Beach Resort |
46. Additionally, His Excellency Rigathi Gachagua has the following proxy companies to trade with the office he holds:
- (a) AgroBriq Investment Limited
47. It is a private limited company incorporated in Kenya on 28th May 2017 under certificate number PVT-RXUP6E. The company deals in building and construction. The company's directors/shareholders are—
- (a) Rudani Mayurkumar Mahendrabhai.
- (b) Patel Ankitkumar Hasmukhbhai, a non-Kenyan national.
48. The company operates a bank account (number withheld for data protection reasons) at Sidian Bank, opened on 19th February 2022, with the company directors as the account signatories. On 18th October 2022, Bhavika Nathalal Hirani was added as an account

signatory and given full mandate to operate the account. Bhavika Nathalal Hirani is a proxy of His Excellency Rigathi Gachagua.

49. On 23rd January 2023, the company account received a transfer of KShs.47,015,367.75 from the Executive Office of the Deputy President. The payment was supported by—
- Notification of Award Letter Ref ODP/ADM.1/57 Vo.IV (70) dated 16th December 2022 from the Office of the Deputy President to Agrobriq Investment Limited for the proposed Refurbishment of Deputy President’s official residence at Karen, at a cost of KShs.55,559,520.00.
 - Payment Voucher of KShs.55,133,265.92 was received on 10/01/2023 as the 1st Interim payment in respect of the contract ODP/RT/001/2022-2023
 - An agreement letter dated 22nd December 2022 between Office of Deputy President and Agrobriq Investment Limited for the proposed renovation of Deputy President’s official residence in Karen. Bhavika Nathalal Hirani signed the document as a Director of Agrobriq Investment Limited.
50. On 23rd January 2023, the funds were suspiciously transferred through a transfer of KShs.45,000,000.00 to a related entity (i.e., Vaghjiyani Enterprises Limited).
51. Shockingly, the account had been dormant for around nine months before it received the payment from the office of the Deputy President, adding to the reasonable suspicion that it was a special-purpose vehicle to siphon funds for His Excellency Rigathi Gachagua.
- (B) Lusona Events Limited
52. This is an events management company that was registered on 30th October 2012 under certificate number CPR/2012/87037. The company directors are—
- Esther Wanjiru Njenga.
 - Cecilia Muthoni Njenga.
53. The company operates two bank accounts at the SBM Bank, which it opened in 2015. The company’s directors are account signatories. Ian Njuguna Gitata was also introduced as an account signatory and is the sole account operator, pointing to the likelihood that he is the beneficial owner.
54. Between 1st January 2024 and 11th July 2024, the account at SBM Bank received a total of KShs.100,262,821.43 from the Office of the Deputy President, characterised by the receipt of multiple transfers.
55. On 2nd July 2024, the Deputy President’s Office paid Lusona Events Limited part of the abovementioned proceeds of corruption and money laundering in eight transactions in a single day as follows—

S/No	Date	Amount
	2-JULY-2024	2,946,900.00
	2-JULY-2024	4,806,639.00
	2-JULY-2024	4,679,130.00
	2-JULY-2024	2,955,450.00
	2-JULY-2024	3,374,400.00
	2-JULY-2024	5,451,912.40
	2-JULY-2024	3,582,536.50
	2-JULY-2024	3,840,625.60

56. A substantial portion of the KShs.100,262,821.43 was used for luxurious largesse and unnecessary expenditure for carpets, etc., laid down for the Deputy President’s functions.
57. Some of the funds were utilised as follows—

- (a) Ian Gitata made KShs.22,800,000.00 in cash withdrawals. Some of the withdrawals were declared as cash to pay undisclosed beneficiaries. It was suspicious why they preferred cash payments as opposed to bank transfers.
 - (b) KShs.4,000,000.00 transferred to a law firm.
 - (c) KShs.26,993,350.00 Investment in fixed-term deposits as follows—
 - (i) On 27th May 2024, KShs.9,993,350.00
 - (ii) On 11th July 2024, KShs.17,000,000.00
58. The utilisation of funds was reasonably believed to be an act of corruption and money laundering, as most of the money was withdrawn in cash rather than bank transfers, which is the custom for huge payments. His Excellency Rigathi Gachagua is reasonably suspected to be the principal beneficiary of these dubious transactions.
3. St. Nicholas Rehabilitation and Industrial Training Institute Limited
59. The company was incorporated on 8th April 2021 under registration number PVT-AAACMO4. It deals with student rehabilitation and industrial training, trading as St Nicholas Rehabilitation Centre and Psychiatric Hospital. The sole company director is Nicholas Mugambi Maingi. The company operates an account at Equity Bank, opened on 18th August 2017, with the company director as the sole account signatory.
60. Between 1st March 2024 and 5th June 2024, the account received a total of KShs.21,060,000.00 from office from the Office of the Deputy President. The funds were suspiciously utilised as follows—
- (a) KShs.2,000,000.00 was allegedly used to purchase a white Toyota Prado from Umarali Motors Limited for KShs.8.5 million.
 - (b) Another KShs.4,000,000.00 was suspiciously transferred to Nicholas Maingi's account. A cash trail in the personal account revealed that upon receipt of the funds, Nicholas made a transfer of KShs.4,660,000.00 to Umarali Motors Limited on 21st March 2024. The purported payment to Umarali Motors Limited using two routes raises reasonable suspicion of corruption and money laundering.
61. Further, prior to receipt of the two payments from the Office of the Deputy President, the account was transacting in minimal accounts, raising suspicions that the entire transaction was a conduit used by His Excellency Rigathi Gachagua to siphon public funds. The payment scheme used typifies money laundering transactions.
62. From the matters outlined in the preceding parts of this Motion, it is patently clear that there are serious reasons to believe that His Excellency Rigathi Gachagua, the Deputy President of the Republic of Kenya, using his state office has committed gross economic crimes, namely conflict of interest, abuse of office, conspiracy to commit crimes under:
- (a) sections 45 (1) (a), 46, 47A (3), and 48 (1) of the Anti-Corruption and Economic Crimes Act; and
 - (b) sections 2, 3, 4, and 7 of the Proceeds of Crime and Anti-Money Laundering Act.

Ground 8: Serious reasons to believe that His Excellency Rigathi Gachagua has committed crimes under section 132 of the Penal Code and section 29 of the Leadership and Integrity Act

63. His Excellency Rigathi Gachagua has continuously misled members of the public through false, malicious, divisive and inciteful remarks that are contrary to the provisions of section 132 of the Penal Code and section 29 of the Leadership and Integrity Act.

64. To illustrate—

- (a) sometime in January 2024, His Excellency Rigathi Gachagua made a sensational but false accusation that Hon. Justice Esther Maina, Judge of the High Court of Kenya, had engaged in corruption. He publicly said he would present a petition for the removal of the said judge (which he has not done to date), leading to the inevitable conclusion that he knew his allegations were false.
- (b) On or around 26th June 2024, His Excellency Rigathi Gachagua recklessly and unmindful of the high calling and dignified status of the Office of the Deputy President of the Republic and his membership to the National Security Council, both being positions that require one to be a discrete and tempered leader, especially during moments of national crisis, addressed Kenyans on live television in Mombasa County and publicly made sensational statements against the National Intelligence Service (an essential national security organ), its Director General, and officers. The following is an excerpt of part of his speech:
- “The Director General of the National Intelligence Service, Noordin Haji, was a junior officer in the National Intelligence Service before he was appointed as DPP. When he was appointed to the office of the Director General, because of his inferiority complex, he chased away all the people who were senior to him when he was in the Service, therefore, crippling the capacity of that service and making it dysfunctional. Three Directors were chased away and reassigned to desk jobs in Ministries across Government. Thirteen Assistant Directors, men and women with proven track record of intelligence collection and analysis, were removed from the National Intelligence Service, leaving a shell under a clueless Director General who has no capacity to run the organisation. And that is why the security sector was caught off guard by the intensity, the anger of the Kenyan people, the agitation of the Kenyan people, the resilience of the Kenyan people.”*

Part C: Gross Misconduct pursuant to Article 150 (1) (b) (iii) of the Constitution

Ground 9: Gross Misconduct (Public Attacks on the National Security Intelligence Service and its Officers)

65. The phrase “gross misconduct” generally refers to behaviour that is “very unpleasant,” “disgusting,” or “very rude” (see the Oxford Advanced Learners Dictionary). Therefore, public attacks against an essential national security organ in circumstances that require one to be discreet and tempered constitute gross misconduct.
66. On or around 26th June 2024, His Excellency Rigathi Gachagua, the Deputy President of the Republic of Kenya, unmindful of the high calling and dignified status of the Office of the Deputy President of the Republic and his membership to the National Security Council, both being positions that require a leader to be discreet and tempered, especially during moments of national crisis, addressed Kenyans on live television in Mombasa County and made a scathing attack on the National Intelligence Service (an essential national security organ).
67. His Excellency Rigathi Gachagua extended the extremely reckless personal attacks to the Director General of the institution.
68. With the unprecedented acts, His Excellency Rigathi Gachagua acted in a manner that is incompatible with the high calling and dignified status of the Office of the Deputy President and member of the Cabinet and the National Security Council (refer to the excerpt in Ground 8 of this Motion).

69. The attacks against the National Intelligence Service and its Director General constitute gross misconduct and an impeachable offence to the extent that—
- (a) They are incompatible with the high calling and dignified status of the Office of the Deputy President of the Republic of Kenya.
 - (b) They undermine national security from both internal and external points of view.
 - (c) They are incompatible with the effective discharge of the delicate and sensitive mandate of the National Intelligence Service.
 - (d) They had the potential, given the circumstances prevailing in the country at the time, to significantly diminish public confidence in the viability of the Kenyan state and its ability to protect the lives and properties of its citizens.
 - (e) They go against the constitutionally prescribed oath of allegiance of the Office of the Deputy President under Article 148 (5) (a) of the Constitution, which requires the Deputy President to obey, preserve, protect and defend the Constitution and all other laws.

Ground 10: Gross Misconduct (Insubordination)

70. As stated in Ground 9 of this Motion, the phrase “gross misconduct” generally refers to behaviour that is “very unpleasant,” “disgusting,” or “very rude” (see the Oxford Advanced Learners Dictionary). Therefore, open or public insubordination of the President, who is the Head of State and Government under our constitutional framework, is gross misconduct.
71. As stated in the preceding parts of this Motion, Article 147 (1) of the Constitution designates the Deputy President as the principal assistant of the President who shall deputise for the President in the execution of the President’s functions.
72. His Excellency Rigathi Gachagua has persistently undermined, demeaned, and committed insubordination instead of assisting the President in executing the State executive mandate. Instead, he has opted to run a smear campaign against the presidency for political expediency.
73. Further, whereas Article 147 (2) of the Constitution requires the Deputy President to perform the functions conferred by the Constitution and any other functions that the President may assign, His Excellency Rigathi Gachagua is openly sabotaging the State’s efforts in agriculture, including the coffee, tea, sugar and milk sectors which the President tasked him to oversee
74. To illustrate—
- (a) His Excellency Rigathi Gachagua has connived with cartels in the tea sector to block the Kenya Tea Development Agency from implementing guaranteed minimum returns that would benefit smallholder tea farmers.
 - (b) His Excellency Rigathi Gachagua has influenced his family members, allies, associates, and proxies to take control of a local cooperative society (name withheld) in Mathira, which they are financially haemorrhaging.

Ground 11: Gross Misconduct (Bullying)

75. As stated in Ground 9 of this Motion, the phrase “gross misconduct” generally refers to behaviour that is “very unpleasant,” “disgusting,” or “very rude” (see the Oxford Advanced Learners Dictionary).
76. Section 34 of the Leadership and Integrity Act provides that a State officer shall not bully any person. "Bullying" includes repeated offensive behaviour that is vindictive, cruel, malicious or humiliating and is intended to undermine a person.

77. For the past two years, His Excellency Rigathi Gachagua has persistently bullied state and public officers.
78. To illustrate—
- (a) His Excellency Rigathi Gachagua bullied Kenya Medical Supplies Agency officials into awarding a tender for the supply of mosquito nets to Crystal Limited, his proxy company. Crystal Limited had submitted a fake bid bond with the sole intention of fraudulently acquiring public property.
 - (b) His Excellency Rigathi Gachagua routinely bullies public officers in national security organs, whom he subjects to public attacks and humiliation.
 - (c) His Excellency Rigathi Gachagua routinely summons procurement officers in ministries and state institutions and instructs them to direct the procurement of goods and services in a specific manner.
 - (d) In the presidency, His Excellency Rigathi Gachagua identified public officers who he thinks stand in his way of creating dominance within government and political kingship, and he has severely threatened, intimidated, and harassed them.
 - (e) In 2023, His Excellency Rigathi Gachagua used his position as the Deputy President to intimidate public officers and a contractor and divert materials meant for the construction of the Kilifi—Malindi Road to tarmac a private road to Vipingo Beach Resort, a hotel associated with him.
 - (f) His Excellency Rigathi Gachagua uses his constitutional power as Deputy President solely to implement sectarian, parochial, and personal interests that seek to profit him.

Part D: Conclusion

79. In the preceding parts of this Motion and the evidence annexed to this Motion, I have outlined eleven grounds for the removal from office by impeachment of His Excellency Rigathi Gachagua.
80. Each Ground of impeachment contains sufficient particulars and evidence to prove that His Excellency Rigathi Gachagua has grossly violated the Constitution and other national laws throughout the last two years.
81. Additionally, I have attached satisfactory and compelling evidence of serious reasons to believe that His Excellency Rigathi Gachagua has committed high crimes under various national laws, including but not limited to—
- (a) The Anti-Corruption and Economic Crimes Act.
 - (b) The Proceeds of Crime and Anti-Money Laundering Act.
 - (c) The Leadership and Integrity Act.
 - (d) The National Cohesion and Integration Act.
82. Finally, the conduct of His Excellency Rigathi Gachagua, as depicted in this Motion—
- (a) Is unethical, deplorable and reprehensible.
 - (b) Is incompatible with the high calling and dignified status of the Office of Deputy President of the Republic of Kenya.
 - (c) Is a ticking time bomb to the extent that it has the potential to plunge the country into ethnic hatred and strife.
83. Given the matters outlined in the preceding parts of this Motion, I humbly urge Parliament to this Motion to the following effect that:
PURSUANT to the provisions of Article 150(1)(b) and (2) and Article 145 of the Constitution and Standing Orders 64 and 65 of the Standing Orders of the National Assembly of the Republic of Kenya, THIS HOUSE RESOLVES to remove from office,

by Impeachment, His Excellency Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya.

Pursuant to the provisions of Standing Order 64(1)(c) and Standing Order 65(2), it is notified that the names of the Members who appended their signatures in support of the Motion as hereunder:

1. Hon. Mwengi Mutuse
2. Hon. Owen Baya
3. Hon. Japheth Nyakundi
4. Hon. Mathias Robi
5. Hon. Kimani Ichung'wah
6. Hon. Rahim Dawood
7. Hon. Patrick Ntwiga
8. Hon. Eric Wamumbi
9. Hon. George Kariuki
10. Hon. Daniel Karitho
11. Hon. Dorothy Muthoni
12. Hon. Mwangi Kiunjuri
13. Hon. Mpuru Aburi
14. Hon. Elizabeth Kailemia
15. Hon. Edwin Gichuki
16. Hon. Mugambi Rindikiri
17. Hon. Jane Kagiri
18. Hon. Ann Wamuratha
19. Hon. John Paul Mwirigi
20. Hon. David Gikaria
21. Hon. (Eng) John Kiragu
22. Hon. Mary Maingi
23. Hon. Alice Ng'ang'a
24. Hon. Michael Wainaina
25. Hon. John Waithaka
26. Hon. Kuria Kimani
27. Hon. George Murugara
28. Hon. Simon King'ara
29. Hon. John Kiarie
30. Hon. (Dr) Shadrack Mwiti
31. Hon. Joseph Wainaina
32. Hon. Betty Maina
33. Hon. Ruku GK.
34. Hon. GG Kagombe
35. Hon. Julius M'anaiba
36. Hon. Duncan Mathenge
37. Hon. Kwenya Thuku
38. Hon. Njuguna Kawanjiku
39. Hon. (Dr) John K Mutunga
40. Hon. Junet Mohamed
41. Hon. Abdikadir Mohamed
42. Hon. Yakub Adow
43. Hon. Ken Chonga
44. Hon. Ali Wario
45. Hon. Ruweida Mohamed

46. Hon. Khamis Chome
47. Hon. Abubakar Ahmed
48. Hon. Zamzam Mohammed
49. Hon. Rashid Bedzimba
50. Hon. Said Hiribae
51. Hon. Peter Shake
52. Hon. Peter Masara
53. Hon. Mishi Mboko
54. Hon. Atieno Bensuda
55. Hon. Fatuma Masito
56. Hon. Mohamed Machele
57. Hon. Aduma Owuor
58. Hon. Jerusha Momanyi
59. Hon. Dr Lilian Gogo
60. Hon. Millie Odhiambo-Mabona
61. Hon. Irene Mayaka
62. Hon. Dick Oyugi
63. Hon. Joshua Oron
64. Hon. Walter Owino
65. Hon. Patrick Osero
66. Hon. Nolfason Barongo
67. Hon. Mark Nyamita
68. Hon. Tom Odege
69. Hon. Clive Gisairo
70. Hon. Oku Kaunya
71. Hon. Rozaah Buyu
72. Hon. Charles Ong'ondo
73. Hon. Fatuma Mohammed
74. Hon. Paul Abuor
75. Hon. Bady Twalib
76. Hon. David Ochieng'
77. Hon. Caleb Amisi Luyai
78. Hon. Elisha Odhiambo
79. Hon. Farah Maalim
80. Hon. Elijah Memusi Kanchory
81. Hon. Kakuta Maimai Hamisi
82. Hon. Aden Mohammed Daudi
83. Hon. Raphael Wanjala
84. Hon. Peter Orero
85. Hon. Martin Owino
86. Hon. Peter Kaluma.
87. Hon. TJ Kajwang'
88. Hon. Chiforomodo Mangale.
89. Hon. Dorice Donya.
90. Hon. Stephen Mogaka
91. Hon. Phelix Odiwuor
92. Hon. Geoffrey Odanga
93. Hon. Tim Wanyonyi
94. Hon. (Dr) Christine Ombaka
95. Hon. Hussein Weytan

96. Hon. George Aladwa
97. Hon. Maero Oyula
98. Hon. John Bwire
99. Hon. Omar Mwinyi
100. Hon. Catherine Omanyo
101. Hon. Danson Mwashako
102. Hon. Innocent Mugabe
103. Hon. Charles Nguna
104. Hon. Elsie Muhanda
105. Hon. Julius Sunkuli
106. Hon. Amina Siyad
107. Hon. (Dr) John Namoit
108. Hon. Nicholas Mwale
109. Hon. (Dr) Otiende Amollo
110. Hon. Christopher Wangaya
111. Hon. Paul Nabuin
112. Hon. Nicholas Ng'ikor
113. Hon. Yussuf Farah Mohamed
114. Hon. Abdikadir Mohamed
115. Hon. James K'Oyoo
116. Hon. Sarah Korere
117. Hon. Umulkher Harun
118. Hon. (Dr) James Nyikal
119. Hon. Daniel Manduku
119. Hon. Mohamed Adow
120. Hon. Ali Wario Guyo
121. Hon. Paul Katana
122. Hon. Bisau Kakai
123. Hon. Emmanuel Wangwe
124. Hon. Bernard Shinali
125. Hon. Nabii Nabwera
126. Hon. Patrick Makau
128. Hon. Shakeel Shabbir
129. Hon. Adan Keynan
130. Hon. Fatuma Jehow
131. Hon. Amina Mnyazi
132. Hon. Gertrude Mwanyanje
133. Hon. Adipo Okuome
134. Hon. Abdi Shurie,
135. Hon. Anthony Oluoch
136. Hon. Beatrice Elachi
137. Hon. Samuel Arama
138. Hon. (Prof.) Guyo Jaldesa
139. Hon. Antoney Kibagendi
140. Hon. Samuel Atandi
141. Hon. Ruth Odinga
142. Hon. Eve Obara
143. Hon. Johnson Naicca
144. Hon. Johana Kipyegon
145. Hon. Omboko Milemba

146. Hon. Maisori Kemero
147. Hon. Moses Kirima
148. Hon. Haika Mizighi
149. Hon. Yusuf Adan
150. Hon. Mumina Bonaya
151. Hon. Charles Gimose
152. Hon. Bidu Mohamed
153. Hon. Zaheer Jhanda
154. Hon. Clement Sloya
155. Hon. Suleka Harun
156. Hon. Jackson Lekumontare
157. Hon. Kenga Mupe
158. Hon. Major (Rtd) Abdullahi Sheikh
159. Hon. Didmus Barasa
160. Hon. Malulu Injendi
161. Hon. Geoffrey Mulanya
162. Hon. Fred Ikana
163. Hon. Peter Nabulindo
164. Hon. Titus Khamala
165. Hon. Joseph Hamisi
166. Hon. Ernest Kivai
167. Hon. Vincent Musau
168. Hon. Fabian Muli
169. Hon. Caleb Mule
170. Hon. Joshua Mwalyo
171. Hon. (Dr) Rachael Nyamai
172. Hon. Nimrod Mbai
173. Hon. Ali Raso
174. Hon. Joseph Lekuton
175. Hon. Silvanus Osoro
176. Hon. Abdisirat Khalif
177. Hon. Abdul Haro
178. Hon. Mary Emaase
179. Hon. Irene Njoki
180. Hon. (Eng.) Nebart Muriuki
181. Hon. George Gachagua
182. Hon. Wachira Karani
183. Hon. Githua Wamacukuru
184. Hon. Rahab Mukami
185. Hon. Antony Wainaina
186. Hon. Elijah Kururia
187. Hon. Daniel Nanok
188. Hon. Muthoni Marubu
189. Hon. Kenneth Tungule
190. Hon. Stanley Muthama
191. Hon. Joseph Emathe
192. Hon. Faith Gitau
193. Hon. Cecilia A. Ngitit
194. Hon. Pamela Njeru
195. Hon. Robert Basil

196. Hon. Protus Akujah
197. Hon. Kassim Tandaza
198. Hon. Pauline Lenguris
199. Hon. (Dr) Robert Pukose
200. Hon. George Sunkuyia
201. Hon. Joash Nyamoko
202. Hon. Kitilai Ole Ntutu
203. Hon. Leah Sankaire
204. Hon. Lemanken Aramat
205. Hon. Agnes Pareyio
206. Hon. Gabriel Tongoyo
207. Hon. Rebecca Tonkei
208. Hon. Catherine Wambilianga
209. Hon. John Makali of Kanduyi
210. Hon. John Chikati
211. Hon. Susan Ngugi
212. Hon. Mburu Kahangara
213. Hon. Geoffrey Wandeto
214. Hon. (Capt.) Ronald Karauri
215. Hon. (Dr) Jackson Kosgei
216. Hon. Adams Korir
217. Hon. Kangogo Bowen
218. Hon. Jematiah Sergon
219. Hon. Kassait Kamket
220. Hon. Caroline Ng'elechei
221. Hon. Kiborek Reuben
222. Hon. Gideon Kimaiyo
223. Hon. Musa Sirma
224. Hon. Joseph Makilap
225. Hon. Joshua Kandie
226. Hon. Charles Kamuren
227. Hon. John Waluke
228. Hon. Richard Yegon
229. Hon. Kilel Richard
230. Hon. Brighton Yegon
231. Hon. Francis Sigei
232. Hon. Victor Koech
233. Hon. Linet Chepkorir Toto
234. Hon. Justice Kemei
235. Hon. Nelson Koech
236. Hon. Beatrice Kemei
237. Hon. Joseph Cherorot
238. Hon. Kibet Komingoi
239. Hon. Hilary Kosgei
240. Hon. Benjamin Lang'at
241. Hon. Alfred Mutai
242. Hon. Liza Chelule
243. Hon. Joseph Tonui
244. Hon. Paul Chebor
245. Hon. Fred Kapondi

246. Hon. Lillian Siyoi
247. Hon. Naomi Waqo
248. Hon. Faisal Bader
249. Hon. Alfah Miruka
250. Hon. Dekow Mohamed
251. Hon. Innocent Obiri
252. Hon. Gideon Ochanda
253. Hon. Sabina Chege
254. Hon. Peter Lochakapong
255. Hon. Samwel Chumel
256. Hon. Rael Kasiwai,
257. Hon. David Pkosing,
258. Hon. Titus Lote,
259. Hon. Joseph Samal
260. Hon. Letipila Eli
261. Hon. Kareke Mbiuki
262. Hon. Martin Wanyonyi
263. Hon. Wanami Wamboka
264. Hon. David Ochieng'
265. Hon. Ferdinand Wanyonyi
266. Hon. Gladys Boss
267. Hon. Paul Biego
268. Hon. Marianne Kitany
269. Hon. Samwel Chepkonga
270. Hon. Janet Sitienei
271. Hon. Cynthia Muge
272. Hon. Josses Lelmengit
273. Hon. David Kiplagat
274. Hon. Julius Melly
275. Hon. Julius Rutto
276. Hon. Bernard Kitur
277. Hon. Phylis Bartoo
278. Hon. Oscar Sudi
279. Hon. Dan Wanyama
280. Hon. Adagala Beatrice
281. Hon. Amina Dika
282. Hon. Abdi Ali Abdi
283. Hon. Hussein Abdi
284. Hon. Gonzi Rai
285. Hon. Ibrahim Saney
286. Hon. Umul Kheir Kassim
287. Hon. Farah Yakub
288. Hon. Caroli Omondi
289. Hon. Gichimu Githinji
290. Hon. Michael Muchira
291. Hon. Jared Okello

(Moved by Hon. Mwengi Mutuse on 8.10.2024 – Morning Sitting)

(Resumption of debate interrupted on 8.10.2024 – Morning Sitting)

Hon. Speaker: Hon. Members, we are back to the Motion. So far, so good with the morning sitting. As I directed in the morning, we will proceed up to 5.00 p.m. The Deputy President indicated that he would be here by 4.00 p.m. At 5.00 p.m., we will call him and allocate him up to two hours, maximum. When he finishes, the Leader of the Majority Party and the Leader of the Minority Party will come in. Thereafter, the Mover will be called to reply.

We have five minutes for each Member, and the interest is overwhelming. If we remain with five minutes, then not all of you will have time to speak. The alternative to this, and I do not want us to go that direction, is to allow Members to speak after the Deputy President has had his opportunity. This Motion has no time cap, but we must finish not later than midnight today. I want to hear your views. Do we continue with five minutes? After the Deputy President speaks, we will have the Leader of the Majority Party, the Leader of the Minority Party, the Mover, and then move to voting. Is that all right?

Hon. Members: Yes.

Hon. Speaker: Excellent. At the time we concluded, it was Hon. Kajwang' from my left who had spoken. I will now open the afternoon with the Member for Ugenya. Give him the microphone.

Hon. David Ochieng' (Ugenya, MDG): Thank you very much, Hon. Speaker. Article 132 of the Constitution of Kenya provides that the President will, every year, give a report to this House on the steps taken to implement Article 10. Article 10 is the 'soul' of the nation. Article 10 is what the engineers would call the software of the country. It is what the doctors would call the heartbeat of this country.

Through Article 10, this country gave to itself how they want to be governed. It provides us with a map of where we want to go. In the last two-and-a-half years, we have listened to and been treated to the Deputy President piercing with a sharp knife through the heart of our nation. When we went to give ourselves a new Constitution, we said tribalism, nepotism and corruption are our ills. We said that we would entrench Article 10 and ensure that going forward, we live together in unity.

For the last two years, Hon. Gachagua has not only put a knife on the back of our values and shared principles, but he has kept on turning that knife to the level where if we allow him to continue to be the Deputy President, we are going to risk the loss of the heart of this country.

The Mover of this Motion, Hon. Mutuse, read what appears in Article 10. There is nothing to say about a person who believes that this country should only belong to one region. It has to be clear today that we are not impeaching Mount Kenya. We are not impeaching the Kikuyu. We are impeaching an individual who has refused to follow the law every single day of his life.

Hon. Gachagua is the Deputy President of the Republic of Kenya and not the Deputy President of Mount Kenya. He is the Deputy President of Kenya Kwanza, not *Mlima Kwanza*. It has to be said today that if we are to build and run a country that has shared values, principles and prosperity, all of us must believe that our leaders will live within the four corners of the law.

It is true, and it has been said by Kenyans; that, we are all tribal. Of course, we all come from different tribes. We also have our tribal sentiments. We all have our feelings about what should happen to our tribes. It has even been said that *kufa dereva, kufa makanga*. It has also been said that all of us sitting here today have some tribal things in our closets. That is true. Hon. Speaker, you are a seasoned lawyer. When you are charged in court with others not before the court, they say Rigathi Gachagua and others not before court. The case that we dealing with today is that of Riggy G, and not that of others not here today. The case we are dealing with today is that of the *makanga*, and not that of the *dereva* and the passengers.

We have to deal with a person who believes that his job is to represent Mount Kenya. On this side of the House sit Members elected by the Mount Kenya people. On this side sit Members from Nyeri, Kirinyaga, Murang'a, and from everywhere else. Those counties also have governors. Nobody appointed Riggy G to be their benefactor or custodian of Mount Kenya. Our Constitution provides for leaders from that place to represent the people. By his actions of going against Article 10 of the Constitution, Riggy G has alienated Mount Kenya from the rest of the country. He has fought so hard to be the Mount Kenya kingpin. I believe that this House must impeach him so that he can go and become the kingpin of Mount Kenya, not the Deputy President of this country. That is what we need to do this afternoon.

Yesterday, I heard him mention the name of our Prime Cabinet Secretary and that of the Ford Kenya party leader. Coalition agreements are done...

Hon. Speaker: Give him one minute.

Hon. David Ochieng' (Ugenya, MDG): Coalition agreements are between and among parties. If, for example, the MDG, which I run; has shares in the government, the shares are for the whole country, and not for a tribe or an individual.

I must say that we will impeach him but all of us here today must also soul search. As we impeach Hon. Gachagua, have you lived a better life as a Kenyan? Have you lived a better life as a leader? What have you done in your closet that reflects what Hon. Gachagua has done? We will impeach him, but we must also change our ways as a country; from the President all the way down to all of us who lead this country. I support and believe that he must be impeached.

Hon. Speaker: Commissioner Patrick Makau.

Hon. Patrick Makau (Mavoko, WDM): Thank you, Hon. Speaker, for giving me this chance. At the onset, allow me to give a thumbs-up to one Hon. Eckomas Mwengi Mutuse. I give him a thumbs-up for executing this Motion and showing Kenyans that leadership is not about where you come from or who you are but how you perform your duties.

This morning, I heard many speakers talk about this Motion. I agree with those who spoke earlier. Yesterday and the week before, I was watching the Deputy President of this country doing rallies in towns and going to churches. What we saw on Sunday was different from what we saw yesterday. I want to advise us as politicians. Sometimes we should listen to the right advisers. If I were to advise the Deputy President, yesterday's interview was his undoing. He proved to Kenya that all the accusations being levelled against him are true. I confirm to this House that despite Article 10 of the Constitution, the Deputy President, who is supposed to own the values of this nation by uniting Kenyans, fighting against corruption and tribalism, is the one who has championed tribalism through and through. As the Member for Mavoko, I have spoken the word 'Kenya' many times than the Deputy President of this country. All I have been hearing is *murima, murima, murima, murima, murima*. I want to tell Kenyans that Parliament has been prosecuted in many words. We have been called names, and it has been said that we are a non-performing House. Today I stand here as the legislator of Mavoko.

Why am I charging the Deputy President with the offence of tribalism? At one time, I listened to the Deputy President on national television saying that he reversed a Cabinet decision on the demolitions in Mathare. Why did he do that? He said his people were in Mathare and, therefore, he could not sit and see his people's houses being demolished. It reminded me of when houses of the people of Mavoko were being demolished. I personally went to him, thinking that he would help me but the words he used are unprintable and I cannot say them in this House. Today I want to tell him that 30 per cent of the houses that were demolished belonged to the people of *mlima*. They belonged to Kenyans. I come from a cosmopolitan constituency. As I stand here, we have lost lives. There are people whose properties had to be auctioned because they had taken loans to build those houses. As a legislator, I humbled myself and asked the Deputy President to intervene so that those houses could be spared. The entire

land parcel measures 4,000 acres. I requested him to intervene so that the people who had built on the 325 acres could pay Portland Cement. I cannot repeat here the names that he called me. There are things which are not personal. I want to tell them that those people elected me to represent them here, and their pain is my pain.

The same Deputy President came to Machakos and said that the Kamba votes are very few, and that they cannot elect a president. He went ahead and said that the Kamba votes in Kitui, Machakos and Makueni combined are less than one million. I want to remind the Deputy President that the Kamba vote is more than three million. I want to remind him that the Kamba nation produced Ngei, who took care of Kenyatta in prison. That same Kamba nation produced Munyao Kisoï, who flew the Kenyan flag during Independence Day. That same tribe produced Muindi Mbingu, a former Freedom Fighter, who is my grandfather. I want to remind him that the same Kamba nation....

Hon. Speaker: Give him one minute.

Hon. Patrick Makau (Mavoko, WDM): Hon. Speaker, the same Kamba nation he said their votes were useless, are the ones he is running to every night, calling them to come and save him from this impeachment Motion. I want to remind him that every tribe in this country is important and he should live to respect them. I support this Motion for every reason and every accusation.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Saney.

Hon. Ibrahim Saney (Wajir North, UDA): Hon. Speaker, I want to bring out three assertions which are highly distorted, emanating from His Excellency the Deputy President, Hon. Gachagua. One is that he is a co-president. In every general election, six ballot papers are issued to voters. Of the six, one is for the presidency. All Kenyans voted for His Excellency President William Samoei Ruto. I did not vote for Gachagua. There is no Kenyan who voted for Gachagua to any position other than escorting the President to State House. He was not elected. Therefore, the claim that he garnered 7.2 million votes is unfounded, non-factual and a mere hallucination. He is not a co-president. He is merely an assistant to the President.

The second thing is that he always talks of having acquired paramilitary training. He is supposed to be a symbol of harmony and unity, not to intimidate the citizenry by telling them that he is military trained. That in itself bespeaks volumes on what his character is. One other thing is that yesterday he made disparaging remarks on the Speaker of the National Assembly and the Speaker of the Senate. The fact that his impeachment is coming in front of this House today and thereafter proceeding to the Senate, it was not befitting of him to make disparaging and derogatory remarks on our Speaker and the Speaker of the Senate.

On the impeachment Motion, the threshold stipulated under Article 150 of the Constitution has fully been met in impeaching Deputy President Gachagua. His loyalty to the President is questionable. Whenever the President goes out of the country, the Deputy President is never seen seeing him off. Whenever the President comes back to the country, the second principal is always not available to receive the President. He gives press releases that contradict the President. He talks too much, giving epithets that demean and project the President as a liar on several occasions. Yesterday, all Kenyans heard him say that it is His Excellency President Ruto who taught him how to respond to civil servants and address intelligence officers like Noordin Haji and the DCI Director, Amin. That in itself depicts a lack of respect for the Presidency.

It is clear in our Constitution that he is the second in command, as espoused in Article 147(3) as read together with Article 134. He has failed in this. He has also shown massive erosion of the position of the Executive by not being the assistant and showing the unity expected of him. The Deputy President has on several occasions pronounced himself on matters of discriminating against Kenyans, saying that he got his share of Cabinet Secretaries for his

region. Cabinet Secretaries belong to all Kenyans. He has spoken badly about public servants in public. In all aspects, he has violated Article 232 of the Constitution, which is about the principles expected of the Executive.

Finally, he also talked ill of public participation. The courts have declared that public participation was well done. Yesterday, it was clear that he was contemptuous that the public participation done by the National Assembly did not meet the required threshold. I believe that is being contemptuous of this House.

With those few remarks, I support the impeachment. Thank you.

Hon. Speaker: Hon. Raphael Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker, for giving me an opportunity to contribute to this important Motion. This is the second such Motion I am participating in since I became a Member of Parliament. It is the second one to discuss the impeachment of our Deputy President.

I am very disturbed by the way our Deputy President has been behaving. He is the principal assistant to the President but when the President goes out of the country, the Deputy President recedes to the *murima* region and starts asking the President so many questions instead of running the country. He is never available in Nairobi. He is only available in his village, trying to ask the President questions. This has really annoyed some of us. When there were floods, the Deputy President was assigned by the President to take care of the disaster. However, the man never moved from his homestead to other areas. He was never in Nyando or Budalangi during the floods. He directed all the food to his backyard. I wish to be very brief. The Deputy President...

Hon. Speaker: Order, Hon. Wanjala. There is a point of order from Hon. Wanjiku Muhia.

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Speaker, is the Member in order to say that the Deputy President has never moved out of his backyard, while it is on record and in the public domain that he has been to Kisumu, Busia, Mombasa and to all other parts of the country?

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, the Deputy President has only been seen in those places when accompanying the President. He has never gone on his own to see the destruction caused by floods. The Ethics and Anti-Corruption Commission (EACC) did a disservice to this country. The EACC is responsible for vetting candidates who seek elective positions. The Deputy President was a District Officer (DO). He was sacked on 30th July, 1997. Even with this knowledge, the EACC did not perform its duty well. They cleared him to vie for a seat of Member of Parliament and, subsequently, they cleared him to be President Ruto's running mate and became Deputy President. He is not supposed to be in office because of misconduct.

Hon. Speaker, his sacking letter reads as follows:

“Mr. Geoffrey Rigathi Gachagua, District Officer 1 Laikipia, through Provincial Commissioner, summarily dismissed. Reference is made to our letter dated 19th May 1989 on your appointment to the position of District Officer... In your response, show cause why... for gross misconduct, desertion from duty and reported mismanagement of relief food for Laikipia District. In this regard, we wish to notify you that your employment contract has been terminated forthwith. Consequently, you are required to report to the Rift Valley Provincial Commissioner for handover and clearance.”

The letter is signed by P. Kuindwa.

Hon. Speaker, this is a thief. This is the wrong man to be in this office, in the first place. For Kenya to grow, Gachagua must grow. To stop tribalism, Gachagua must go. For Kenya to unite, Gachagua must go. I table this and support the Motion.

Hon. Speaker: Hon. Kagucia.

(Loud consultations)

Hon. Kagucia John (Mukurweini, UDA): Hon. Speaker, Hon. Raphael Wanjala has produced a photocopy of a document that we cannot authenticate. The document Hon. Raphael Wanjala has referred to is not....

Hon. Speaker: Order, Hon. Kagucia. Take your seat.

First, from where you are sitting, you have not seen the document. Secondly, the Speaker is fully conversant with the rules of admissibility. I will look at the document and direct you on how to use it. I thought I had given you an opportunity to contribute. You are going on a tangent that is totally unnecessary. I have given you an opportunity to contribute. If you are not ready, I can give someone else this chance.

Hon. Kagucia John (Mukurweini, UDA): Thank you, Hon. Speaker. I stand guided. I stand to oppose the Special Motion that seeks to impeach the Deputy President. The Constitution of Kenya, 2010 made the deputy president position elective, not appointive, so that the president and deputy can work together. This is what the people of Kenya voted for in 2010. I believe that when we elect a president and a deputy, we should make every effort to resolve any misunderstanding or differences that may arise between them.

Hon. GG Kagombe (Gatundu South, UDA): On a point of order.

Hon. Speaker: Hold Kagucia, hold on. What is out of order, Hon. GG Kagombe?

Hon. GG Kagombe (Gatundu South, UDA): Hon. Speaker, is the Member in order to disparage and mutilate the Constitution by disputing the validity of the provisions of Article 150, which gives power to parliament to remove a sitting deputy president? It is constitutional. It is written. It was passed by us in 2010, and that work is given and granted by the Constitution to this Parliament. Therefore, the fact that the president and the deputy president were elected together does not stop the provisions of Article 150 from coming into play when necessary.

Therefore, he should withdraw his remarks.

Hon. Kagucia John (Mukurweini, UDA): Hon. Speaker, there is a reason why he is Hon. Kagombe and not Kigombe. It is because a small cow jumps before...

(Loud consultations)

Hon. Speaker: Order, Hon. Kagucia. Take your seat.

(Loud consultations)

Order, Hon. Members!

(Hon. Nabii Nabwera stood along the aisle)

Order, Hon. Members. Hon. Nabii, take your seat. Hon. Members, we have done very well since morning. This may be an emotive Motion but as leaders, leave your emotions at that door when you come into this House. Hon. Kagucia, treat your colleagues the same way you would want them to treat you. Do not make any disparaging remarks or purport to misinterpret the meaning of a colleague's name. Just withdraw and apologise to Kagombe and proceed with your contributions.

Hon. Kagucia John (Mukurweini, UDA): Thank you, Hon. Speaker. I withdraw the naming of Hon. Kagombe and apologise. I also hope that you have noted that Hon. Wamumbi has hit me with a bottle of water. It is unparliamentarily that an hon. Member would

Hon. Speaker: Order. Hon. Wamumbi, did you throw a bottle?

(Loud consultations)

Hon. Kagucia John (Mukurweini, UDA): That is very unparliamentary.

Hon. Speaker: Hon. Kagucia, take your seat. Hon. Wamumbi.

Hon. Eric Wamumbi (Mathira, UDA): Hon. Speaker, it is unacceptable for Hon. Kagucia to lie to this House. He is lying. Let him continue with his speech, but he should not lie.

Hon. Speaker: Order, Hon. Members! To the extent that the Speaker did not see, and Hon. Kagucia is not claiming any injury, let us leave it there.

(Laughter)

Hon. Kagucia John (Mukurweini, UDA): Hon. Speaker, Henry Kissinger stated that the quest for peace and order has two elements that are sometimes treated as contradictory. He said that if you cannot achieve the pursuit of security and the requirements of acts of reconciliation, you will not be able to reach either of them. He also said that the road to diplomacy may appear complicated and frustrating, but progress to it requires both vision and the courage to undertake that journey.

I am of the opinion that when our two most senior leaders in this Republic are in disagreement, we should prioritize seeking reconciliation over pursuing their removal. What we are doing now is looking at the issues of removal instead of pursuing a very important goal in this matter, which is reconciliation. For that matter, I am of the opinion that we should seek a way of bringing the two gentlemen together.

In the past, we sought mediation from respected individuals such as His Excellency Obasanjo, Senator Coon from the US, and even His Excellency President Yoweri Museveni. We have also had the involvement of Kofi Annan in Kenya. We should have gotten a way out. Therefore, we should have sought a better way...

Hon. Speaker: Hold on Hon. Kagucia. Yes, Hon. Shimbwa.

Hon. Omar Mwinyi (Changamwe, ODM): I want to inform Hon. Kagucia that for...

Hon. Kagucia John (Mukurweini, UDA): Hon. Speaker, I did not ask for information from Hon. Omar. I do not desire to get any information from Hon. Shimbwa.

Hon. Speaker: Order! He has rejected your information. So, take your seat.

Hon. Kagucia, wind up. Your time is up.

Hon. Kagucia John (Mukurweini, UDA): Hon. Speaker, I would like to complete my statement...

(Hon. Kagucia John's microphone went off)

Hon. Speaker: Give him a minute.

Hon. Kagucia John (Mukurweini, UDA): Thank you. I would just like to complete my statement by saying that I wish that, as a country, we can come up with a reconciliation mechanism for our senior leaders – a mechanism to reconcile and agree. If we open the impeachments Pandora Box, it is something that we might not contain. We are likely to have many impeachment Motions coming to this House.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Junet, the Member is off the Floor. So, you cannot rise on a point of order.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I would like to clarify that the issue before the House is not a disagreement but rather a motion that was presented by Hon.

Mutuse, which consists of 11 grounds. We are not discussing any disputes between individuals and their spouses, employers, children, mothers, uncles, cousins, farmers or cooks.

Hon. Speaker: Mama Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe. Spika kwa kunipa fursa hii nami nichangie mada ya leo ya kumng'oa mamlakani Naibu wa Rais.

Naibu wa Rais amekuwa akizunguka Kenya nzima akizungumza, na nimekuwa nikijiuliza kama amesahau kumeza dawa zake au kuna shida gani. Amekuwa akizunguka kila mahali akizungumzia mambo ya ukabila na *shares*. Mombasa Kaunti ilikuwa namba moja katika ukusanyanaji wa ushuru lakini Naibu wa Rais akizungumza anataja tu mambo ya mlima na *shares*. Mhe. Spika, ukiona Naibu wa Rais akimkosea Rais mbele ya wananchi...

Hon. Gathoni Wamuchomba (Githunguri, UDA): On a point of order.

Hon. Speaker: Hold on, Hon. Zamzam. Yes, Hon. Wamuchomba.

Hon. Members: *Aongee kwa Kiswahili.*

(Loud consultations)

Hon. Speaker: Order, Hon. Members! Order, Hon. Wamuchomba!

Hon. Gathoni Wamuchomba (Githunguri, UDA): Bwana Spika, ningependa kujua ikiwa...

Hon. Speaker: Hold on. Which Standing Order has been breached? Cite it.

Hon. Gathoni Wamuchomba (Githunguri, UDA): I am on a point of information. I would like to inform the Member to clarify.

Hon. Speaker: Hon. Zamzam, do you want information?

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe. Spika. Sitaki anijuze.

(Loud consultations)

Hon. Gathoni Wamuchomba (Githunguri, UDA): Hon. Speaker, I refuse to be muted when I have something that I need the Member to clarify. She must clarify.

Hon. Speaker: Order, Hon. Wamuchomba! Hold your horses. You know the rules. Order! If you want to inform a Member on the Floor, she must accept your information. She has said she does not want it.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Point of order, Hon. Speaker.

Hon. Speaker: Under which Standing Order?

Hon. Gathoni Wamuchomba (Githunguri, UDA): Hon. Speaker, the Member has said that the Deputy President *alisahau kukunywa dawa*. Tungetaka kujua ni dawa gani ambazo Mhe. anaongea kuhusu.

(Loud consultations)

Hon. Speaker: Mhe. Zamzam endelea.

Hon. Zamzam Mohammed (Mombasa County, ODM): Mhe. Spika, unajua ndio makosa ya kupatia mabubu kuzungumza. Mimi nimesema huenda ikawa Naibu wa Rais amesahau lakini sijasema amesahau. Nilifikiria nilikisia. Kiongozi kama huyu anajua makabila yote. Tunakaa kwa amani, Kenya. Tumeoana na tunaelewana. Anataka kuturejesha kwa makabila kama vile tulivyokuwa na mambo ya Kaya Bombo na baada ya uchaguzi wa 2007/2008. Watu walipoteza maisha yao kwa sababu ya ukabila.

Mimi nakaa nikishangaa. Mhe. Naibu wa Rais alikuja Mombasa na akasimama juu ya gari akitafuna ndizi na mahindi choma. Kwanza, alitupa takataka pale alikuwa. Hakujua kuwa

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watoto wetu ndio hufagia. Pale juu ya gari, alisema Gavana atoe pesa za mafuriko, wakati alijua Ksh14 bilioni kutoka World Bank ambazo ni za *Disaster Management* zilikuwa kwa ofisi yake na aliziramba. Alikuwa anajua tuliweka Kshs6 bilioni kwa bajeti na hakuzileta Mombasa. Yule ni kiongozi wa kugonganisha watu. Ndio maana najiuliza kwa miaka miwili, ana kampuni 22. Mimi sina hata moja. Miaka miwili na ana kampuni 22 na zote zina Kshs5.7 bilioni ya mtoto na mke, na kisha bado anaenda kuchukua mali ya ndugu yake. Unawacha mayatima na unatesa mjane. Kisha, utatuambia nini katika taifa la Kenya?

(Heko)

Leo nasema ang'atuliwe. Kwa kutesa mjane, *Hon. Gachagua must go*. Kwa kula pesa za mahindi, kwa kuleta ukabila Kenya, *Hon. Gachagua must go*. Asante sana, Mhe. Spika.

Hon. Speaker: Hon. Ngogoyo.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Thank you, Hon. Speaker. I rise to oppose the Motion by Hon. Mwengi Mutuse, Member for Kibwezi West. I represent the people for Kajiado North. I have gone through the Motion and the issues that *Wakili* Mwengi Mutuse has raised. I will pick a number of issues that I want to draw the attention of this House to.

Firstly, Hon. Mwengi Mutuse said that all we need to do is just believe the things he tabled here are true. We cannot believe what he says is true. We have to cross-examine and look at them properly. I have gone through the evidence that he has provided on some of the issues. According to Hon. Mwengi Mutuse, having 21 companies is an intention for the Deputy President to launder money. Therefore, he should be impeached. He did not say money has been laundered, but it is an intention. He said it is enough for this House to just believe, and then impeach the Deputy President. I say no to that impeachment.

Secondly, Hon. Mwengi Mutuse, former Chief of Staff in Machakos County Government and the current Member of Parliament, presented hearsay. He said, in his submission, that there were officers who were coerced to write and change documents in the Ministry of Lands, Transport and Public Works without tabling any evidence from the documents that he has provided. This House cannot support hearsay. It is not possible for you to make a decision out of hearsay.

In his accusations, he said that the Deputy President is a person from Mt. Kenya. He makes decisions based on Mt. Kenya. I am the Member for Kajiado North. He visited my constituency for a development tour. The Executive, through the State Department for Basic Education, constructed classes, courtesy of his visit in Enoomasiani Girls' Secondary School which rescues girls, specifically from Maasai land. This is the only girls' school that we have in the great Kajiado North Constituency. Hon. Mwengi Mutuse did not mention such issues. According to him, the Deputy President coerced people and did other things. He said that we only need to believe that. Impeaching the Deputy President of the Republic of Kenya needs more evidence than what he has provided. I find this to be very shallow. In the words of the Chief Justice, this is hot air.

Hon. Speaker, I have heard very respectful submissions from majority of the lawyers in this House.

Hon. Zamzam Mohammed (Mombasa County, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Zamzam, what is your point of Order?

Hon. Zamzam Mohammed (Mombasa County, ODM): Mhe. Spika, nasimama kwa *Standing Order* 87. Mimi nataka nimjuzue Mbunge mwenzangu kuwa...

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Naomba nisijuzwe.

Hon. Zamzam Mohammed (Mombasa County, ODM): Hapana.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Naomba Nisijuzwe.

Hon. Speaker: She is on a point of order.

Hon. Zamzam Mohammed (Mombasa County, ODM): Mhe. Spika, nataka atoe *statement of fact*. Hata kama Mhe. Mutuse alikuwa akifanya kazi kwa kaunti, ni Mbunge na ameleta *Motion* hapa. Nataka nimweleze Mbunge kuwa watu wanasema kufa kondakta kufa dereva. Huyu kondakta amepora maabiria wote. Hawana chochote. Kwa hivyo, aende tu nyumbani.

(*Kicheko*)

(*Heko*)

Hon. Speaker: Hon. Ngogoyo.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Thank you, Hon. Speaker. I choose to stick to content.

Hon. Speaker: Your time is up. Go on.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): I choose to ignore the Member. The Deputy Speaker of the National Assembly went to a public function in Nandi and said she would oversee the impeachment of the Deputy President. She has come to this House and is expected to vote. Do you expect fairness?

(*Loud consultations*)

Hon. Speaker: Your time is up. Give him one minute. The Deputy Speaker spoke to that. She has a vote, unlike the Speaker. She will not preside on these proceedings.

Hon. Onesmus Ngogoyo (Kajiado North, UDA): Thank you. Because I respect you, Hon. Speaker, I will not engage on this matter. Therefore, I submit that Ngogoyo Onesmus Nguro, Member for Kajiado North, says no to the impeachment of the Deputy President of the Republic of Kenya.

Hon. Speaker: Member for Taveta. The microphone is there. Is it working? There you are.

Hon. John Bwire (Taveta, WDM): Thank you, Hon. Speaker. I rise to support the Motion by my learned colleague, Hon. Mutuse. Most of the things have been said, but allow me to say a few things. Firstly, allow me to borrow from the Council of White House during President Clinton's administration. He said that impeachment is not a remedy for private wrongs. It is a method of removing someone whose continued presence in office will cause danger to the nation.

Hon. Speaker, the continued stay in office of the Deputy President is a threat to the nation of Kenya. We had a Vice-President by the name of Hon. Jaramogi Oginga Odinga from 1963 when we got Independence. He never said "do not touch Luo Nyanza". We had Hon. George Saitoti and Hon. Musalia Mudavadi during President Moi's regime. Hon. Musalia never said "do not touch the Luhya nation". During his time, Hon. Stephen Kalonzo Musyoka never said "do not touch Ukambani". We have a Deputy President who is obsessed with a certain region in this country.

Secondly, much has been said by my learned colleagues in this House. However, I want to borrow something. Article 145 of the Constitution provides for reasons for impeachment of a Deputy President and the President. The Supreme Court laid certain guidelines during Hon. Sonko's impeachment. It said that the question as to whether or not there is a violation of the Constitution should be guided by certain principles like interference with constitutional functions of the Legislature and the Judiciary. The utterances of the Deputy President in

relation to his cases in court are interference with the constitutional functions of the Legislature and the Judiciary.

Another ground given in determining whether or not there is a violation of the Constitution is whether there is an abuse of the code of conduct. My argument is that the Deputy President's constant pronouncements that divide the country to regions and tribes is an abuse of the code of conduct. It is a ground for impeachment.

Another criterion given is the disregard and breach of fundamental rights in the Constitution. There are two minority tribes in Taveta where I come from: The Taveta and the Pare. They are minority tribes in Kenya. Article 56 of the Constitution says that the State should do everything within its means to ensure that marginalised tribes in Kenya are protected. The pronouncements of the Deputy President about a certain region without considering the Tavetas and the Pares of Taveta is a violation of fundamental rights and freedoms as guaranteed by Article 56. It is a ground for impeachment.

Lastly, there are Kikuyus even in Taveta. Who will speak for the Kikuyus in Taveta if we are constantly obsessed with Mt Kenya? That is why I am saying, for his obsession with Mt Kenya or a certain region, Rigathi Gachagua must go. Thank you.

(Applause)

Hon. Speaker: Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker.

There was a spat between the Pope and Napoleon in 1800. Napoleon asked, "Pope, how many divisions do you have?" Then the Pope replied "I have the Catholic Church". During the interview yesterday, the Deputy President came up strongly to almost insinuate that this Parliament is a bunch of clowns. So many things guide this Parliament. The very important instrument this Parliament wields is this thing called the Constitution. It is the supreme law of the land.

National unity is one of the reasons the Deputy President must be impeached. He came onto a public stage to talk about an issue that eventually would discriminate the minorities: One man, one vote, one shilling. That is important in the way he says it. In a sense, the regions that are behind, discriminated and marginalised will continue to be behind. Article 56(a)(1) talks about minority groups, why they must be in the Government, and represented. This country must move forward. It must move as one nation and one people. We are of different nationalities. It is the Deputy President who stood in a public place to say that the problem of this country is the Somalis. The Somalis are part and parcel of this nation. They have made great contributions to this country. They cannot be excluded for anything.

The second issue why the Deputy President must and has to leave that office is on national security. He is privy to the National Security Council meetings. He attends them and he can chair sometimes. Coming out to divulge that information to the public on a need-to-know basis means he has crossed the red line.

The third issue is related to Article 147. The Deputy President is the principal assistant to the President. He or she is delegated to be the President sometimes when the president is away. This happened in the 11th Parliament when Uhuru Kenyatta was attending the International Criminal Court (ICC). He wrote down that the then Deputy President Ruto would act on his behalf. It can happen even this time. If we have a Deputy President already determined to discriminate parts of the country, how do we trust him with power?

Lastly, he is not assisting or supporting the President. The Finance Bill of 2024/2025 was thrown out by Parliament and the people. It is not that the people and Parliament did not want it. He never supported it. He kept on campaigning against the Finance Bill.

For those reasons, I think the Deputy President must be impeached. Thank you.

Hon. Speaker: Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Thank you, Hon. Speaker.

I want to weigh in on this Motion. We are not trying to reinvent the wheel. We have had deputy presidents. We had vice-presidents before that. Andrei Gromyko of Russia was one time asked why he remained a Deputy President for so long. Somebody else said, “To be a deputy president, you have to have the capacity to sit on a block of ice with your pants down and make no grin”. A deputy president is no more than a personal assistant to the president. That is how it is provided for in all constitutions all over. I have not seen one in which certain executive authority is given to a deputy president. If you remember the US very well, when John F. Kennedy was the President, there was his brother called Bobby Kennedy who was the Attorney-General. Literally, Bobby Kennedy did not think Lyndon B. Johnson was anything. Lyndon B. Johnson kept tight, watched his cool, and later on became the President of the US.

(Loud consultations)

Hon. Speaker, protect me from our friends.

I know many of you are not of my age. You are younger than me. A good number of you are also either of my age or slightly older. Moi was so humiliated when he was the Vice-President, which is number two, so much so that a Senior Superintendent of Police (SSP) called Mungai slapped him in the State House of Nakuru when he went there to see his boss, the President. When he was going to see his boss, who was the President, he did not complain publicly, he did not complain privately, he just went about his business. If you remember very well, when Kibaki was the Vice-President of this country, he was dropped from being the number two and appointed a Minister for Health in the Moi Government. He went to the President and thanked him for having given him an opportunity to be his Vice-President for 11 years.

(Loud consultations)

Hon. Speaker, can you protect the House? There is too much consultation.

Hon. Speaker: Just go on.

Hon. Farah Maalim (Dadaab, WDM): He thanked him for giving him an opportunity to serve as his assistant or as the Vice-President for 11 years and took up his job as a Minister for Health with gusto and did a fantastic job as one of the best health ministers we have ever had in this country. Many people have been deputy presidents or vice-presidents or number two in the Executive here. I am glad I have been vindicated because about a year ago, I said that Rigathi Gachagua is the worst number two in the history of this country. I am sure I am now being vindicated.

(Loud consultations)

Hon. Speaker: Order Members. Maintain your silence.

Carry on.

Hon. Farah Maalim (Dadaab, WDM): I said exactly one year ago that Rigathi Gachagua is the worst number two in the history of this country, whether a vice-president or a deputy president. I am glad I am vindicated today. I remember when we had a near collapse of the State and the nation in 2008, we had the National Accord on the Floor of this House, and Hon. Speaker, you were also a Member of Parliament. Raila Odinga was made the Prime Minister of this country. There was Raila Odinga, and there was also Kalonzo Musyoka, who was the Vice-President. Technically, in law, Raila was supposed to share 50-50 power with

President Kibaki, but he was happy to say that he will support the President. He supported the President until the term was over. That is what is supposed to be.

Here is somebody who, literally, when this country is on the brink of certain serious problems, goes to Mombasa, and many of us believe he was part of the so-called, whatever, the riots that took place and the goons that attacked Parliament, and then he creates a parallel press conference in Mombasa in which he castigates the policies of his own boss, including castigating people whose authority is driven by the appointment of the President and passed by this Parliament.

Hon. Speaker, this man is bad for this country. This man is a heartbeat away from the President. God forbid, if anything were to happen to our President, he is the President. He is a danger. There will be no Kenya.

Hon. Speaker: Add him one minute.

Hon. Farah Maalim (Dadaab, WDM): Gachagua did not even give me the benefit of saying that let us be careful with the Somalis, we do not like Somalis. He called us *Woria*. You know what I mean? He did not even give me the respect or the courtesy. I could not say Mau Mau. I would say Kikuyus if I want to talk about Kikuyus, or look for any other non-derogatory name. He did not give us that respect of saying the Somalis of Kenya. He said *Woria*. They do not have any role and they are not shareholders in this Government. You know what? I come from a region where Wajir County alone is bigger than Mt Kenya region, Western and Nyanza regions put together. You have not gone to Garissa, Mandera, Marsabit where we share with our cushitic brothers, and Isiolo. He is talking about half the country and he thinks we are from Somalia.

Hon. Speaker: Your time is up. Yes, Dr Gogo.

Hon. (Dr) Lilian Gogo (Rangwe, ODM): Thank you very much Hon. Speaker. Thank you, my brother, for allowing me to pass on this information. Apart from what has been said, the Deputy President of the Republic of Kenya is on record insulting women as *malayas*. I want to go on record that he said that the one and only beautiful Hon. Jematiah is a *malaya* and somebody cannot negate that. I have to say it.

(Loud consultations)

I thank you so much, Hon. Speaker.

Hon. Speaker: Yes, your time is up. Give him one minute.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, this country belongs to us all. If you try to marginalise me, and tomorrow I take up arms and decide to fight that, do you think there will be Kenya? Do you think with 100,000 Somalis taking arms, there will be Kenya? Or 50,000 Turkanas? Or Sabaots? Or Pokots? This man is playing with this country. We shall not have stability. We must have a country in which we all feel that we are all loved and we are equals. Equals!

Hon. Speaker, I support this Motion of impeaching Gachagua. Let us do it the fastest possible and we should never have somebody like him in future in any position of leadership. We are all equals in this country. There is nobody who is more equal. We fought for Independence. All of us fought for Independence. Although some will try and hide...

Hon. Speaker: Your time is up. Member for Turkana at the back, that is who? Emathe.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Speaker.

I want to just give some comments on this Motion. When the Deputy President was being sworn in at Kasarani, I only knew him as a personal assistant to the former President, Uhuru. After he spoke and he sat down, I was seated close to Hon. Kiborek. I told Hon. Kiborek that this is not going to be a good person, from the analogy that formerly he was a personal assistant to the former President. The manner in which he spoke, to me, was on the contrary.

When he was sworn in, I did not know him. The only thing I knew about him was he was a personal assistant. Now, the chickens have come home to roost. I support his impeachment in the same manner in which over 92 per cent of my constituents in Turkana Central have agreed that we do the impeachment.

The impeachment is in two parts. There is the anti-corruption part of it and there is the ethical or the ethics part of it. I want to speak on the ethics. Here is a man who is full of himself. He is a very proud person and does not even know what to say. He speaks in manner that does not depict him as the Deputy President of this country. The Bible in the book of James brings out the bad part of the tongue. It says, the tongue is this part of the body that is a world of evil. It is a fire. The tongue corrupts the whole body. That is what the Bible says in the book of James.

At this juncture, as a UDA Member in the Kenya Kwanza Government, we are not in agreement to work together with the Deputy President. I am not in agreement as a Member who has subscribed to the party that I am not be able to walk with the Deputy President because we have to agree. What we are processing today here is a divorce. We are processing a divorce because under Article 56 of the Constitution, this is a man who will not be able to speak for the minorities. He is a man who will not speak for the marginalised. We are processing a divorce because this is akin to King Nebuchadnezzar. A man who was like everything to the Chaldeans in the City of Babylon. Kenya wants to unite: Kenya wants to kill the animal called tribalism. This is not the Deputy President that Kenya requires to kill the devil of tribalism. This man is not ready to unite us. He does not know the El Molo, Daasanach or Merile communities of this country. He has never been to Turkana and does not know the Turkana community exist in this country. Therefore, this man cannot unite Kenya in the Office of Presidency.

Thank you, Hon. Speaker. I support his impeachment.

Hon. Speaker: Hon. Edith Nyenze.

Hon. Edith Nyenze (Kitui West, WDM): Thank you, Hon. Speaker, for giving me this time to say what the great people of Kitui West sent me to say.

I know Bible verses have been quoted by the two divides and I will also quote it. John 8:3-11 is about teachers of law and the Pharisees who brought a woman to Jesus. They said that they found her in the act. According to the Law of Moses, such a woman found in adultery was supposed to be stoned to death. Jesus told them that if they did not have any sins they should be the first ones to cast the stones. Those people just ran away.

Hon. Speaker, this scripture highlights the importance of forgiveness and mercy. It challenges self-righteousness and hypocrisy. Reconciliation and dialogue should be given room. Since there was dialogue and a handshake with the former Prime Minister, why not give the Deputy President a chance, for the sake of peace in this country?

The people of Kitui West told me that they have more pressing issues than this impeachment. Therefore, I should say no to it. We should be sorting their problems before we get to this impeachment. We only have three years to go before the end of their term. So, why breach the peace? Whoever is righteous, should be the first one to cast the stone.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Kururia.

(Loud consultations)

Hon. Elijah Kururia (Gatundu North, Independent): Thank you very much, Hon. Speaker. I stand to support this Special Motion, that Hon. Rigathi Gachagua, the Deputy President of the Republic of Kenya, must go home.

I want to remind this House that during the swearing-in ceremony at the Moi International Sports Centre, Kasarani, he humiliated Hon. Uhuru Muigai Kenyatta so badly

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before the nation and visiting dignitaries in the Republic of Kenya. That was not enough, but after three months he started attacking young people from the Mount Kenya region by calling them *mungiki* to the extent of attacking Mr Maina Njenga and calling him the leader of *mungiki*.

Later, he went ahead to refer to the Members of Parliament from Mount Kenya Region as *Gakunia*, *Kunda Ngutume* and *Komereras*. This is not acceptable because we all come from the same region and are elected by the people. He went ahead to attack Hon. Raila Odinga and Azimio la Umoja fraternity. He said that he had put *mitego* so they do not enter State House. He was supposed to put *mitegos* so they do not enter his Karen residence because he is not the President.

We do not have two centres of power in the Republic of Kenya. We have one President. The sentiments of Hon. Rigathi Gachagua that they were elected together with President William Ruto is a lie. He was just a running mate and there are no votes for a running mate.

Finally, yesterday during his press briefing, he referred to this Hon. House as a theatre of the absurd. He is coming here today. I do not know whether you will compel him to substantiate if he is coming to a theatre or the Parliament of Kenya.

Thank you, Hon. Speaker. With that, I want to say that Hon. Rigathi Gachagua must go.

Hon. Speaker: Hon. Caroli Omondi

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Speaker. I rise to support this Special Motion of impeachment against the Deputy President of the Republic of Kenya.

When the wheels of fortune enable someone to rise to high eminence, such as the office of Deputy President, so much is expected of them. Unfortunately, from my interaction with the Deputy President, I will give some examples. I feel he has fallen short of the expectations of that high office.

I first came across Hon. Rigathi Gachagua in the late 1980s when we were at the university. As a matter of fact, he was ahead of us and was heading one of the district student organisations. He had cleared university, but he had not exited. In other words, he had become a *pirate*. That was the terminology we used then. He was residing in some place called State House Residence. What I used to hear about him was not very impressive.

Nonetheless, on 7th October 2023 which is exactly one year ago. We were in a place called Mur Ngiya Alego, at the homestead of the late General Francis Omondi Ogolla. We had gone to meet His Excellency the President and the Deputy President. I was with *Mhe. Elisha, Mhe. Nyamita*, Hon. Jalango. It was about 6.45 p.m. and we were received warmly, but we were guests of General Ogolla. For a man of his status, we expected some decorum, temperance, prudence and good behaviour. Unfortunately, some of these attributes were not present in his conduct.

The Deputy President, on that occasion he stood up and told the President to his face that he had come to pick him from the Nyanza tour he was undertaking. That, he had no business keeping him in Nyanza for too long. I looked at him and wondered what was the problem with his *compos mentis*. In other words, was he of sound mind? I then asked myself, we were guests of the late General, why would he want us to exit his homestead? This bothered me very much. Clearly, this is what you and I, as lawyers call *Animus nocendi* – intention to harm. Why would he insist that the President has no business being in Nyanza? He said this to our faces three times, interrupting General Ogolla when he was briefing us about the attack that had been conducted by Hamas on Israel. That was the first time I interacted with him very closely.

The second time was on 28th April 2024, this year. We had floods in Suba and several people died so I communicated to him by text. I sent him pictures including that of a gentleman

who had lost three children. I asked him to avail me State resources so I can alleviate the pain and loss of my people. He did not respond, call back or show any interest.

On 30th April 2024, I contacted Hon. Kaguchia who was seated next to him at a rally in Nyeri Town. I saw Hon. Kaguchia whispering my message to him and he texted that the Deputy President would get back to me. He never did. On 6th May 2024, I reached out to him again in his capacity as the coordinator of relief, but he did not respond. I support this Motion. What I found with Hon. Gachagua is lack of education.

(Laughter)

President Obama says that education is not a name of any degree or certificate that can be shown to others as proof. It is the name of our attitude, actions, language, and behavior with others in real life. On behalf of the people of Suba South, I support this Motion. I want to inform the House that our role today as a grand jury is not to establish beyond reasonable doubt any of these charges. Our role is very simple: to say we have found tribal issues, frame the charges, and leave the trial to the Senate. Once we do that, we shall have discharged our duty.

Hon. Speaker, I fully support.

Hon. Speaker: Thank you, your time is up. Hon. Kanchory.

Hon. Memusi Kanchory (Kajiado Central, ODM): Thank you, Hon. Speaker, for giving me this opportunity. Let me also add my voice to this important Motion on Impeachment.

Let me start by saying that I support the Motion to impeach the Deputy President. It should be understood that this is a Motion by which this House is attempting to save the country from a bad, divisive leader. Allow me to thank the mover of the Motion, Hon. Mutuse, for the courage he has shown. I also thank the 291 Members who have signed it. I call it courage because for a very long time, Kenyans, including the President, have been helplessly watching as the Deputy President moves around the country, dividing it into shares on tribal lines.

Hon. Speaker, let me give my reasons for supporting the Motion. Firstly, in 2022, the country suffered a terrible drought. The Government responded by providing relief to the pastoralist communities, most of whom could not feed their families. The Deputy President took most of that relief food to areas that were not affected by the drought. Kenyans should understand this is not a Motion or an impeachment against a tribe. Instead, it is a Motion to impeach an individual who, in the words of the Hon. Leader of the Majority Party, is a black man with a black heart. This is a man who has shown that he does not care about the country, but his interest is in a small region. He is driven by self-interest and not because he loves that region. We have seen that he has amassed wealth for himself, not the region.

Therefore, Hon. Speaker, I support.

Hon. Speaker: Hon. Wamuchomba. I thought you normally sit on this side.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Thank you. The temperatures there are too high.

(Laughter)

Hon. Speaker: Go on.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Hon. Speaker, I rise to defend the Deputy President, Hon. Rigathi Gachagua, against what I am calling 'mob justice.' It is a process that has not given him the right to reply. However, he has gone ahead and presented some fact sheets to the villages and disseminated information to members of the public without giving him the opportunity to defend himself.

(Loud consultations)

Hon. Speaker: Hold your horses, Hon. Wamuchomba. I was consulting with Hon. KJ; I did not hear what you were saying. Can you repeat what you said?

Hon. Gathoni Wamuchomba (Githunguri, UDA): I cannot hear you, Hon. Speaker.

Hon. Speaker: Please repeat what you said. I did not hear. I was consulting with the Hon. Member for Dagoretti Constituency.

Hon. Gathoni Wamuchomba (Githunguri, UDA): I have said that I rise to defend the Deputy President, Hon. Rigathi Geoffrey Gachagua, against a process that I personally feel is mob justice against him. He was not given the right to reply before we went for public participation. That is what I said.

(Loud consultations)

Hon. Speaker: Hon. Wamuchomba, that is neither factual nor legal because the Deputy President is appearing before this House at 5:00 p.m. Therefore, be factual.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Hon. Speaker.

Hon. Speaker: Yes.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Please allow me to execute my point first, and then you can guide me. Procedurally, the fact sheets distributed in our constituencies had allegations that were read out to the members of the public as facts. In my opinion, the fact sheets distributed in our constituencies communicated facts. However, where I come from, what was printed in those papers was not factual, and therefore, it needed to be interrogated. I am glad the Deputy President is appearing here in an hour to clear the air.

Hon. Speaker, before I defend the Deputy President and give my submission, I request that you allow me to refer to Standing Order 91 on responsibility for statement of facts.

It states thus:

“A Member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly.”

This morning, we were watching video clips on television in the House. Those video clips that were played were reported speeches from various media houses across the country. According to the Kenyan Constitution and the Data Protection Act, it is our duty to clarify information before we disseminate and use it for a quasi-judicial process like the one we are undertaking today. I seek your guidance on whether those media clips used this morning on the Floor of the House by the mover of the Motion were qualified to be used in this impeachment process.

Hon. Speaker, my other issue is that I will be glad if the mover of this Motion clarifies that the allegations around the corruption issues on procurement matters have been taken through the right channel, which is the office of the Auditor-General so that we can have facts to discuss this afternoon. Otherwise, in my opinion, the allegations that the mover of this Motion has tabled are mere mudslinging, hearsay, and gossip. Therefore, the Hon. Deputy President must continue working for this country with all the energy, labour, and love like he has done before.

Those who feel he has been biased in Mount Kenya politics, please forgive us, but we must tell you that everybody has their home. The Deputy President comes from Mount Kenya, and every good thing starts from Jerusalem. Even Jesus had to begin his good work from there. We are the Jerusalem and shall continue allowing the Deputy President to do the work he has been doing in Mount Kenya even as he tries to work in other parts of the country. I have personally escorted him to different areas outside Mount Kenya. I know he has tried. It has been barely two years since he started working, so please allow him space to work. Two years are not sufficient. Even Hon. Members here know very well that they have also been unable to

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do what they promised their voters during campaigns. We are all elected Members, and we know he made pledges. However, two years are not sufficient for anybody to use that as a basis to judge anybody on their performance.

I support giving the Deputy President the opportunity to serve this country. Those attacking the Deputy President for working on behalf of the Mount Kenya region must also accept that everybody has a village and a home where they come from, and every good thing starts from Jerusalem, just as Jesus Christ said.

Asanteni sana. I refuse. The Deputy President is going nowhere. He will stay here to serve us, as we gave him votes. Thank you very much.

(Loud consultations)

Hon. Speaker: Hon. Kagombe.

Hon. GG Kagombe (Gatundu South, UDA): Thank you, Hon. Speaker, for this opportunity to contribute to this important Motion. An English saying goes that a sheep lives its entire life afraid of the wolf only to be slaughtered and eaten by the shepherd. As the people of Mount Kenya, we are farmers. We have tea, coffee, and milk, the food crops we rely on. I happen to be an elected Director of the Kenya Tea Development Agency (KTDA), where we hold small-scale tea farmers and do business for the farmers. We have had a huge problem with money being diverted to the said hotel in Kilifi. Last year, Ksh53 million that was supposed to go into distributing fertiliser was diverted into personal use at a hotel. As we speak, the people of Mount Kenya have been burning their tea bushes and factories because we have a glut in Mombasa that has been occasioned by the influence of the Deputy President, who was charged with the responsibility of making sure that those people who voted the Government in benefit and reap from their hard work and their sweat. They will not see their hard-earned money that was supposed to go into their pockets because the Deputy President of the Republic of Kenya, after being charged with the responsibility of making sure that we have guaranteed minimum returns for those farmers, continued to give guaranteed minimum returns to himself, his family, his children, his spouse and his colleagues whom we have seen they share companies with.

(Loud consultations)

As we stand here, we have lost our milk and coffee industries. We have cooperatives where farmers are now stuck with their coffee because the person who was charged with the responsibility of making sure that this sheep is safe is the one who took a knife and ate the same sheep. There might be tension, and people from the mountain feel like everybody has been talking about the mountain. However, even the mountain people are suffering because someone hides under the pretense that he is an honest and truthful man, but he is a truthful liar.

Therefore, the seat of the Presidency is a symbol of unity in this country. When the Deputy President stands and accuses the National Intelligence Service (NIS) as he did in Mombasa... We live in a community, and even the people in the intelligence sector live in a community. They are in a community of intelligence. When you disparage such a high office that is supposed to protect and give us protection in this country that, to me, is gross misconduct and is impeachable.

When you go to State House and say that you have put traps for some people not to access State House, yet they are members of this Republic and people we respect like Hon. Raila Odinga, we say that we cannot continue like that. This is because we had lived a very good life before this campaign started — starting in 2022 when people said that we would not vote along tribal lines anymore. But we have seen that someone has been given a position of power, and he has decided to use it for his personal aggrandizement.

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The people watching the interview yesterday sat and asked, how is it that the people of age who have been doing business have not managed to access Ksh600 million in a bank? How many business people here have accessed Ksh600 million, and what is their collateral? You have heard the Deputy President lying on television, saying he got this wealth from his brother. We know that his brother has his heirs, who are his sons and his widow, and those people are crying in Nyeri the same way people who are my constituents, like Uhuru Muigai Kenyatta, are crying. His goats were eaten the other day in Ruiru, and the Deputy President is the one who sanctioned the eating of his goats.

(Loud consultations)

He then lies to us that he has apologised to the former President, who is not in the country...

Hon. Speaker: Your time is up. Hon. Ken Chonga.

Hon. Ken Chonga (Kilifi South, ODM): Asante, Mhe. Spika, kwa nafasi hii ya kuchangia Mswada huu ulioko mbele ya Bunge. Mimi sijaokoka, na nimesikia wenzangu kila wakichangia hapa, wanataja sehemu fulani za Bibilia ambazo zinaambatana na matamshi ambayo nataka kuyazungumzia. Kweli kuna Mbinguni na kuna hela. Nafikiria Rigathi Gachagua atakuwa kuni za kuchoma wale ambao watachomwa.

(Laughter)

Kisa na sababu ni uwongo ambao Naibu Rais amejaza katika matamshi yake. Jana jioni, nilichukua muda wangu kumsikiliza kwa hoja aliyokuwa anaizungumzia. Nashukuru kwa kunipa nafasi hii, kwa sababu mimi ni mmoja kati ya wale walioguswa. Kama Mbunge wa Eneo Bunge la Kilifi Kusini, ile hoteli ya Gachagua imejengwa katika eneo bunge langu. Yale aliyoyazungumza Bwana *Deputy President* jana ni uwongo mtupu.

Kitu cha kwanza, wakati King Charles III alipokuja ndio aende atembelee kule chini Kuruwitu, alikuwa amekuja kwa mwaliko wa Kuruwitu *Conservation and Welfare Community Based Organisation* (CBO). Alipofika Kuruwitu *Conservation and Welfare CBO*, ule mkutano haukuchukua zaidi ya dakika thelathini, halafu akaenda Vipingo Ridge. Ile barabara ambayo aliomba itengenezwe kwa sababu angetaka kuhifadhi ile Kuruwitu *Conservancy* haipitiki. Lakini *Deputy President* akaona amepata nafasi nzuri sana ili ile barabara, badala iende Kuruwitu *Conservancy*, akaichukua akaijenga akiipeleka kwake hotelini. Imeishia pale kwa hoteli yake. Naongea kwa sababu mimi pia nimejenga papo hapo. Bwana *Deputy President* alisema kuwa watu waliomba hiyo barabara ijengwe, na kulikuwa na *public participation*. Ni kweli kabisa tuliomba ile barabara ijengwe, lakini hii kwamba ni uhusiano wake na wenyeji wa Kuruwitu ambao ni mzuri na wanaelewana, na kwamba ata Mbunge wa eneo hilo anajua, nasema ashindwe katika jina la Yesu! Siyajui hayo. Sikuhusishwa kuhusu barabara ambayo amepoleka kwa hoteli yake.

Pili, *Deputy President* alisema kwamba ile barabara inafaidi watu wengi sana ambao wanaishi maeneo yale. Akataja kwamba kuna Shule ya Upili ya Shariani. Mimi najua mahali shule hii ipo, wala haifaidiki na ile barabara. Akataja kuhusu Shule ya Msingi ya Shariani. Ukitaka ku *access* shule hiyo, unaipata kwa njia panda ya kutoka Mtwapa kuelekea Kilifi na Malindi. Kusema ukweli, yale aliyokuwa anazungumza ni ya uwongo.

Tatu, ile nyumba ambayo ilikuwa ni ya ndugu yake, sisi tuliujua kutoka zamani. Na ukweli kama utafuatwa, basi itabainika wazi kwamba Bwana *Deputy President* *either* aliinunua kutoka kwa ndugu yake, ama amemuibia ndugu yake. Ni jambo la kuhuzunisha. Anasema kuwa marehemu Nderitu Gachagua aliumuachia asilimia kubwa kuliko watoto wake marehemu. Kama sio uongo basi ni kama anasherehekea kifo cha ndugu yake. Mwanadamu

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yupi mwenye akili timamu atamuachia urithi wa asilimia kubwa ndugu yake kuliko watoto, bibi na binamu? Sijawahi kumuunga mkono kwa lolote, na ninajua Nyumba hii iko na hisia tofauti kulingana na maswala ya Naibu wa Rais. Tulipofanya kura ya maoni pale Kilifi Kusini, asili tisini na tano...

Hon. Speaker: Give him a minute.

Hon. Ken. Chonga (Kilifi South, ODM): Asiseme kuwa alichaguliwa na watu takriban milioni saba. Ukweli wa mambo ni kuwa kama Wabunge, tunawakilisha watu waliotuchagua. Kwa hivyo, asiseme ya kwamba hatuna uwezo wa kutoa amri au mamlaka ya yeye kung'atuliwa mamlakani. Wakati umefika. Mungu akitaka kukumaliza, yeye hukutia kichaa. Sijasema kuwa Naibu wa Rais yuko na kichaa, lakini iwapo hatachungu matamshi yake, basi tutamshuku kuwa mwenye akili pungufu.

Asante.

Hon. Speaker: Hon. Bashir

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Speaker. At the outset, I support this Special Motion by Hon. Mwengi Mutuse. There are 11 counts as contained in this special Motion. In summary, they are all talking about gross misconduct and issues of integrity. The holder of the Office of the Deputy President is not a small man; he is just a heartbeat away from the Presidency. His behaviours, actions, and utterances clearly show he is not fit to hold the Office of the Deputy President.

Time and again, His Excellency Rigathi Gachagua has been talking about *Mlima, Mlima, Mlima*. However, the same *Mlima* have elected leaders who are in this House and represent the people of Mt. Kenya. His Excellency Rigathi Gachagua is not the sole representative of Mt. Kenya. They have Members of Parliament, Women Representatives, Senators, and Governors. He is supposed to represent every part of this country. Unfortunately, he does not understand that bit.

Sometimes in July, in a well-attended press conference in Mombasa, His Excellency Rigathi Gachagua attacked the Constitutional Offices of the National Intelligence Services and especially the Director-General in bad faith. The Deputy President is a Member of the National Security Advisory Council (NSAC) and sits in the Council. If there were issues with individuals running those institutions, the best place would have been the Council. Instead of addressing matters in a perfect and constitutional manner, he called for a presser and tainted the images of such critical offices, which was unfortunate.

Hon. Speaker, last night, I listened to his presser. One thing that perturbed me was that he said he got all his wealth from his late brother. Does he not have his own wealth to tell the people? How come he is the one who gets more shares than the late brother's widows and children?

In 1997, His Excellency Rigathi Gachagua was a District Officer. However, he was sacked for stealing relief food meant for vulnerable people. And therefore, we cannot continue to entrust him with the Office of the Deputy President of the Republic of Kenya. We call upon this House to make history for the first time under the New Constitution by voting to say that he is not fit to hold the Office of the Deputy President. He should work in harmony with the President, but this is not the case. Sometimes, the President goes out of the country.

Hon. Speaker: Sorry, Hon. Abdullahi, your time is up. Give Hon. Ruth Odinga the microphone.

Hon. Ruth Odinga (Kisumu County, ODM): Thank you, Hon. Speaker, for giving me this opportunity.

Today, I rise not just as a Member of this esteemed House but as a daughter, sister, and proud descendant of those who fought tirelessly for the freedom we dearly hold. Let us reflect on the values upon which our great nation was built as we consider the impeachment of the Deputy President.

Jaramogi Oginga Odinga is among those who fought for our Independence. The colonialists offered him an opportunity to become the President of Kenya. He, however, declined and left the chance to the late President, Jomo Kenyatta. In 1964, Hon. Jaramogi Odinga became the first Vice-President of the Republic of Kenya. Two years down the line, just like now, he stepped down from the Vice-President's position. He alleged that his ideologies differed from those of the then-President. He did that not for his own good but for the greater good of the Republic of Kenya. I want to ask the Deputy President that Kenya is larger than him. Kenya is a big country that we need to protect. Deputy President, if I were you, I would take the honourable route that some of your predecessors took. Do not take Kenya through the dark abyss.

Secondly, I did not want this impeachment because I felt it was not the main problem that the people of Kenya were struggling with. But having heard how the Deputy President spoke last night, I am convinced he must go as soon as possible. We are not here for our personal grandiosity and wealth. If the Deputy President is mourning that his father is going to turn in his grave because of the wealth that he is being accused of stealing, I wonder what people like Bildad Kaggia, Jaramogi Oginga Odinga, and all those who fought for us to get to where we are through multi-partyism would say. Oginga Odinga and others went through house arrest and detention to ensure that we get a multi-party State and enjoy democracy in this country. How would they feel when the current Deputy President talks about making Kenya a company? What company are you talking about? What shareholders are you talking about? Kenya is a sovereign country.

Mr Deputy President, I was on your side, but you hung yourself with your own rope. Whoever informed you to go on television yesterday did you a big disservice. For that, I support the Motion.

Hon. Speaker: Hon. Mpuru Aburi.

Hon. Mpuru Aburi (Tigania East, NOPEU): Ahsante, Mheshimiwa Spika, kwa kunipatia nafasi hii. Yangu ni machache sana. Tunamtaka Naibu wa Rais ambaye si mkabila kwa sababu nchi yetu ya Kenya ni kubwa sana kushinda mtu mmoja.

Tukiongea kuhusu mambo ya mlima, kwangu Tigania East tuko katikati ya mlima. Lakini ukiangalia haya mashtaka, zile *companies* zote ziko hapa ni za Gachagua, bibi yake na watoto wake. Hakuna Mtigania, Muigembe, Muimenti, ama Mluhya. *That means* alikuwa anatetea tumbo yake. Ningependa kusema kuwa sisi hatubembelezani. Lazima aende nyumbani kwa sababu amekataa kuangalia mambo ya wananchi wa Kenya, na Kenya ni kubwa.

Jambo lingine ni hili. Nilikuwa Mbunge katika *East African Community (EAC)* kwa kipindi cha miaka mitano. Nilikuwa na Hon. Jematiah, ambaye ni dada yangu. Katika kipindi hicho cha miaka mitano, sikuwahi kusikia Hon. Jematiah akiwa Malaya, lakini Naibu wa Rais alisimama akasema kwamba Hon. Jematiah ni malaya.

Kama Hon. Mpuru Aburi, nina *support* Naibu wa Rais aende nyumbani.

Hon. Speaker: County Women's Representative for Busia County.

Hon. Catherine Omanyoo (Busia County, ODM): Thank you, Hon. Speaker. I strongly support this Motion because I thought I was a tenant in Kenya. I know I was born and raised in this nation. When a leader of national stature openly discriminates against others, I am left wondering if we can keep allowing ourselves to be divided every day, and yet, as leaders, we must be a uniting factor for all Kenyans. I want to ask the Deputy President what message he was sending to the people of Busia who voted for Hon. Maina in Marachi West, Butula Sub-County. What message was he sending to the people of Busia who voted for Hon. Talaam in Buhayo West in Matayos, Busia County? We should be free from Mombasa to Turkana. Any person of any race or tribe should stand and be elected without being singled out as belonging to a particular region. Kenya is our country. We are here to build our country. As an individual, you are a drop in the ocean, but together, as Kenyans, we are an ocean.

I want to ask again: What other thing should a principal assistant do? If you have a shrunken hippocampus in your brain, you will go displaying what your master is doing instead of being a real assistant and even covering up his mistakes. One day, he says that he was sent all the things that he was saying. It is like he is wearing an oversized coat, an oversized trouser, a *tumbo*-cut vest, and an oversized pair of shoes. He does not understand his role as a principal assistant. We must unravel from the seams of our fabric in this country because sometimes you can wear a dress or a trouser, but something keeps biting you. Unless you unravel or open up the seam to know what is biting you, you will continue losing blood and become anaemic.

The people of any nation are stronger than the people in power. All leaders in this nation must be responsible for the utterances they puke every day. Who will our future leaders refer to as their role models? We must be responsible and not utter hate speech anywhere we go.

No tribe in Kenya is superior to others. Whether you come from Eastern, Garissa, or Siamahanga Village, where I live, we are all equal. Article 27(4) of the Constitution is clear about this. We should not discriminate. When I hear that a widow in Mount Kenya is being tortured and the Deputy President is snatching away her property, whether she is a Kikuyu or not, she represents all the widows in Kenya. So, Gachagua, return the matrimonial property, bank accounts, and everything else you took from that widow in Nyeri.

(Applause)

I was raised by a widow, and I know what happens when such things occur. Widows should be given their rights, whether or not you have all the muscle in the nation.

Thirdly, a leader who does not respect women is not a leader. He calls women prostitutes. If a woman is a prostitute, what about their client? He must be a prostitute as well. There must be somebody else in a trouser. We do not want to be discriminated against. We marry from the Kikuyu, Luhya, Teso, and Kamba tribes. That should continue so that our children do not fear marrying from the Mount Kenya or Nyanza regions. That is wrong.

The Deputy President must go home. We want him to rest.

Hon. Speaker: Yes, Hon. Muhia, what is your point of order?

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Speaker, I rise under Standing Order 91 on matters of facts and substantiation. The issue of Hon. Gachagua calling women *malayas* has been adversely mentioned in this House. Hon. Speaker, have you received anything to substantiate those claims?

(Loud consultations)

Hon. Speaker, it is on record that the Deputy President has been crossing the whole country campaigning for the same women, especially in Mount Kenya, where he was assigned. It is unfair that Members continue repeating that claim without substantiating or giving evidence. You should have proof.

Hon. Speaker: You have made your point. Order, Hon. Members!

(Several Members stood up in their places)

Take your seats. Hon. Members. With your concurrence, I want to reduce the speaking time to two minutes. Is that agreed?

Hon. Members: Yes!

Hon. Speaker: Is that agreed?

Hon. Members: Yes!

Hon. Speaker: For the record, I will put the Question.

(Question, that speaking time be reduced, put and agreed to)

Hon. Didmus, you have two minutes.

Hon. Didmus Barasa (Kimilili, UDA): Hon. Speaker, I want to make it very clear that I support this impeachment Motion. I do so because we have more than 42 tribes in Kenya. No one decides which tribe to belong to. We want every part of our country to feel part and parcel or properly represented by our Deputy President. The continued division of our country in terms of shares because of how many votes a particular area gave to the Government makes some citizens feel like they are not part of this country.

In a nutshell, because of time, let me summarise by saying that the position of the Deputy President requires a patriot. It requires an individual whom the country listens to with optimism. It does not require an individual who, when he opens his mouth, part of this country begins to bleed. This country does not require a villager in the name of the Deputy President. It requires a patriot and a statesman.

As a House, we will go down in this country's history. This is a war against tribalism and segregating this country along shareholding lines. It is a war that has come a long way, and we vowed to win in installments. Today, we are paying the last installment, and Rigathi Gachagua must go home, not by walking but by running.

I support.

Hon. Speaker: Member for Wajir West.

Hon. Yussuf Farah (Wajir West, ODM): Thank you, Hon. Speaker, for giving me this opportunity. I rise reluctantly but firmly to support all the grounds of this Motion. I say reluctantly because of the following reasons: as a Muslim leader, I do not rush to support grave matters like this one of removing the Deputy President of the Republic of Kenya from office just after two years of election.

However, because of the conduct and behaviour of the Deputy President of this country, I have no option but to support this Motion. I am a witness; I once went to the Office of the Deputy President of the Republic of Kenya to request relief food for the people of Wajir West during the drought season. The utterances of the Deputy President of the Republic of Kenya were shocking. I want to confirm to this House that the Deputy President of the Republic of Kenya told me this: "You have more than your share." It was shocking. I was dejected and hopeless and left the office in protest. I cannot allow myself to sit in this office to support somebody who demeaned, disrespected, and discriminated against the people I represent in this House.

Today is a historic day. For that reason and the unity of this House and the country...

Hon. Speaker: Your time is up. Member for Tetu. You have two minutes.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Speaker. From the onset, I rise to oppose this Special Motion on removal from office, by impeachment, of the Deputy President of the Republic of Kenya. When a man is down, in the spirit of Ubuntu, it is not good to crush him. On Sunday, at the National Player Altar, the Deputy President stood and apologised profusely to his boss, Kenyans, and indeed to all the Members of this House.

I feel that our party, the United Democratic Alliance (UDA), under which the Deputy President was elected, has internal disciplinary mechanisms that have not been exhausted to bring this matter to this House. I also feel that in the spirit of finishing the agenda that we promised Kenyans, this matter can wait until 2027 so that we can focus on service delivery to our people. I request the Members of this House to find it in their hearts to forgive the Deputy President.

Hon. Raphael Wanjala (Budalangi, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: What is your point of order, Hon. Wanjala?

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker. The Member tells this House that they have not exhausted their disciplinary mechanism in UDA. Why did he then decide to sign the Motion?

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Wandeto, go on. You have half a minute.

Hon. Geoffrey Wandeto (Tetu, UDA): Hon. Speaker, you talked about the matter of my signing, and it is rested. Hon. Wanjala can come to your office for further explanation.

I want to volunteer to lead other leaders, elders, and bishops so that we can sit down with the Deputy President. This is to ensure that if there are any issues that he needs to correct, then he can align so that he can continue serving the people of this country. He has some good in himself that needs to be preserved so that he can finish his work.

I rise to oppose.

Hon. Speaker: Umulkher, you have two minutes.

Hon. Umulkher Harun (Nominated, ODM): Thank you, Hon. Speaker. I rise to support the Motion on Impeachment because of many reasons. As a representative of the youth in this House, how many young people in this country can walk into a bank and access a loan of Ksh600 million without guarantees of any sort? This is a representation of impunity. Yesterday, as a national leader, the Deputy President stood before the media to defend his children. I respect that he stood to defend his children, but how many children of this country has he given a chance to access the same benefits, myself included? I cannot access a loan of that amount. This Impeachment Motion is not just an impeachment because of differences in ideology, but it is a symbol of democracy in our country that people who abuse their powers can go home, regardless of their positions.

Hon. Speaker, I come from Garissa County. There was a time we lost residents in an accident as they were trying to cross a river because of the flood scandal. Out of the Ksh10 billion he had under his 'pocket,' he only gave us Ksh48 million, disappeared, and never showed up again. What can Ksh48 million do for people who are suffering? He did not even step into Wajir and Mandera Counties, yet he is the Deputy President of the whole country.

I support the Impeachment Motion. He must go home and create room for other people to get that position. It might even be the time for other regions to get the position of the Deputy President so that they can also get the same benefits. I can even do a good job.

(Laughter)

Hon. Speaker: Your time is up. If you read the Constitution, you will know that you do not qualify to be a Deputy President at your age. Hon. Jane Kagiri.

Hon. Jane Kagiri (Laikipia County, UDA): Thank you, Hon. Speaker, for allowing me to contribute to this Motion. When I was elected in August 2022, I was very grateful to God, and I knew my work was to serve the people of Laikipia County. This is a cosmopolitan county with Pokot, Turkana, Maasai, Samburu, and Somali communities and Muslims. All these people, including the Kikuyus, came together and gave me their votes. The point that I first differed with His Excellency the Deputy President is when he started talking about *Mlima*. I realised that Laikipia County is not *Mlima* after all because in *Mlima*, people have running water from taps. In *Mlima*, people have tarmac roads. In *Mlima*, people do not suffer human-wildlife conflicts, but we have all those challenges in Laikipia County.

The second point was the talk of 'one man, one shilling, one vote.' Laikipia County is among the counties with the least population. When you talk of 'one man, one shilling, one vote,' it means that you are talking of a reduction in resources for my people. I will not accept that. I remain a Kikuyu, but sadly, since our difference in opinion with His Excellency the Deputy President, I have been the poster girl of his intimidation, insults, blackmail, and

coercion. I have been told that I should not engage the national Government, and follow up on resources for my people.

Once in a while, a generation is called upon to stand for something. Today, I stand for an end to insults and respect for leaders and my people.

Hon. Speaker: Give her a minute. Hon. Kagiri, wind up.

Hon. Jane Kagiri (Laikipia County, UDA): Hon. Speaker, in my conclusion, I must state that many people have called us traitors and assumed that money has been received for this action. I need no money for the restoration of dignity in this House. I need no money to restore the respect for women in this House... I need more money for resources to reach my people of Laikipia County.

Hon. Speaker, I submit and support. Thank you.

(Applause)

Hon. Speaker: Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, thank you for this opportunity. My attention is drawn to Article 125 of the Constitution, which makes reference to the effect that Parliament has got the same powers as the High Court. Out of that, I am left to look at the evidence presented by my good friend Hon. Mutuse and wonder: Does it really meet the threshold of any form of evidence as required at the High Court? I have looked at various breaches that warrant impeachment: gross violation of the Constitution, crime, gross misconduct, and so many other things. I am at pains going through this Motion to find anything that has been proven beyond reasonable doubt to move this House to take such a drastic action, considering these are people elected under Article 148 of the Constitution. Framers of the Constitution deliberately inserted Article 148 to avoid the kind of abuse that had been there in the past. If we get to this level, everybody will be left wondering: What is the role of Parliament in protecting the Constitution? I want to rephrase Luke 23, verse 4: I find no case against this man.

Hon. Speaker: Hon. Ruku.

(An Hon. Member spoke off the record)

He did not ask for any addition.

Hon. Ruku GK (Mbeere North, UDA): Thank you, Hon. Speaker. From the onset, I rise to support this Motion. When I stand here, I am thinking about the children in the most remote places in the Republic of Kenya. I am thinking about the children in the remote places in Turkana, Mandera and Mbeere—very remote places. It reminds me of Article 10 of the Constitution, which talks about national values and principles of governance. One of the principles enshrined in the Constitution is protection of the marginalised. We have seen the Deputy President of the Republic of Kenya who, on many occasions, has forgotten that he represents even the most marginalised places and corners of our country. Members of these small communities in the Republic have the same rights just like any other big community in our Republic. We have seen smirk, the arrogance and the contempt which the Deputy President of the Republic has to the minority groups in the Republic of Kenya. Coming from a marginalised community, a community which has been marginalised from 1963, I want to state here and now that it is the high time we sanitised the Office of the Deputy President.

Last week on Sunday, I was in Narok...

Hon. Speaker: Your time is up. Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. I also stand to support the Motion by my good brother Hon. Mutuse to impeach the person of the Deputy

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President of Kenya. Under unwarranted discrimination, in contravention of Article 27(3) and (4) of the Constitution, the Deputy President has in so many occasions expressed that he only considers people he considers shareholders. On two occasions the Deputy President came to Gusiiland. On the first occasion, while addressing leaders, he told us that the reason why we Kisii should not demand for more things from the government is because we always vote for *'mtu wa kitendawili,'* to quote him. On the second occasion, the Deputy President told us that *'siku hizi Wakisii tumejaa jela kushinda Wakikuyu.* I am wondering: When did he get the statistics to note that we Kisii are the most criminal in this country?

As I finish, I just want to remind the Deputy President: Yesterday he spent a lot of time reminding us that he is an orphan and yet he forgot that there is one orphan for whom the Deputy President kept saying he has put *mitego* in State House. The Deputy President forgets that even the Rt. Hon. Raila Amolo Odinga is an orphan.

(Laughter)

I want to tell the Deputy President that because of the utterances that you make against the people of Kenya, you must go. And you will go home.

I thank you.

Hon. Speaker: Hon. Malulu Injendi.

Hon. Malulu Injendi (Malava, ANC): Thank you, Hon. Speaker. I rise to support this Motion strongly. This country has once suffered tribal clashes. The Deputy President has always talked about central Kenya, *mlima* et cetera, whipping up tribal feelings. If we allow the Deputy President to continue holding that particular position in the country, what will happen in this country is that most of the other tribes will feel the domination and intimidation of this particular community and they will rise and gang up against the community of central Kenya, not because they like doing that but because of his sentiments and what he says.

This person has been in office for two years, but he appears not to have had the conscience to know the kind of office he is holding. That is why he speaks the way he does of regions.

(Loud consultations)

Hon. Speaker: Order, Hon. Members.

Hon. Malulu Injendi (Malava, ANC): I wonder how a person holding that kind of office can keep talking of *kuweka mitego* in State House for people who did not vote for this government not to access it. *Kuweka mitego kila mahali* State House affected some of us when he was still very active in State House, blocking us from accessing State House.

On the whole issue of shares, I want to tell the people in western Kenya that we are suffering because of his input and insisting on embarrassing the President. When the President wants to help people from western Kenya, the Deputy President says those people do not deserve to have the share they are having in government.

Thank you, Hon. Speaker. I support.

Hon. Speaker: Hon. Robert Mbui, being in leadership, I will give you five minutes.

Hon. Robert Mbui (Kathiani, WDM): Thank you very much, Hon. Speaker. Listening to the arguments that have been made here this afternoon and earlier in the morning, I have noticed that it is getting a little personal and I am feeling a little jittery. The subject is a person who is a family man, with a wife and children, friends and relatives, and they are all listening. So I will start by reading the Bible, so that we can bring down the temperatures. Ephesians Chapter 4:32 says, "Be compassionate and forgiving to each other in the same way God forgave

you in Christ.” Verse 31 says, “Put aside all bitterness, losing your temper, anger, shouting and slander along with every other evil.”

As a member of Azimio la Umoja-One Kenya Coalition Party, I did not believe in the leadership of Kenya Kwanza. I opposed it from the beginning. I am vindicated now. I can tell the people of Kathiani that I said this government is rudderless, leaderless and planless. It is also merciless, because within a very short time the centre can no longer hold. Former Senator, now Governor, Hon. James Orengo, famously said in the Senate that governments eat their own people. Former Leader of the Majority Party in the National Assembly, Hon. Duale, was eaten by his government; today he is a Cabinet Secretary. Former Deputy Speaker of the Senate, Hon. Kithure Kindiki, was eaten by his government; now he is also a Cabinet Secretary. The Former Chair of the Budget and Appropriations Committee of the National Assembly was eaten by the Government. Today, he is the Leader of the Majority Party. Now that we are eating Riggy G, where will he end up?

I have an issue of concern...

Hon. Kimani Ichung’wah (Kikuyu, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, the Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Speaker, is the Deputy Leader of Minority Party in order to assert that I was eaten by my own Government? As he knows, I was never eaten by any Government. I only stood firm against tyranny. I stood firm against the bullying that I experienced under that regime. I have stood firm against the same bullying from the Deputy President today who has been bullying Members of Parliament. I have only put my chest forward to defend the rights of all Members, including Hon. Robert Mbui. When the Deputy President visited Kathiani, he told Hon. Mbui that the Akamba are too few. They will never make a President and Kalonzo can never be anything. How can Hon. Mbui defend a person who has disdain for Kalonzo Musyoka, the former Vice President of this country?

Hon. Speaker: Hon. Robert Mbui.

Hon. Robert Mbui (Kathiani, WDM-K): Thank you, Hon. Speaker. You know, I love the passion and the humour of the Leader of the Majority Party. I am also impressed by the energy, the vigour and the passion that I have seen in this House from this morning. This is the first Motion where the House did public participation up to the constituencies. I only wish that the energy that we expended here by sending a question to all Kenyans about one individual was used to fight the issues that are failing us in our education and health sectors. The cost of living has gone up and people have no jobs. These are the things that this House should passionately deal with. We are losing direction when we deal with one matter for one or two weeks,

It is important that we deal with things that are affecting our people. If you look at the education sector – I talked about it here the other day – we do not have classes for Grade 9s going to Junior Secondary School (JSS). The funding model for universities has failed. The insurance sector, the National Health Insurance Fund (NHIF) has a problem. How, then, do we spend taxpayers' money and time dealing with a matter of a single individual? We have been told that this person is a tribalist. From the comments that he made yesterday, I was very shocked to realise that, in fact, Kenya Kwanza was actually a company that was limited by shares and people negotiated shares for themselves.

The mover of the Motion is a Member of Maendeleo Chap Chap Party (MCCP). The Maendeleo Chap Chap Party (MCCP) negotiated shares for Lower Eastern. We had two Cabinet Secretaries in this Government but now we only have one. Actions speak louder than words. The Deputy President may have said that he is a shareholder and that there are issues about his community but if you look at the appointments that were made in Kenya, you will realise that the President is the biggest tribalist. He has appointed people from his own community in every position.

If you find a situation where a school has failed, you do not fire the Deputy Principal, you get rid of the principal. Our problem is not the Deputy. It is the head himself.

Thank you, Mr. Speaker.

Hon. Speaker: Yes, Hon. Farah.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, our Standing Orders...

(Hon. Robert Mbui spoke off the record)

Order! Hon. Robert Mbui, you are normally more decent than that.

Hon. Farah Maalim (Dadaab, WDM): This is a House of... Hon. Speaker, protect me. My point of order is this, this is a House of Rules and a law-making body. It is the place where our Constitution was passed. You cannot talk about a President or even any other head of State of a friendly country without bringing a substantive Motion. So, you cannot discuss the conduct of the President. By the way, I want to correct you. Your point of saying that governments...

Hon. Speaker: Take your seat. He is out of order. Hon. Kahangara.

[The Speaker (Hon. Moses Wetangula) left the Chair]

[The Deputy Speaker (Hon. Gladys Boss) took the Chair]

Hon. Deputy Speaker: Hon. Kahangara. Hold on for a second. The Clerk is going to put on the microphone for you. I can see the microphone in on. Take the one next to *Mweshimiwa* for Lamu.

Clerk, he has gone to the one you had given him.

Hon. Kahangara Mburu (Lari, UDA): Thank you very much, Hon. Deputy Speaker, for giving me the opportunity to contribute to this Motion. From the outset, I am in support of the special Motion for the impeachment of the Deputy President of the Republic of Kenya. This country, Kenya, is led by the Constitution through democracy. Kenyans go to elections to elect their leaders every five years. After elections, before people assume office, they take an oath of office to respect the constitution and protect the Constitution of this country. When the Deputy President took an oath of office, he promised that he was going to respect the Constitution of Kenya. We are told that the President is a symbol of national unity in his responsibilities. He is the one who is supposed to unite this country and respect the diversity of various communities and tribes in this country. The same Constitution says that the Deputy President is the principal assistant to the President. So, if he is the principal assistant to the President, he is supposed to perform the duties that are performed by the President.

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

[The Speaker (Hon. Moses Wetangula) resumed the Chair]

Hon. Speaker, the Deputy President went around this country talking about shares. That means that he put all the tribes of this country in collision. I want to thank the Member who brought this particular Motion. We are saving this country from somebody I would call, "a suicide bomber." He is somebody who is ready to die and he wants to die with Kenyans. We are ready to fight tribalism and ensure that this country moves on.

Hon. Speaker: Your time is up, Kahangara. Give Hon. Njeri the microphone.

Hon. Njeri Maina (Kirinyaga County, UDA): Thank you, Hon. Speaker. I rise to vehemently oppose this Motion on behalf of the great people of Kirinyaga. Does it not prick our conscience as a House that barely four months after passing the grossly unpopular Finance

Bill, which the President himself declined to assent to, we are here discussing an impeachment Motion of the Deputy President of the Republic of Kenya. The young people of this nation unequivocally told us to fix high unemployment levels among the young people, gross corruption at all levels of Government, accountability issues in regard to leadership, our ailing healthcare sector among other things. Many young people died on that day and several others are still missing to date. What are our priorities as the 13th Parliament? The Motion before us is frivolous, it is baseless and lacking in substance. It is nothing but a shambolic political scheme to hang the truthful man for merely being truthful. We must redeem the 13th Parliament. We must ensure that we give...

Hon. Speaker: Hold on Gacheri. Take your seat.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Speaker. Is Hon. Gacheri in order to bring up things which have passed, like the Finance Bill, when we are discussing about the impeachment Motion?

(Applause)

She is my friend but she is wrong on this matter. We are discussing the impeachment of Hon. Gachagua but not the Finance Bill. Let the foregone be foregone.

Hon. Njeri Maina (Kirinyaga County, UDA): Hon. Speaker, I would like the Hon. Member, who is my very good friend, to point out which Standing Order she rose on, that prohibits me from speaking on matters that have been controverted and are public information. We passed the Finance Bill which is a fact.

(Loud consultations)

Hon. Speaker: Order, Members.

Hon. Njeri Maina (Kirinyaga County, UDA): Even if you boo me, I will speak. The young people of this nation deserve more. They want jobs and healthcare sorted out. The impeachment of the Deputy President is a sham political process.

Hon. Speaker: Order, Members. Hon. Njeri shall be heard in silence and dignity. However, your time is up. Next is the Woman Representative for Migori County.

Hon. Raphael Wanjala (Budalangi, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wanjala. What is out of order? Give him the microphone.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker. The accused, whom we are debating, was supposed to be here by 5.00 p.m. It is 5.07 p.m. Can we bar him from coming because he is late?

Hon. Speaker: Order, Hon. Wanjala. He is already here. Yes, Woman Representative for Migori. Give Hon. Fatuma the microphone.

(Loud consultations)

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Speaker. Kindly protect me. I cannot be heard.

(Loud consultations)

Hon. Speaker: Order, Members.

Hon. Fatuma Mohammed (Migori County, Independent): Excuse me, Hon. Member. Please give me time to speak. Thank you, Hon. Speaker, for giving me this opportunity. As a

Muslim, I do not know when I will die. In case I die before the impeachment time, I vote yes, Hon. Gachagua must go.

(Applause)

Hon. Speaker, I will take you to the Bible in the book of Proverbs 23:10-11. Please keep quiet. It says that do not move an old stone that marks a border, and do not take fields that belong to orphans. God, their defender, is strong. He will take their side against you.

I want Hon. Gachagua, the former Deputy President of Kenya, to know that when you touch anything that belongs to orphans, it is not Kenya Kwanza Coalition or Azimio la Umoja-One Kenya Coalition Party that will put fire on you, but it is the almighty God.

I will return to the Holy Quran in Surah An-Nisa which says: Surely, those who eat the property of the orphans unjustly, they only eat fire into their bellies, and soon they will enter a blazing fire.

I am telling the former Deputy President of Kenya that he has eaten fire into his belly which will surely burn him.

As I finish, I have heard that the Deputy President has 21 lawyers. How much does he earn for him to have 21 lawyers? I understand each lawyer is paid Ksh10 million. This is taxpayers' money.

Hon. Speaker: Your time is up. Next is Hon. Ruweida. Order, Hon. Members. We are coming to an end. I have given the Floor to the Member for Lamu East.

Hon. Ruweida Mohamed (Lamu East, JP): Asante, Mhe. Spika. Umoja wa taifa ni muhimu sana. Naibu wa Rais haleti umoja. Nataka ieleweke kwamba watu wa mlima wanaishi sehemu zingine. Kule kwangu, Kiunga, niko na watu wa mlima. Kile wanachoona zaidi ni *sand dunes*. Hawaoni mlima. Wanaona bahari.

Naibu wa Rais alizungumzia kuhusu National Intelligence Service (NIS) ambayo ilikuwa *grave mistake*. Alikosea sana. Afadhali angetaja Noordin kama ako na shida naye kuliko taasisi ya Huduma ya Ujasusi ya Kitaifa. Inatufanya tukae dhaifu mbele ya maadui zetu. Kwa mfano, *Al-Shabaab* watatuona vipi kama tuko wadhaifu?

Kwa mtu yeyote, haswa mwanaume anayetukana mwanamke, kila mtu aliyeumbwa ana shimo saba. Wanaume na wanawake wanazo. Kama ni malaya, basi ni wote. Nimechoka kusikia hili jina. Naulizwa kama mashimo ni haya mawili ya pua, masikio, mdomo na yale mengine mawili ambayo kila mtu anayo. Kwa Kiislamu, tunafundishwa kuheshimu wajane na mayatima. Dini yetu hairuhusu mtu ambaye hawaheshimu.

Asante, Mhe. Spika.

(Hon. Wanjiku Muhia stood in her place)

(The Deputy President, Hon. Rigathi Gachagua, walked into the Chamber)

Hon. Speaker: Order, Member for Kipipiri. Take your seat. Yes, Hon. Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. The mood in the House is such that it is already 5.00 p.m. The country is waiting. It is my plea that we move to the next stage so that we can hear the Deputy President speak. Remember, this is a Motion which has timelines.

Thank you, Hon. Speaker.

Hon. Speaker: Order, Hon. Members. If you listened to Hon. Speaker, when I called the Member for Lamu East, I said that she would be the last one to contribute. So, she is indeed the last one to contribute.

(Several Members spoke off the record)

Order, Hon. Members. Your interaction on the Motion has been very intense. Order, Hon. Members. Member for Machakos, keep your cool, *mommy*. Many Members have spoken. It is not possible for each and every one of us to speak on the same Motion. I appreciate those who have spoken for their tremendous industry for and against the Motion. His Excellency the Deputy President is in the Chamber now. I believe that he is accompanied by his legal team or assistants. We will now move to the next stage. You remember I had advised the House....

(Hon. Joyce Kamene spoke off the record)

Order, Hon. Joyce Kamene. This is not a moment where Hon. Speaker can exercise the option to exclude you from proceedings, but I know you differently. You are normally a very dignified person. I do not know what is the problem today. As we move to this stage, remember we said that at 5.00 p.m., the Deputy President would be assigned two hours, in accordance with the Standing Orders which say not more than two hours. He may spend the two hours or less, as he wishes.

Secondly, once he finishes, Leader of the Minority Party followed by Leader of the Majority Party will take the Floor, as we had agreed. After that, the Mover will be invited to reply. After that, we will go into a voting session. Your Excellency, once you finish, you have the option to remain in the House or leave because you will have spent your time, as allocated by the House. I want to encourage you, Hon. Members, to maintain your silence, decorum and dignity of both the House and yourselves in listening to the subject of this Motion, who is the Deputy President of the country. I now invite you, your Excellency. You have a choice between speaking yourself or through your legal counsel.

Hon. Kassait Kamket (Tiaty, KANU): On a point of order.

Hon. Speaker: Yes, Hon. Kamket. What is out of order? Your Excellency, you may take your seat. Let us hear him out.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, while I did not want to interrupt His Excellency the Deputy President, who is my brother-in-law. Yesterday he referred to this House in unpalatable terms on national television. While it is his right to say whatever he wants to say, as a former Member himself, would it be in order that the Deputy President, as a precursor to his speech, apologises to this House? He referred to this House as the theatre of absurd.

This is an honourable House of the people of Kenya. These are elected Members of Parliament. This House is neither a theatre nor has it absurdity. I request that the Hon. Deputy President dignify this House by offering an apology. I know he has very little support in this House now. However, he may get a little support even just from that apology. He has to apologise to this House before he proceeds with his speech.

Thank you very much.

(Loud consultations)

Hon. Speaker: Order. No more points of order. Your Excellency Deputy President, as you take the Floor, the Speaker made a Communication this morning. He indicated that we found some contents of your statement last evening abhorrent. You described this House in not very good terms. We also indicated that the Rules of this House preclude matters pending before the House from being canvassed in other fora. Particularly by Members of the House and to an extent of a broad interpretation of the Standing Orders, a person who is subject to the Motion going on in the House. It is spilt milk. It is water under the bridge. You said what you

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said. However, being an immediate former Member of this House, it is only fair that you exercise your conscience to hold as to whether this is a Theatre of Absurd or an honourable National Assembly of the Republic of Kenya.

You may start by addressing that.

His Excellency the Deputy President (Hon. Rigathi Gachagua): Thank you very much, Hon. Speaker and Hon. Members present, for giving me this opportunity to prosecute the matter before us.

I have tremendous respect for this great institution. Having served here for five years between 2017 and 2022, I appear here in a very nostalgic moment that I am back in the House where I stayed for five years. Despite the fact that I have come under difficult circumstances, I thank you for giving me the opportunity.

Hon. Speaker: I hope, your Excellency, your lawyers have advised you that you are here to respond to specific issues in the Motion and not to talk generally.

His Excellency the Deputy President (Hon. Rigathi Gachagua): I have been advised. I know.

Hon. Speaker: So, the rules of relevance will still apply to you as they apply to all Members.

His Excellency the Deputy President (Hon. Rigathi Gachagua): The Motion before this great House alleges that I have acquired property and wealth whose estimated value is Ksh5.2 billion since assuming office two years ago. As demonstrated by his will, a copy of which is attached, a significant number of properties to which this sum of Ksh5.2 billion is erroneously and maliciously attached belongs to my late brother, the late Hon. James Nderitu Gachagua. The facts are as follows:

My response to Olive Garden Hotel is as follows. The allegations that I own the Olive Garden Hotel are false. The truth is that the Olive Garden Hotel used to belong to my deceased brother, the late Hon. James Nderitu Gachagua. Therefore, it has never been my property. This is information that most of you may be aware of as it is in the public domain. Upon his demise, my late brother left a will in which his recognition is that I could take care of his family. He appointed me as one of the executors of his estate. In the said will, my late brother directed that the hotel should be sold, among other properties, and proceeds distributed as per the will. I am also listed as a beneficiary, together with other persons named therein.

In accordance with these instructions, the executors sold the hotel to a third party. Owing to the above, I do not own the hotel. I have never owned it, contrary to the accusation in the Motion. For the benefit of this august House and the general public, I have annexed response copies of the following supporting documents: my late brother's will, sale agreement dated 17th May 2023, and official search for Olive Garden Hotel Limited. On the Vipingo Beach Resort, just as in Olive Garden Hotel above, this allegation is also false. Vipingo Beach Resort belongs to the estate of the late James Nderitu Gachagua. For the benefit of this House and the general public, I have attached annexes to this response and a copy of the official search for Vipingo Beach Resort Limited. They confirm that the hotel is still in the name of my late brother's estate.

On the Queens Gate Service Apartments, the allegation is also false. The property belongs to my late brother. Queens Gate Service Apartments, registered in the name of Vipingo Beach Resort Limited, was sold to the Cooperative Bank of Kenya Limited Staff Retirement Benefits Scheme. The agreement dated 4th May 2022 and a transfer dated 5th October 2022, marked annexure RG6, evidence that.

On a land parcel Ruguru/Kiamariga 2023 in Mathira East Constituency where I have allegedly constructed a helicopter landing facility, my response is that I confirm that I own the above-referenced property. It is approximately 2.5 acres in size, where I have planted Napier grass for my dairy cows. I purchased the land in the year 2023, for Ksh3.5 million from farm

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proceeds coming from my dairy farm. I have read the Motion and there is no iota of evidence adduced on the impropriety in the way I acquired this small property.

Finally, on this matter, I wish to confirm that there is no helicopter landing facility on the parcel in the Motion. This part is also false. I attach a copy of the agreement for the purchase of this property, marked annexure RG7.

On the forty acres of land purchased in Kakuret within Kabiruini in Nyeri County, my response is that I confirm I own a property. I bought it in 2015 from Hon. Njoroge Wainaina, Member of Parliament for Kieni, who is present in this House. I am not sure he is present. That is a time when I was not a state officer. I had not even been elected as a Member of Parliament. I purchased the property ten years ago and not two. Additionally, it was not purchased during my tenure as Deputy President. Therefore, the allegation, as indicated in the Motion, is false. I have read through the Motion, and there is no iota of evidence adduced of any impropriety in the way I acquired this property. For the benefit of this august House and the general public, I have annexed, to this response, a copy of the Agreement for Sale and Purchase of this property, marked as Annexure RG 8.

On the allegation of 80 acres of land in Meru County, for the record, I wish to confirm that I do not own such a piece of land. This allegation is false. However, in the spirit of full disclosure, I would like to confirm that I purchased 29 acres of land in Meru County, the land of my mother, which I bought on or around 9th February 2024, through a loan granted to me by Solution Sacco Limited, which I am a member. The said Sacco has a charge registered against the title which it continues to hold as security until I fully repay the loan. For the benefit of the august House and the general public, I have annexed to this response copies of the Agreement for Sale, marked RG 9. Further, there is a letter dated 15th July 2024 from Solution Sacco Limited, confirming that they financed the purchase of the property, marked Annexure RG 10.

On the issue of a dairy farm in Nyandarua County, my response is that I do not own such a farm. Therefore, this allegation is false. The land in Nyandarua County has no single animal.

There is also the issue of companies. The mover of the Motion has listed the 22 companies associated with me. Further, he has alleged that they have been used to massively launder money and conceal proceeds of crime, corruption and benefit from influence peddling. I have carefully gone through the Motion and have not seen any evidence to support or prove the allegations therein. It is not clear to me how to respond without any evidence incriminating the companies. I would like to be clear that these companies have not been involved in any illegal activities. I believe that is why the mover of the Motion has not tabled any evidence of impropriety with respect to the companies. It appears to me that the mover of the Motion was meticulous to get all the companies associated with me and my family. I believe that if he also had evidence of illegalities committed by the companies, he would have shared or tabled that for the record. However, it is not possible to get evidence of illegality where there is none.

Having said the above, allow me just to mention a few companies because there are many. I incorporated Rigathi Gachagua Foundation in 2022. I would like to clarify that the foundation is a non-profit-making entity with the sole objective of uplifting the lives of the less privileged in society. Therefore, it does not trade. Further, Hon. Members, you are aware that by law, a foundation cannot be used to trade. Since incorporation, the foundation has received a total of Ksh12 million which has been utilised as per the Schedule marked Annexure RG 11. It shows payment of school fees for children in Pwani University and other universities across the country.

I will also focus on Dorcas Rigathi Foundation because she is not here to defend herself. This is a foundation founded by my wife, Pastor Dorcas. It was incorporated immediately we came into office as a non-profit-making entity for the sole purpose of rehabilitation of drug addicts, widows, single mothers and orphans. A brief write-up of this foundation together with

its achievements is annexed herewith as Annexure RG 12. It is in the public domain that Pastor Dorcas has been around the country in an effort to rehabilitate drug addicts and helping others who have challenges.

There are many other companies that are here, but because this is a House of Records, I do not want to bother the Members of Parliament by going through all of them. I will only talk about Wamunyorero Investments Limited, named after my village of Wamunyorero. This company was incorporated 21 years ago before I became the Deputy President. It is a company that holds family property. I have been accused of exerting influence on officials in the Ministry of Lands, Public Works, Housing and Urban Development to issue an allotment letter to Wamunyorero Investments Limited. Additionally, I have been accused of using the fraudulently acquired documents in support of a court case. My response is that I wish to confirm that Wamunyorero Investments Limited has never been issued with any letter of allotment for land in Embakasi. Wamunyorero Investments Limited purchased this land from a third party in 2012.

The company's ownership of this property has been confirmed through two legal processes. One, a case was filed before the National Land Commission (NLC) in 2016, adjudicated and a determination was made that this property belongs to Wamunyorero Investments Limited. That was long before I became the Deputy President of the Republic of Kenya. Again, a matter was filed in High Court case ELC case number E242 of 2022, before I became Deputy President. All the documents filed in support of this case were filed in court before I became Deputy President. Further, no documents have been filed by myself in court upon becoming Deputy President. This being the case, it is not true that I have used my office as, Deputy President, to manufacture documents filed in this matter. High Court found that this land legally belongs to Wamunyorero Investments Limited and issued with the appropriate direction. This matter has since been challenged in the Court of Appeal. I invite any honourable Member who may want to be enjoined in this case to have the liberty to do so.

Hon. Speaker, I have been accused in the irregular procurement of mosquito nets at a cost of Ksh3.7 billion. In response to Paragraph 45 of Ground 7 on page 23 and 42 and Paragraph 78 of Ground 11 on page 36, 37 and 42 of the impeachment Motion, I wish to respond as follows: It is not true, as claimed in Paragraph 3 of the witness affidavit of Andrew Mulwa, that I was involved in the Kenya Medical Supplies Authority (KEMSA) Ksh3.7 billion irregular procurement of malaria nets, either directly or through proxy. Further, Shobikaa Impex Private Limited was not awarded the subject tender. The Acting Director of Procurement, Dr Justice Kinoti, by letter 5th May 2023, formally notified Shobikaa Impex Private Limited that its bid was unsuccessful because its tender security was not paginated and the tender was hence non-responsive. That is clear at Paragraph 4 of the witness affidavit of Andrew Mulwa. He contradicts himself by claiming that on 11th July 2023, I pressured him to surrender the original bid bond, yet by the letter dated 5th May 2023, KEMSA had requested for collection of the original bid. Thus, there was no cause for pressure to be exerted on Mr Mulwa for any other purpose.

I am aware of a foreign company known as Shobikaa Impex Private Limited, domiciled in India. This is the company that appointed Crystal Kenya Limited as its local agent in the year 2014, that is, eight years before Rigathi Gachagua became the Deputy President. To date, Crystal Kenya Limited has complied with the agency terms between itself and Shobikaa Impex Private Limited. Annexed hereto and marked as Annex RG 18 in an appointment agency letter by Shobikaa Impex Private Limited in the year 2014. Sometime in 2023, KEMSA advertised tender number GF ATM MAL NFM-2022/2023 for supply of long-lasting insecticidal nets using the international open tendering method of procurement on behalf of the Global Fund. The monies for supply of the nets, as per my understanding, was a pure grant from the Global Fund. I am aware that Shobikaa Impex Private Limited still participates in doing business with and has not been debarred by the Global Fund to date. I believe, being technically qualified to

provide and deliver the goods subject of the tender document, having the financial ability to do so and without the participation or assistance from Crystal Kenya Limited, Shobikaa Impex Private Limited independently participated and submitted its bid in response to the subject tender, passed on to an invitation by KEMSA. Having not participated in the subject tender, Crystal Kenya Limited did not submit any of the documents in response to it. Specifically, Crystal Kenya Limited did not submit a bid bond or tender security in its name, in response to the subject tender.

It is therefore not true that Crystal Kenya submitted a fake bid bond with an intention to fraudulently acquire public property. It is also not true that with my sons, I used Crystal Kenya Limited to massively launder money, conceal proceeds of crime, engage in corruption and benefit from influence peddling. Subsequently, vide a letter dated 5th May 2023, KEMSA notified Shobikaa Impex Private Limited that it was not successful because the tender security was not paginated and requested Shobikaa Impex Private Limited to collect its bid security from the procurement office immediately. Annexed hereto and marked as Annexure RG 19 is the said letter by KEMSA dated 5th May 2023.

However, EACC commenced investigations of the subject tender and on conclusion of the investigation by EACC and the Senate on the subject tender, KEMSA's CEO, Terry Ramadhani who had been suspended on this issue, was appointed Kenya's Deputy High Commissioner in New Delhi India, by President William Ruto.

Thereafter, Crystal Kenya Limited as Shobikaa Impex Private Limited's agent in Kenya followed up in the release of Shobikaa Impex Private Limited's bid bond/ tender security on behalf of Shobikaa. Annexed hereto and marked as Annexure RG 20 is an email from Shobikaa Impex Private Limited addressed to Crystal Kenya Limited together with a letter of even date confirming that Crystal Kenya Limited had authority to collect their bid bond.

KEMSA was mandated to immediately release the bid bond/tender security, upon determining that Shobikaa Impex Private Limited was unsuccessful in the subject tender and that is why they requested that the same be collected from its procurement office. KEMSA did so as can be seen in its letter dated 11th July 2023. Annexed hereto and marked as Annexure RG 21 is the said letter by KEMSA.

Noting that Shobikaa Impex Private Limited was not successful, it did not supply any goods and neither did it receive any public funds in payment thereof with respect to the subject tender. Accordingly, I have not committed any crime under Sections 45(1), 46, 47A(3) and 48(1) of the Anti-Corruption and Economic Crimes Act, and Sections 2, 3, 4, and 7 of the Proceeds of Crime and Anti-Money Laundering Act. Further, I have not breached Section 34 of the Leadership and Integrity Act, for I did not bully any state or public officer with respect to the subject tender and specifically, no evidence has been tendered to support the allegation at paragraph 78(c) of Ground 11 at page 37 of 42 of the Motion which alleges that I summon procurement officers in ministries and institutions, instructing them to direct procurement of goods and services in a specific manner.

I have been accused of unnecessary and expensive renovation of the official residence in Karen and Mombasa. Firstly, I would like to state that funds for the renovation of the official residence were approved and allocated by this honorable House based on the fact that the premises had been neglected for a very long time since when Dr. William Ruto was the Deputy President. It cannot be fair that this House would proceed to impeach me because of an action that these Hon. Members have approved by appropriating monies for the renovations.

The contract for the refurbishment of the official residence of the Deputy President dated 22nd December 2022 was signed by Hon. Katoo Ole Metito, the comptroller of State House, Office of the President and Agrobriq Investment Limited was awarded the tender. This is because the comptroller of State House at that time was the accounting officer in charge of

Office of the Deputy President. The contract is annexed herewith and marked as Annexure RG22.

The report of the Auditor-General, Mrs. Nancy Gathungu dated 24th January 2024 on the Executive Office of President for the year ended 30th June 2023 gave the opinion confirming due compliance with Public Finance Management Act, 2012. The report is annexed herewith and marked as Annexure RG 23. As Deputy President, I am not involved in procurement processes of my office whether directly or indirectly. I would also like to state that I do not know the company - Agrobriq Investments Limited, which undertook the renovations. I do not know the directors of the said company and I did not participate in the tendering or supervision process. The Motion dated 26th September 2024 alleges that on 29th January 2023, Ksh45 million was transferred to Vaghjiyani Enterprises Limited, which is alleged to be a special purpose vehicle used by me to siphon public funds. No evidence whatsoever is contained in the Motion showing that the said company is in any way connected to me; or that I have any beneficial interest in it, where I am neither a director or shareholder. I categorically refute the allegation which is false and unfounded. I confirm that I am not a director or shareholder, directly or indirectly of Agrobriq Investments Limited and I do not know its shareholders or directors.

There is an allegation of dubiously acquiring substantial portion of the sum of Ksh100 million paid to Lusona Events Limited. My response is just like in the above matter of Agrobriq Investment Limited, I have read the Motion and would like to state that there is no evidence that this company is linked to me. I wish to categorically state that I have no beneficial interest in the said company and neither am I affiliated in any way, to the directors and shareholders of the same company. I am also not a director or shareholder of the company and do not know its shareholders or directors. I do not sit in the tendering Committee neither am I the accounting officer of the Office of the Deputy President. I have also not had any complaints against the manner in which the company undertook the work.

I am unable to confirm the allegations on funds withdrawn from the account of the company since I am not a signatory to this account. I am not associated with the company in any way whatsoever. The Motion dated 26th September 2024 claims that I am reasonably suspected to be the principal beneficiary of the dubious transactions. However, no evidence has been adduced or annexed to the Motion to give credits to the allegations or suspicions. I categorically refute acquiring or benefiting from any funds paid to Lusona Events Limited and therefore the allegation is false and unfounded.

I have been accused of siphoning money through St. Nicholas Rehabilitation and Industrial Training Institute Limited. The Motion dated 26th September 2024 makes the claim that a payment of Ksh21 million was made to accompany called St. Nicholas Rehabilitation Centre and Psychiatric Hospital. Then, subsequently, payment was made to Umarali Motors Limited. The Motion claims that it is suspected that the entire transaction was used by me to siphon public funds and that the payments typify money laundering transaction. I am not a director or a shareholder of this company and have never received any payments from it. Similarly, I am not affiliated or related to the shareholders and directors of the two companies. No evidence has been annexed to the Motion showing that I was a beneficiary of the funds paid as alleged. I wish to point out that I am not the accounting officer in the office of the Deputy President and I am not aware about the payments made to this company by the office. The allegation is therefore false and unfounded.

There is an accusation of alleged sensational but false accusations against the Hon. Lady Justice Esther Maina. It is alleged in the Special Notice Motion at Ground 4 on page 14, under Gross Violation of the Constitution, that I publicly attacked the Hon. Lady Justice Esther Maina and falsely threatened to bring action against her. Article 160(5) of the Constitution

provides that a judge cannot be found liable in a Court of Law for actions taken in good faith in lawful performance of their work.

This provision is not a bar on freedom of expression guaranteed under Article 33 of the Constitution, nor a bar of the right to seek redress for legal wrongs simply because a wrong is committed by a judge. There exist multiple legal fora in which to take action against a Judge for any actions that are not lawful. My statements were protected speech consequent to a decision by the learned Judge in a matter involving my personal assets which I disagreed with, and found to be wholly unfair. The matter having been concluded at that stage; my criticism of the decision was not *sub judice* nor in any other manner prohibited by law. While I respected the ruling of the learned Judge, I was in absolute disagreement with it.

Contrary to the assertions in the Special Motion, I did not falsely threaten to bring action against her. I took actual legal action that is available to every citizen of Kenya under Article 168(2) of the Constitution, which allows any person to petition the Judicial Service Commission for the removal of any judge. I filed a legal complaint before the Judicial Service Commission (JSC) in March 2024. The complaint being live before the JSC, the discussion of the conduct of the learned Judge in the said matter here would be *sub judice*. A copy of the complaint is annexed herewith and marked as annexure RG 24.

Hon. Speaker, I have been accused of diverting materials that were meant for the construction of the Kilifi- Malindi Highway to tarmac a private road to Vipingo Beach Resort. I reiterate that Vipingo Beach Resort is registered in the name of the estate of my late brother, Hon. James Nderitu Gachagua and, hence, is not my property. The facts are as follows:

King Charles III visited Kenya between 30th October 2023 and 3rd November, 2024. During his State visit, one of the designated places where King Charles III was to visit was Kuruwitu Marine Conservancy which shares a road with Vipingo Beach Resort. I have annexed a copy of the Programme for the State Visit to Kenya by King Charles III marked as Annexure RG 25, which is at page 13 on item 63 and 64. It shows his arrival and departure at Kuruwitu Marine Conservancy.

There are several media reports confirming the visit by King Charles III to Kuruwitu Marine Conservancy. I have annexed extracts of the media reports by the Star Newspaper dated 7th November 2023 and by Africa News marked as Annexure RG 26. My understanding is that the road to Kuruwitu Marine Conservancy was upgraded in respect of that visit; which would also be of benefit to the local community including amenities like Shariani Secondary School, Shariani Primary school, a Mosque and a public market as part of the social corporate responsibility. I wish to point out that the alleged road is Takaungu-Shariani-Vipingo which is a public road and not a private road leading to any property that is associated with the Deputy President.

I have been accused of undermining the President and the Cabinet by allegedly making contradictory public statements from the position taken by the Cabinet regarding the evacuation of the people residing along the Nairobi River. My response on this, Hon. Speaker, is that Article 147 (1) of the Constitution provides that:

The Deputy President shall be the principal assistant of the President and shall deputise the President in the execution of the President's functions.

Article 28 states:

That every person has inherent dignity and the right to have that dignity respected and protected.

Article 29(c) states that:

Every person has the right to freedom and security of the person, which includes the right not to be subjected to—

(c) any form of violence from either public or private sources.

Section 152G (1) of the Land Act states that:

Notwithstanding any provisions to the contrary in this Act or in any other written law, all evictions shall be carried out in strict accordance with the following procedures—

- (a) be preceded by the proper identification of those taking part in the eviction or demolitions;
- (b) be preceded by the presentation of the formal authorizations for the action;
- (c) where groups of people are involved, Government officials or their representatives to be present during an eviction;
- (d) be carried out in a manner that respects the dignity, right to life and security of those affected;
- (e) include special measures to ensure effective protection to groups and people who are vulnerable such as women, children, the elderly and persons with disabilities;
- (f) include special measures to ensure that there is no arbitrary deprivation of property or possessions as a result of the eviction;
- (g) include mechanisms to protect property and possessions that are left behind involuntarily from destruction;
- (h) respect the principles of necessity and proportionality during the use of force; and,
- (i) give the affected persons the first priority to demolish and salvage their property.

Critically, our Constitution provides at 147(2) that first-

The Deputy President shall perform the functions conferred by this Constitution, and any other functions of the President as the President may assign.

Pursuant to Article 3 of the Constitution, I, as well as every citizen of Kenya and State or public officers, have an obligation to respect, uphold and defend this Constitution in performing any of the functions. The national values and principles of governance contained in Article 10 of the Constitution bind all State organs, public officers and all persons, including myself as the Deputy President, whenever we make or implement public policy decisions. In relation to this matter, these national values and principles include: The rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised. Adherence to these principles become extremely important when we, as State officers, are contemplating legal evacuation of citizens with a duty to avoid inhumane forced evictions that would be contrary to our Constitution and international law.

While campaigning with the President and subsequently when I was sworn in as the Deputy President, as a key pillar of the Kenya Kwanza Government, we promised that there would be no forced and unlawful evictions and that all evictions would be humane and entail legal compensation. The Office of the Deputy President (ODP) has undertaken extensive engagement with all parties in regard to the Cabinet decision on eviction which I fully support, including the Nairobi River, which is an entity under the ODP and the County Government of Nairobi. Adherence to these principles become extremely important when we, as State officers, are contemplating legal evacuation of citizens with a duty to avoid inhumane forced evictions that would be contrary to our Constitution and international law.

Guideline No. 6. of the United Nations General Assembly Guidelines for the Implementation of the Right to Adequate Housing prohibits forced evictions and that the State should ensure that any evictions under domestic law are fully compliant with international law. The Guidelines further require meaningful engagement with communities to ensure that the

rights of residents are implemented co-operatively, without the need for eviction procedures or police enforcement. I have supported the implementation of Cabinet directives on the eviction, save for the fact that, on being informed that persons residing along the Nairobi River were being evicted and only paid Ksh10,000, which I and many other Kenyans felt was inadequate compensation for eviction, I insisted that the Government must abide by constitutional dictates and international norms, while implementing any Cabinet decisions, including evictions, and maintaining the dignity of citizens of Kenya that are facing eviction. My statements did not and cannot be construed as undermining the President by insisting that people should not be evicted inhumanly and without adequate compensation.

Hon. Speaker, I have been accused of undermining devolution by allegedly holding a meeting in Nairobi's Wakulima Market. The Motion alleges that on 20th September, 2024, I unlawfully interfered with the running of the Nairobi City County Government by holding a public rally where I allegedly incited citizens against lawful directives of the County Government on planning and relocation of markets.

My response on this is that the Motion alleges that on 20th September 2024, I unlawfully interfered with the running of the Nairobi City County Government by allegedly inciting citizens against lawful directives of the County Government. Article 6(2) of the Constitution provides that:

The governments at national and county levels are distinct and inter-dependent and shall conduct their mutual relations on the basis of consultations and co-operation.

This being the case, it cannot be said that there is a violation of the Constitution when someone from the National Government makes a comment on matters relating to a County Government. The traders had sought me out to intervene and request the Governor, on their behalf, to dialogue with them and seek a solution to their grievances with regard to the relocation of markets. I request that a video that is annexed and marked as RG Video 3 be played for the benefit of Members to see what I said. Yes, play the video. Please play the video for us.

(A video clip of Hon. Rigathi Gachagua addressing traders at Marikiti Farmers' Market was played)

His Excellency the Deputy President (Hon. Rigathi Gachagua): Thank you. Hon. Speaker, my Counsel has drawn my attention that in my earlier explanation of Nairobi River, I have videos 1 and 2 that I would like you to play so that I can buttress my point on what I meant.

(A video clip of Hon. Rigathi Gachagua's inaugural address in 2022 was played)

(A video clip of the forcible eviction of residents from Nairobi River near Mathare Constituency was played)

His Excellency the Deputy President (Hon. Rigathi Gachagua): Thank you, Hon. Speaker. That was President William Ruto talking the same language as his Deputy, that brutal and forceful evictions have no place under this administration. We have seen a video of a brutal eviction. We have seen young children crying in tears. The Deputy President is being accused of undermining his Boss by just doing what his Boss said that we should never forcefully and brutally evict the people of Kenya.

The leadership of Nairobi business traders approached me sometime in March 2024 at the official residence to discuss multiple issues that were affecting their businesses, and

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requested an engagement in resolution and intervention of those issues. Consequent to this meeting, I directed that short, medium and long term strategies be undertaken and coordinated by the Office of the Deputy President to address the issues that were raised and that cut across various agencies including Kenya Revenue Authority, Kenya Ports Authority (KPA), Anti-Counterfeit Authority, Kenya Bureau of Standards, National Police Service and Kenya Copyright Board.

On 11th April 2024, the small traders and the Government Agencies Technical Committee coordinated by my Office held a meeting to discuss issues that were raised by the small traders, including those from Muthurwa Market, and attended by Office of the Deputy President staff in a supportive role in keeping with the draft framework of co-operation and engagement between the Government and Nairobi County Government and Nairobi business traders.

It is clear that my Office has been having meetings with the Governor of Nairobi on various matters affecting the people of Nairobi and, hence, the Deputy President cannot be accused of undermining devolution.

Hon. Speaker, I have been accused of undermining devolution by allegedly holding meetings to fight alcohol. I am sorry if the Members took it that I said the House is a theatre of the absurd. I was talking about this specific charge of undermining devolution by holding meetings to fight alcohol abuse. To me, that moment of five or 10 minutes where the House discussed my efforts is what I thought was a theatre of the absurd. I did not try to demean this House that I sat in as a Member for five years.

With regard to this particular charge, the drug and alcohol problem in Kenya has been on the increase. Many of our youths have become addicts and their lives have been destroyed because it causes them to drop out of school and to start engaging in petty crimes to look for money to buy alcohol. I am a strong advocate for youth rehabilitation from alcohol and substance abuse, which I continue to encourage and support in order to save our future generations.

With regard to alcohol control and regulation, I wish to state that I have held several meetings with governors and members of county assemblies in Meru, Chuka, Mombasa, Nakuru, and Nyeri counties. The efforts that President William Ruto asked me to lead in the eradication of illicit brews have been successful. We have been working with governors and county assemblies who have been developing legislation on the control of licensing of alcoholic drinks. If there is one programme that has had the best working relationship between the county governments and the national Government, it is this particular one.

I am a bit emotional about illicit alcohol because I lost my brothers to alcohol. One was a medical doctor, and the other one was a farmer. I am very passionate about the issue. I do not know who complained about this particular charge. I have not seen any evidence of any complaint. I have not heard any person in Kenya complaining that the Deputy President is undermining devolution by leading the war on illicit brews and drug abuse. Whatever this House decides tonight and whatever the subsequent House decides, whatever happens to the Deputy President Rigathi Gachagua, whether he is in or out of office, this war must continue and must be won for the sake of our children.

I want us to watch the video annexed and marked as RG Video 4.

(A video clip of Hon. Rigathi Gachagua addressing governors on the fight against illicit alcohol and drugs was played)

Thank you, Hon. Speaker. It is very clear that the meeting had governors, Members of Parliament and policemen were present. We agreed that the war must be won. It cannot be that the Deputy President should be impeached for leading the war against alcohol abuse.

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The next charge is on sensational statements against the National Intelligence Service (NIS), its Director-General and officers. During the assumption of Office, I took an Oath of Allegiance with the following terms:

“Oath or Solemn Affirmation of Allegiance of the Deputy President.

I, Rigathi Gachagua, in full realisation of the high calling I assume as the Deputy President of the Republic of Kenya, do swear/solemnly affirm that I will be faithful and bear true allegiance to the Republic of Kenya; that I will obey, preserve, protect and defend this Constitution of Kenya, as by law established, and all other laws of the Republic; and that I will protect and uphold the sovereignty, integrity and the dignity of the people of Kenya. So, help me God.”

That is the Oath that I took at Kasarani.

Article 239(3) of the Constitution provides as follows:

“239(3). In performing their functions and exercising their powers, the national security organs and every member of the national security organs shall not –

- (a) act in a partisan manner;
- (b) further any interest of a political party or cause; or,
- (c) prejudice a political interest or political cause that is legitimate under this Constitution.”

Article 239(5) of the Constitution provides:

“239(5) The national security organs are subordinate to civilian authority.”

In relation to this allegation, I wish to state that the National Intelligence Service (NIS) holds a very critical role in ensuring the safety and security of our country. They are responsible for gathering intelligence and sharing it with all our law enforcement agencies to ensure that the country is safe at all times. Consequently, when the country was caught flat-footed with regard to the scope and extent of the public’s dissatisfaction with the Finance Bill, 2024, which degenerated into the Gen. Z protests, it pointed to the failure of the NIS in carrying out its mandate.

I am persuaded that the NIS ought to have known before-hand that the public was completely opposed to the Finance Bill, and they ought to have briefed the President before the protests began, as this would have caused a change of tact by the Government regarding the proposed Bill, and the protests, which culminated in the loss of innocent lives and destruction of property, could have been avoided. Hence, I expressed my opinion on this in my public media briefing in Mombasa and my utterances were not any different from what happens in other countries when there is a lapse or failure by the intelligence agencies.

The nation has witnessed unfortunate incidents of several extra-judicial killings, abductions and disappearances. I verily believe that if the NIS had acted diligently, those incidents would not have been witnessed. Under the Constitution of Kenya, Government agencies are supposed to be accountable to the Kenyan people, including the NIS. Calling them out when there is a dereliction of duty does not amount to undermining them.

I am also aware that the Kenya Kwanza Government has been at the forefront in calling out officers who do not seem to understand their work. Recently, my Boss, the President, publicly complained there are some Principal Secretaries (PSs) and Cabinet Secretaries (CSs) who did not seem to know their role. Please play the video annexed and marked as RG Video 5.

(A video clip of His Excellency President William Ruto speaking about some PSs and CSs who fail to perform their roles was played)

(A video clip of the President and the Deputy President calling out State Officers who do not seem to understand their work was played)

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President William Ruto, my Boss and I, have been calling out senior Government officials when they fall short of expectations. The Director of the National Intelligence Service is no exception. He is not above the law. He is accountable to the people of Kenya for his performance. I have heard an argument that we should not call out those in the security sector. I would like you to play the next video.

(A video clip of the President, then as Deputy President, speaking about the former Inspector-General of Police and former Director of Criminal Investigation (DCI) (Mr. George Kinoti) was played)

That was President William Ruto as Deputy President. He is criticising the then Inspector-General (I-G) of the National Police Service, Mr. Hillary Nzioki Mutyambai and the former Director of Criminal Investigation (DCI), Mr. George Kinoti. Hon. Gachagua has learned his job from his Boss, that public officers must be called to order when they fall short of expectations. I never saw anybody bringing William Ruto here for impeachment for criticising the IG or the DCI. This is a very unfair allegation.

Hon Speaker, it is also reported by media that the International Monetary Fund (IMF) had already warned about impending unrest during the peoples' dissatisfaction with the Finance Bill 2024. After the 9/11 terrorist attack in the US, many of you will recall that the US intelligence agencies were massively criticised. An inquiry was even opened to investigate why the intelligence agency was not able to detect and thwart the attack. All we are saying is that our National Intelligence Service is accountable to the people of Kenya for its performance.

On conniving with cartels in the tea sector to block KTDA from implementing guaranteed minimum return, I am yet to see a shred of evidence to that effect. I have nothing to say. I have seen an allegation that we have not been able to do the coffee reforms. Out of my work of coordinating coffee reforms, the Co-operatives Bill of 2023 and the Coffee Bill of 2023 are before this House. After these impeachment proceedings, I request this House to embark on those two Bills so that coffee farmers can realise the full benefit of the coffee reforms that we have initiated.

There is another allegation that I have taken control of a local co-operative society in Mathira Constituency. I do not know the name of that co-operative society. It is false. I am yet to see any evidence. I have nothing to say because there is nothing to be said.

On the issue of shareholding, I think Members are interested to listen to this. I listened to you this morning and it was quite emotive. By virtue of the provisions of the Third Schedule of the Political Parties Act of 2011, constituent parties of the Kenya-Kwanza Coalition entered into various agreements. They were deposited with the Speaker of the National Assembly and the Speaker of the Senate for purposes of Article 108 of the Constitution of Kenya. The following are members: United Democratic Alliance (UDA), Amani National Congress (ANC), Ford Kenya, Pamoja African Alliance (PAA), Farmers Party, Chama Cha Kazi, Communist Party, Economic Freedom Party, The Service Party, Tujibebe Wakenya Party, Umoja na Maendeleo Party of Kenya and the Democratic Party of Kenya.

In accordance with the provisions of Clause 3(e) Schedule 3, a power-sharing agreement and development agenda for certain regions of Kenya, I attach copies of those agreements, RG 32. All those agreements talk about specific regions. The leaders who appended their signatures canvassed issues of appointments to do with specific regions. The power-sharing agreement between UDA, ANC and Ford Kenya, for example, says that UDA would nominate the coalition presidential and deputy presidential candidates, which was honoured. The President would guarantee the stature, dignity, financial and operational

autonomy of the office of the deputy president, which I have been insisting on because it is part of the coalition agreement.

The ANC would be allocated the position of the Prime Cabinet Secretary, which has happened. Ford Kenya would be allocated the position of the Speaker of the National Assembly, and that is why Hon. Moses Masika Wetang'ula sits here today.

In accordance with Article 2 of the power-sharing agreement, ANC and Ford Kenya would have a 30 per cent share (note that "share" is the word) of the national government positions. This drives my utterances about shareholding. It is embedded in all these agreements that are attached here for you to read. I heard this morning an Hon. Member saying that the Deputy President said that the people of Ukambani will not get resources because they did not vote for the Kenya Kwanza Government. That is not true. The Deputy President of the Republic of Kenya does not allocate resources. Resources for the development of the Republic of Kenya are appropriated by the National Assembly of Kenya, where I am today.

The Deputy President will help the President to oversee the implementation of funds that are allocated and appropriated by the National Assembly. It is, therefore, not possible that the Deputy President of the Republic of Kenya has the capacity to deny any part of Kenya resources because of the way they voted. The decisions on how resources are allocated for the development of the Republic of Kenya are made here by the Hon. Members. If your area has no development, please, do not impeach the Deputy President, and do not accuse him of not giving you resources. You are in this House to make sure that the area where you come from is allocated appropriate resources because that is your job. The agreements are attached. Therefore, I do not want to go into them.

Let me say that my speeches on the shareholder issue were informed by the foresaid power-sharing covenants which are founded on law, having been deposited with the Registrar of Political Parties and lessons learned from the well-known disputed 2002 National Rainbow Coalition (NARC) power-sharing agreement. Further, power-sharing agreements are a feature of government formation in all democracies in the world that provide for formations. My pronouncements on the issue properly understood, are not only anchored in law, but entirely harmless and incapable of being construed as a basis for ethnic animosity, a danger to national cohesion, or a threat to national unity. On the contrary, coalition building has been one of the most important innovations since the disputed 2007 elections in ensuring stability, equitable sharing of political power, national cohesion and fostering of national unity.

Indeed, the Kenya Kwanza Alliance's main opponent in the 2022 General Election, Azimio la Umoja-One Kenya Coalition Party, was a political party consisting of 25 political parties who also executed a power-sharing agreement based on shares.

I am also aware that the Jubilee Coalition executed a 50/50 power-sharing agreement between The National Alliance (TNA) Party and United Republican Party (URP) for the 2013 General Election. I have thus not violated Sections 13(1)(A) and 62 of the National Cohesion and Integration Commission Act, nor has that Commission summoned me to explain any of my comments and how it affects cohesion. However, notwithstanding the said power-sharing agreements, upon election as Deputy President, I went out of my way, as required by the Constitution of Kenya, to serve all Kenyans regardless of their political preferences during the election or ethnic origin. I now produce the following video clip showing some of my speeches all over the country marked as RG Video7

(A video clip showing the Deputy President, Hon. Rigathi Gachagua supporting cohesion in various parts of the country was played)

Hon. Speaker, copies of the documents demonstrating my efforts, within the mandate allocated to me by the President to address security issues and economic equalization programs and policy in historically marginalized regions of Kenya, is marked as Annexure RG33.

On my decision to embrace the broad-based Government following the dissolution of the Cabinet after the Gen. Z protest, I attach my video during the launch of Hon. Raila Odinga's quest for African Union (AU) Chairmanship at State House, marked as RG Video 8.

(A video clip showing the Deputy President, Hon. Rigathi Gachagua supporting Hon. Raila Odinga's quest for AU Chairmanship was played)

His Excellency the Deputy President (Hon. Rigathi Gachagua): Thank you, Hon. Speaker. President William Ruto has many times appreciated my people issues and has repeatedly pronounced himself. Let me have the video number nine.

(A video clip of H.E. President William Ruto being interviewed about picking H.E. Hon. Rigathi Gachagua as his Deputy was played)

Thank you, Hon. Speaker.

In addition, and almost in conclusion, I am not the only leader at the national level who has encouraged unity among Kenyans, based on shared regional, geographical, economic and other factors. I have attached the following articles:

1. Where Unity is not Optional: Moses Wetang'ula.
2. Ruto puts Case for GEMA-Kalenjin Unity.
3. Mijikenda Unity in the Offing.
4. Maasai Leaders in Unity Talks Ahead of Next Year's General Election.

I have attached those articles so that you can understand that regions uniting does not mean they unite against other regions; they unite for common issues, common values and to strengthen them to join other regions for national unity.

Hon. Speaker, the Motion dated 26th September 2024 and tabled before the National Assembly makes the generalised claims that I have committed crimes under national laws. That is, Proceeds of Crime and Anti-Money Laundering Act, Penal Code, National Cohesion and Integration Act as well as the Anti-Corruption and Economic Crimes Act. It is on the basis of that claim that it is said that the threshold of impeachment has been met. I am not aware of any active investigations by any State agency for offences under the State laws, neither have I been called upon to record any statement pertaining to any investigation.

Just like any other Kenyan, the Constitution accords me the presumption of innocence in relation to criminal offences until the contrary is proved in a court of law on a specific standard of evidence. Therefore, in the absence of any active investigations by any investigative agency in Kenya, I do not believe that there can be any serious reason to believe that I have committed any offence. Otherwise, that would be an indictment of the intelligence agencies as well as investigative agencies. Therefore, it is inconceivable that the threshold of the impeachment Motion as defined in Article 145 of the Constitution can solely be based on the perception of the Mover of the Motion in the absence of any other evidence.

I heard the Mover this morning saying that all we need to do is to believe in him. I believe that cannot be the position. We need actual evidence. The net effect of the impeachment on this basis of allegations of criminal offences whose evidence has not been tried and tested in a court of law or by bodies that are mandated to investigate would be to disqualify me from

the possibility of holding public office in relation to Article 99 (3) without the benefit of due process of law and exhaustion of the systems of appeal as provided in the Penal Code.

Hon. Speaker, I do not wish to respond to the issues that I heard this morning and that are outside the Motion. I want to confirm that I have tremendous respect for Kenyan women, and I have never disrespected them. What has happened is that as politicians, there is always propaganda to undermine somebody. I call upon anybody with evidence that I have ever disrespected that person to come out and provide that evidence. I heard my very great friend, Hon. Faith Gitau, say that I disrespect women. Many times, I have been to Nyandarua. I have referred to her as *Ngatha*. *Ngatha* is a Kikuyu name for a woman of great respect. That, I have done countless times and is on video.

Finally, I heard what Hon. Boss Shollei said in Eldoret. This morning, you said that I should be charged with treason. My sister, I am a grateful man. I remember and I will never forget. During the last administration when I was arrested on fabricated charges for standing with President William Ruto against the wishes of the Government at that time, Hon. Gladys Boss Shollei came and sat with me at the Headquarters of the Directorate of Criminal Investigations (DCI). She brought me tea and lunch. She sat with me and comforted me. In court, she coordinated the collection of Ksh12.5 million as my cash bail. She came to see me in Gigiri for four days and had very kind words for me. Despite what you have said, my sister, I remember that one good thing that you did for me, and I will love you and cherish you for the rest of my life.

As I wind up, I want to appeal to this honourable House to consider the allegations against me by the Mover of the Motion and weigh them against the attached evidence in my defence, and the videos that I have played in this House. Exercise your minds and your discretion. Search your conscience and decide whether Rigathi Gachagua is guilty of any of these allegations, or if he is undergoing a political process. If you are so persuaded and you search your conscience without any intimidation, coercion or inducement, and you think that it is the right thing to do, please, go ahead and do so. If you search your conscience and listen to the issues that have been adduced here and you find that there are no grounds to impeach the Deputy President of the Republic of Kenya, please, make the right decision.

Many Members who are in this House remember what President William Ruto went through as the Deputy President. Most of us stood with him. Rigathi Gachagua underwent four years of persecution. Others were persecuted, but we took a firm stand because we believed that we were doing the right thing. His family and friends underwent humiliation. He was a haunted man. On Inauguration Day, he pronounced that freedom was here. Again, under the new administration, the same Rigathi Gachagua, who underwent humiliation and persecution, finds himself in the same space under the administration that he fought for. Reflect, apply your conscience and make the right decision.

Thank you, Hon. Speaker, for granting me this opportunity. My address last night was not in any way meant to disrespect the House. Despite you having ruled that the matter should not be taken out of the House, it was being discussed on every television station and in every meeting across Kenya. Kenyans did not have a chance to also hear my side of the story. So, I decided that since the accusations against me were being discussed everywhere in the country, the people of Kenya and, more so, those who voted for me and President William Ruto, deserved to hear my side of the story. I have tremendous respect for the National Assembly and your ability and capacity to make the right decision.

Hon. Speaker, *ahsanteni sana*.

Hon. Speaker: Thank you very much, Hon. Deputy President. I am sure that your fears that you would not be heard fairly have been allayed. You have been heard in absolute silence. You have been heard with total decorum from the House.

Hon. Members, I salute you for the display of your legislative maturity in giving an opportunity to a subject to a Motion in the person of the Deputy President to be heard.

Hon. Rozaah Buyu (Kisumu West, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: What is it, Rozaah? The proceedings are still going on. Who is praying?

Hon. Otiende Amollo (Rarieda, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Senior Counsel.

Hon. Otiende Amollo (Rarieda, ODM): Hon. Speaker, this is a House of Records, and I wanted to rise under Standing Orders 65, 67(a), and 67(b). However, you have already covered two of those points. It is important that the record reflects that although the Standing Orders do not require that we listen to the witness in silence, indeed, we did.

Secondly, there was compliance with Standing Order 67(b)(ii) in giving the witness a maximum of two hours. There was also a third one, which I think should also go on record. Standing Order 67(a) also requires that the witness be entitled to appear in person or with counsel. I can see that the witness has appeared with at least three counsels, all of whose names should come on record so that it shows that the counsels were actually allowed to the Chamber. I can see my friends, Advocate Ngoya and Advocate Njeru. This is to ensure that there is completeness of the record.

I beg you, Hon. Speaker.

Hon. Speaker: That is a fair comment. Counsel for the Deputy President, without making any unhelpful speeches, just put your names on record. I am sure you have a team leader. The team leader will introduce himself and his accompanying colleagues. Mr. Ongoya.

Mr. Elisha Ongaya: Thank you so much, Hon. Speaker and Hon. Members. The team representing Hon. Rigathi Gachagua, the Deputy President, in these proceedings is as follows:

1. Hon. Paul Kibugi Muite, Senior Counsel.
2. Mr. Victor Swanya Ogeto.
3. Mr. Elisha Ongoya.
4. Mr. George Sakimpa.
5. Mr. Ndegwa Njiru.
6. Mr. George Wandati.
7. Ms. Faith Waigwa.
8. Mr. Murigi Kamande.
9. Mr. Amos Kisilu.
10. Mr. Erick Kiprop Naibei.
11. Ms. Julia Omwamba.
12. Mr. Tom Maina Macharia.
13. Mr. Willis Echessa.
14. Mr. Andrew Muga.

Hon. Speaker: Thank you. Apart from the three of you, are the rest within the precincts of Parliament?

Mr. Elisha Ongaya: They are within the precincts of Parliament, save for the Senior Counsel, Hon. Paul Kibugi Muite. He sought to be excused from attending today's Sitting, but he is part of this team and we are under his supervision and guidance.

(His Excellency the Deputy President (Hon. Rigathi Gachagua) left the Chamber)

Hon. Speaker: Thank you. Hon. Members, from here, we will proceed as follows: Hon. Deputy President, if you wish to leave, you are at liberty to do so with your team.

Hon. Peter Kaluma (Homa Bay Town, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): I thank you, Hon. Speaker. Our Prayer at the end says that we will always be fair to those who are committed to our charge. In his address to the House this afternoon, the Deputy President appears to have referred to some documents. I understand that we are moving towards the end of this particular Sitting in considering this matter.

Hon. Speaker, I thank you for upholding Article 47 of the Constitution on the right to a secure procedure on fairness to every party. For us to consider what the Deputy President is saying in the documents, would I be in order to request the indulgence of the Speaker, within the provisions of Standing Order 1, to adjourn for at least 10 minutes? This is to help us consider the documents that the Deputy President has come with, and come back and make the decision that we need to make.

Hon. Speaker: That request does not meet my favour. Where is Hon. Mutuse? Hon. Mutuse, you have 30 minutes to reply before I call the Leaders of the Minority and Majority parties. Will you exhaust your 30 minutes or do you want to share them out with somebody? I got an indication that you wanted to share 10 minutes with Hon. Kaluma!

(Hon. Robert Mbui spoke off the record)

I know! I am organising the process. I am aware, Hon. Robert Mbui.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Hon. Speaker, I will share 10 minutes with my senior learned friend Hon. Peter Kaluma, five minutes with the Deputy Leader of the Majority Party, who was my Seconder, and I will utilise the rest, which is 15 minutes.

(The Speaker consulted with the Clerks-at-the-Table)

Hon. Speaker: Order. Hon. Mutuse, only you have a right to a second bite to the Motion. Your Seconder has no right to a second bite. So, if you have extra minutes, you can donate to anybody else but not to Hon. Owen Baya. Hon. Kaluma will have 10 minutes.

Leader of the Minority Party, now is your time. You have 15 minutes.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker, for according to me this opportunity. From the onset, the Minority side supports the Motion for the removal from office, by impeachment, of Hon. Rigathi Gachagua, because he is unfit to hold office in Kenya. Yesterday, it was clear to all Kenyans who saw for themselves the danger this country is in. The impeachment of the Deputy President is not merely a procedural step but rather, it is a reflection of our commitment to accountability and the rule of law in this country. The integrity of the Government and the stability of our nation is at stake as we speak this evening. National security is at stake. The economy is at stake.

Since the Deputy President assumed office, we have witnessed nothing else but abuse of power, discrimination against communities, insubordination, disregard for the two levels of government, corruption, bullying and many other actions that undermine the rule of law, as well as actions that are unethical, illegal and that severely breach public trust as contained in the Motion by Hon. Mwengi Mutuse. In supporting the removal of the Deputy President from office, we are rejecting the invitation by Hon. Rigathi Gachagua to accept tribal bigotry, skewed resource allocation and the exploitation and domination of minorities as *fait accompli* in Kenya.

Before I go on with what I want to say on the Motion, I would like to take this chance to first respond to some of the issues he has raised in the House a few minutes ago in his responses. In the first place, his response has come very late in the day to the House. He tabled his response at 4.00 p.m. in the evening today. He should have done it either yesterday evening or this morning for the House to get enough time to peruse what he has said.

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One of the grounds that Mr. Rigathi Gachagua is being accused of is the issue of shareholding. He said that Kenya is a company with shareholding. However, in his response, he told the House that he did not mean that. He was talking about political parties. He enlisted the political parties that have formed coalitions within Kenya Kwanza, including FORD Kenya, the African National Congress (ANC), the Pamoja African Alliance (PAA) and all other parties that formed what is called “Kenya Kwanza Coalition.”

I want to contradict what he said. Political parties are national in nature. FORD Kenya is a national party. The ANC is a national party, all the political parties that formed the Kenya Kwanza Coalition are national. In this country, you are not allowed to form a tribal party under the Constitution. You are not allowed to form a religious political party or a *mulima* political party. That is very clear in the Constitution and if the Deputy President is not aware of that, I can read it out for him.

Article 91(1) of the Constitution states:

“Every political party shall –

- (a) have a national character as prescribed by an Act of Parliament;
- (b) have a democratically elected governing body;”

It also says in 91(2):

“A political party shall not –

- (a) be founded on a religious, linguistic, racial, ethnic, gender or regional basis or seek to engage in advocacy of hatred on any such basis;” like what he does sometimes.

You cannot equate political parties to what the Deputy President has been propagating for the last two years in this country. The Deputy President told Kenyans in no uncertain terms that Kenya is a shareholding company and if you did not vote for Kenya Kwanza, you do not have any shares.

(Hon. Members consulted loudly)

Hon. Speaker: Order! Hon Brighton Yegon and your team.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, Members are now excited. They are not happy with the response that the Deputy President has given. They want to vote and go home. I know what they are doing. However, let us prosecute the matter. We have to respond to the issues he has brought to the House. Political parties are not equal to regional and ethnic conglomerations that the Deputy President has been advocating for in the last two years. I want to give him a good example of a party like the Orange Democratic Movement (ODM). The other day, it proposed six experts under the broad-based government. Where did the experts come from? One was from the coast. Beatrice Askul is from Turkana, Oparanya is from Western and the Attorney-General is from Kisumu. When he talked about 30 per cent for FORD Kenya and 30 per cent for ANC, he thought those positions were given to Luhyas as a community. FORD Kenya is a national party. Those positions belong to members of FORD Kenya who are in Mombasa, Migori, Kakamega, Bungoma and Eldoret. FORD Kenya has membership in the whole country. So, he cannot controvert that ground by saying that he was talking about power sharing within the Kenya Kwanza Coalition. No! He was talking about ethnic groups. He said this Government was formed by two ethnic groups and that is how they are going to share power. So, that ground stands. The Deputy President is impeachable on that ground.

The other issue that I want to respond to that he raised is the national security. He said that the National Intelligence Service can be called out whenever they are out of order. The Deputy President sits in the National Security Council. He does not need to call out any Government organ in the streets like people who do their things in the streets. He is a man who sits in every governance organ of this country. All governing organs are overseen by the

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committees of this House. What would happen in this country if every Member of Parliament was to go out there and castigate governing organs and constitutionally created bodies? We will have anarchy in this country.

I am not convinced that the Deputy President has answered, in any way, the question on why he was castigating bodies like the National Intelligence Service and the National Police Service (NPS) publicly. On this ground, I feel he is impeachable. He has not given us a sufficient answer to that question.

On the issue of Justice Maina, the Deputy President said that he was not attacking her because of the judgements she rendered against him. He said that he had filed a petition with the Judicial Service Commission (JSC). Whoever wants equity must come with clean hands. You cannot castigate a judge in rallies and burials, and then expect JSC to listen to you. You cannot have it both ways. If he wanted JSC to deal with that matter and was unhappy with the way the judge had handled his case, he should not have castigated her in a burial. He should not have talked about her in a very demeaning manner. He should have kept his cool and filed his petition with the JSC. He has failed in leadership and integrity, under Leadership and Integrity Act. On that account, he is impeachable.

Lastly, it is the issue of the renovation of the official residence of the Deputy President in Karen. When the Deputy President was taking oath of office at Kasarani, he lectured and told us they had inherited empty coffers. There was no money in this country. The former regime had looted everything. But after two months, he renovated his official residence with over Ksh45 million. *Zilitoka wapi?* Where did that money come from? He has not convinced us, in any way, how that money was spent or how those companies were paid. Because of misuse of public resources, he is impeachable.

When we passed the Constitution 2010, we knew very well that we were coming from an era where we could not impeach the President, Cabinet Secretaries or Deputy President. Kenyans gave themselves the new Constitution. They put there Article 150 of the Constitution knowing very well that one day they would hold their leaders, the President and Deputy President, accountable. They gave that mandate to this House and the Senate.

During public participation, I was shocked because people were saying *kufa makanga, kufa dereva*. We cannot allow the driver to die because we are witnessing a situation where the *makanga* wants to take the steering wheel by force. What happens after that? The driver is carrying 55 million Kenyans. We cannot allow him to die because 55 million Kenyans will die with him. If the *makanga* who is just hanging on the door of the *matatu* misbehaves, he can go. If he is not doing his work properly, he is the easiest one to go first. He is the one who should tell the driver what to do, yet they are telling us *kufa makanga, kufa dereva*. We do not have the impeachment of the driver in this Parliament. The Motion we have before us today is the one for the *makanga*. We will deal with him perpendicularly and thoroughly this afternoon.

The Members from the Minority Party, Azimio la Umoja-One Kenya Coalition, have lived like orphans in this country for the last two years. Why do I say so? We are taxpayers. Some of the places that contribute the highest taxes in this country are dominated by people from Azimio la Umoja-One Kenya Coalition. Then, somebody comes here and tells me I am not a shareholder and I will not get services and development. What the hell is that? Do the taxes that are paid by the Azimio la Umoja-One Kenya Coalition Party people count for nothing? It is coming from the high office of the Deputy President of the Republic of Kenya. This is the time we are going to correct this thing so that it never happens again. When we impeach this Deputy President, another one is going to be appointed. This is a lesson to the next one. If you misbehave, *wembe ni huu huu*. We will just take you through this guillotine.

I conclude by saying that we should not personalise offices. We do not have any ill will. We do not have any bad faith. We are not holding anything against the person of Geoffrey Rigathi Gachagua. We are dealing with the Office of the Deputy President, currently occupied

by one Geoffrey Rigathi Gachagua who is the office holder. Let us not personalise offices. The office does not belong to him. It does not belong to anybody. This is a constitutional office and the Constitution has prescribed how to deal with misbehaviour in that office. For Kenya to become cohesive, Rigathi must do what?

Hon. Members: Go.

Hon. Junet Mohamed (Suna East, ODM): Rigathi must...

Hon. Members: Go.

Hon. Junet Mohamed (Suna East, ODM): For Kenya to prosper, Rigathi must...

Hon. Members: Go.

Hon. Junet Mohamed (Suna East, ODM): For Kenya to have unity, Rigathi must...

Hon. Members: Go.

Hon. Junet Mohamed (Suna East, ODM): For shareholding to end in Kenya, Rigathi must...

Hon. Members: Go.

Hon. Junet Mohamed (Suna East, ODM): For us to have a peaceful country, Rigathi must...

Hon. Members: Go.

Hon. Junet Mohamed (Suna East, ODM): Thank you very much. That is the mood. That is what we are going to do.

Hon. Speaker: Thank you. Hon. Kimani Ichung'wah.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, thank you for this opportunity.

I took some time when Hon. Eckomas Mutuse, Member for Kibwezi West, approached me with the impeachment Motion. I did not just go through the grounds that he had stipulated for the impeachment of the Deputy President. I also reflected on what he was asking me, not just as a Member of Parliament for Kikuyu and the Leader of the Majority Party in this House. I took time to reflect and ask the almighty God to guide me and give me the wisdom to do the right thing. I prayed to the almighty God to give me wisdom to do that which is right. Not just what is right but also what is just. Not just to the outgoing Deputy President of the Republic of Kenya but also, more importantly, to the people of Kenya. The people of Kenya who turned out in their numbers in 2022 to vote in a government they believed would create cohesion and unity and offer them opportunities to excel and prosper as a people.

As I prayed for wisdom, I was also conscious that what is right is not always easy. What is right is not always popular, especially being a son of the mountain representing the people of the Mount Kenya Region. It was clear to me that what may be popular today may not be right. That is why I ask God to give me the wisdom to do what is right. I am here today to do what is right, not just for the people of Mount Kenya, but also to do what is right for the greater good of the Republic of Kenya. That is why I rise to support this impeachment Motion.

Having listened to Hon. Mutuse and gone through all the grounds of impeachment and having looked at the Constitution, I beg Members to look at Article 150 of the Constitution on the reasons the Deputy President may be removed from office. The first one is on the ground of physical or mental incapacity to perform the functions of that office. We have no capacity to determine the physical and mental capacity of the Deputy President, Hon. Rigathi Gachagua.

The second reason is by way of impeachment on the ground of a gross violation of a provision of this Constitution or any other law. The question that begs an answer is whether one, Hon. Rigathi Geoffrey Gachagua, has contravened or grossly violated one provision of our Constitution. This morning, Hon. Eckomas Mutuse demonstrated that Hon. Rigathi Gachagua has violated not one, but over eight provisions of our Constitution. On that, I agree with Hon. Mutuse. For that reason, Hon. Rigathi Gachagua ought and must be impeached today.

The second ground, under removal by way of impeachment, is where there are serious reasons to believe that the Deputy President has committed a crime under national or international law. This morning, Senior Counsel, Hon. Otiende Amollo went to great lengths to explain what such serious reasons are. They are when you believe that the Deputy President has committed a crime under national or international law. Behind the veneer of humility that we have seen here this evening and behind the veneer of humility that Kenyans saw on national television on Sunday, pretending to apologise, is a dark face of violence. It is a dark face that is a danger to our nationhood; a great danger to the unity of our Republic and a danger to the cohesive existence of our nation, as we see it today.

I will speak on the first ground on the remark of “*Serikali ni kampuni*”. It pains me – not just as the Leader of the Majority Party, but as a Member of Parliament of Kikuyu Constituency and a son of the mountain, where I come from – that today, the community I come from is being depicted as an entitled and privileged one. We are a community that has love for other Kenyans and other communities in our Republic; we are known for our hard work and resilience, not for entitlement; we are a community that is peace-loving and believes in the unity of one indivisible Republic of Kenya. Hon. Rigathi Gachagua does not believe in an indivisible country. He believes in parochial, selfish, regional, and sectarian interests. For that reason, we ought and should impeach Hon. Rigathi Gachagua.

We need to remind ourselves that we are honourable Members of Parliament who took an oath of office and swore in the name of the Almighty God that we would obey, respect, uphold, protect and defend the Constitution of Kenya. Today, what we are being asked to do is recall the words of the oath of office that we all took, either with the Holy Bible or the Holy Quran, in our right hands. We need to decide whether we will stand up today to be counted as protecting and defending this Constitution by sending home one, Hon. Rigathi Gachagua, a man who has grossly violated our Constitution.

Hon. Speaker, I rise to the occasion today to do what is right and reaffirm the oath that I took with the Bible in my right hand. That is to obey, defend and protect this Constitution that we all sought to defend. I call upon all Hon. Members to defend the Constitution. Kenyans around the country watched in disbelief as Hon. Rigathi Gachagua went to great lengths... Hon. Otiende Amollo told us this morning that if you have to spend two hours on national television to defend corruption and tell the world how you are not corrupt, then you are definitely corrupt!

The Deputy President together with his legal team submitted their defence late this afternoon at 4.00 p.m., imagining that we will not have the time to go through this voluminous document. If you go through what he said in regard to the Olive Garden Limited, he claimed that this hotel was sold by executors to a third party.

If you peruse the documents, the third party he said bought this hotel... Allow me first to tell you that the joint executors of the will of the late Governor Nderitu Gachagua were Rigathi Gachagua, Advocate Njoroge Regeru and Mr. Mwai Mathenge, who was his great friend. If you read the report filed in court by the joint will executors on 27th June 2024, it states that they will make decisions independently and without influence from any beneficiary, except for one who is both a beneficiary and executor. A joint will executor does not have the same attributes and mandate as a trustee, where beneficiaries play a part assisting in decision-making.

What this document filed in court means is that Rigathi Gachagua as a joint will executor was also a beneficiary and purchaser for value of the estate of his late brother. Olive Garden Limited is said to have been sold to a gentleman known to many of us. Hon. Gichimu Githinji, the Member for Gichugu will tell you that the gentleman listed here as the purchaser for value of Olive Garden Limited, Mr Peterson Njomo Muchira was a candidate in Gichugu Constituency. He is a direct proxy of one Rigathi Geoffrey Gachagua.

I must confess and I am sorry to my friend Peterson because I know him. I called him this afternoon when I saw this document and asked him whether TM Civil Engineering Limited is his company. He confirmed to me that indeed it is. Therefore, Olive Garden Limited was purchased through the proxy of Peterson Njomo Muchira with zero shares and TM Civil Engineering Limited with 6,000 shares. Those who have visited the Annex House, Office of the Deputy President, know that Njomo is a permanent fixture there and therefore his direct proxy. We are also told, Hon. Speaker, that these very hardworking Kenyans in the names of Keith Ikinu Rigathi and Kevin Rigathi who are listed on the CR12 of the documents that were tabled this after by Hon. Rigathi are shareholders of Vipingo Beach Resort that owns the Vipingo property in Kilifi County. The one the Hon. Chonga was talking of.

Hon. Rigathi told Kenyans on national television that this property is still owned by the family and therefore it is still part of the estate. Keith Ikinu and Kevin Gachagua, his sons, were not joint will executors of Nderitu Gachagua's estate. The owners who are listed here are Keith Ikinu Rigathi, Kevin Gachagua Rigathi and the estate of the deceased James Nderitu Gachagua. It is a rather ingenious way of trying to hide behind the estate of his late brother. How shameful would it be that the Deputy President of the Republic of Kenya would hide behind the veil of the estate of his late brother to disguise what is outright proceeds of crime? He is the purchaser of this property and that is why his two sons are listed as directors and shareholders of Vipingo Beach Resort. Yet he was on national television telling Kenyans that this is the property that belongs to the family and they have decided to keep it. This is a House of records and it is good we gave the Hon. Rigathi Gachagua an opportunity to be heard so that we can expose his lies in broad daylight.

I want to tell Kenyans and Members, save this country from this dark phase. Save this country. Hon. Speaker, because of time, I know it was alluded to, Vipingo Beach Resort was founded on 5th August, 2008, I would guess if Keith Gachagua is 31 years old, at the time this company was registered, he was only 14 or 15 years old. He cannot have been listed as the director. His younger brother must have been 12 or 13 years old.

We also had the issue of shareholding. You were the leader of FORD Kenya, you know that you never subscribed to shareholding in our coalition agreement within Kenya Kwanza. Anybody who subscribed to Kenya Kwanza Coalition was subscribing not to shares but to a shared ideology.

Let me conclude by saying that the mountain is intact.

(Applause)

The mountain is named after Kenya because it belongs to all the people of Kenya. We must end ethnic balkanisation.

Hon. Speaker: Give him another two or three minutes.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I was saying in conclusion that to end the balkanisation of our country into ethnic fiefdoms under the control of warlords, we must send Hon. Rigathi Gachagua home today. To end divisive politics in our country, Hon. Rigathi must...

Hon. Members: Go.

Hon. Kimani Ichung'wah (Kikuyu, UDA): To end the culture of impunity, conflict of interest, abuse of office, state capture and corruption in high office, Hon. Rigathi must...

Hon. Members: Go.

Hon. Kimani Ichung'wah (Kikuyu, UDA): For there to be accountability, integrity in the political governance of our country, Hon. Rigathi Gachagua must...

Hon. Members: Go

Hon. Kimani Ichung'wah (Kikuyu, UDA): For leaders in high office to bear policy and political responsibility Hon. Rigathi Gachagua must...

Hon. Members: Go.

Hon. Kimani Ichung'wah (Kikuyu, UDA): For national unity, for the fight against graft to bear fruits and for peace and prosperity of our nation as one indivisible whole — one nation under one flag, one people who love their country, who love peace, who want to see a cohesive and working government serving them, Rigathi must...

Hon. Members: Go.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Rigathi must...

Hon. Members: Go.

Hon. Kimani Ichung'wah (Kikuyu, UDA): I submit. Rigathi must go.

(Loud consultations)

Hon. Speaker: Order, Hon. Members. The Mover has donated his time as follows: Charles Nguna Ngusya (CNN) will start with two minutes, followed by Omboko Milemba with three minutes, Peter Kaluma with 10 minutes, and he will conclude with 15 minutes.

Hon. Charles Nguna, CNN.

Hon. Charles Nguna (Mwingi West, WDM): Thank you, Hon. Speaker. Let me thank the Kenyans who expressed their views during public participation on this matter. I keenly followed and listened to the Deputy President yesterday. Based on all what he said, we saw a lot of differences, rift, contradictions and divisions. If this is allowed to continue, we are going to create a battleground for His Excellency the Deputy President and His Excellency the President and when bulls fight, it is the grass that suffers. That is why I am saying that if we continue keeping one of them in office, Kenyans are going to suffer. For prosperity, development and patriotism, and for us to live in an amicable and peaceful manner, we have to separate the two bulls. And the Motion today is for Hon. Rigathi to go, not for Hon. William Ruto.

With those few remarks, I support.

Hon. Speaker: Hon. Omboko.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, there is an issue that makes me want to stand here and speak. I want Kenyans and possibly hon. Members who can listen to me to realise that one issue that has not been answered consistently is the question of shares. Yesterday and today, I listened to the Deputy President speak. Whenever he is asked about the issue of shares, he picks ANC and FORD Kenya party agreements. Instead of answering that question, he hides in this discussion.

Finally, I am now holding the reply by Hon. Gachagua. The agreement is annexed on page 33. I want to demonstrate to this Parliament that what you have been told is wrong because that agreement does not talk about just power sharing for a region. He has avoided intentionally to read the entire paragraph which says that the sharing of the political parties will also depend further on the need to achieve an inclusive government that reflects the face of Kenya, including the need to accommodate the representation of any future member party and all regions of Kenya. He avoided to read that and therefore gives an impression that there was a power sharing agreement which confined ANC party to only Western Kenya, yet ANC party is a national party. The only Member of the ANC party that we nominated was Hon. Dena Hamisi, who comes from Kwale, and not Western. So, this issue has not been tackled.

Secondly, he is unable to deal with the assertion by Senior Counsel Otiende Amollo in the morning. How would one elevate the agreements of a political party beyond the Constitution of Kenya? It is very important that as you make your decision, you understand that that was a falsehood.

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Finally, in all this, we have seen all the propaganda techniques, which include card stacking, emotional appeals, and bragging. That is why we have seen the name of the President being dragged into this matter today. The Motion on the Floor is for the *makanga*, and not the driver.

I support the Motion.

Hon. Speaker: I have been advised by the Mover of the Motion that Hon. Lillian Gogo will take two minutes, and Hon. Kaluma will take eight minutes instead of 10 minutes. Hon. Lillian Gogo.

Hon (Dr) Lilian Gogo (Rangwe, ODM): Thank you so much, Hon. Speaker. I thank all the Members who have contributed to this Motion. I rise to support it. I had not added my voice to it.

Hon. Speaker, as you were speaking earlier, I believe the Deputy President of the Republic of Kenya was following the proceedings of this House. One of the matters that came out so clearly was the insult on women. Women form a substantive position in this country's national development. I expected that when the Deputy President came to this House, he would address this matter in a special way. However, I did not hear him answer the question of why he said that one noble Member of this House, Hon. Jematiah, is a *malaya*. It concerns me. I want Hon. Rigathi Gachagua to tell this House where, how, when, and who witnessed him sleep with one Hon. Jematiah, and how he felt. We want to know because we will not allow derogatory language about women to be used moving forward.

It is nobody's choice to be a *malaya*. These are our mothers and sisters.

Hon. Speaker: Your time is up. Hon. Peter Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): Hon. Speaker, I thank you in a very special way. I have the benefit of speaking after listening to both the Mover of the Motion and the Deputy President, who is the subject matter of this Motion. So, I can look at it from all perspectives.

Allow me to start by saying that I listened to the Deputy President, as I did to Hon. Mutuse, with the mind of a lawyer, looking at how the grounds for impeachment and their particulars have been addressed by the two respective parties. Let me begin by saying that I do not know what happened, but Hon. Mutuse presented a Motion before this Assembly seeking to impeach the Deputy President on up to 11 grounds.

Hon. Speaker, I do not know whether it is by act of omission or commission, or just the nature of some people. The Deputy President focused on matters concerning property, money, integrity, procurement, forgetting the most fundamental issues. I want to say that even when he addressed those money issues, there are very pertinent gaps going to constitutional violations which are stated in the Motion to be gross. For instance, I expected the Deputy President to use the opportunity you accorded him to explain that SMS which came from his son, Ikinu Gachagua, on the bid bond issue involving that company. There was no mention of that at all.

Before I go to the matters I want to address in substance, let me thank you, Hon. Speaker of the National Assembly, for ensuring that the process this House is going through is very fair, and also for upholding and protecting the provisions of Article 47 of the Constitution. I hear people still saying that the courts will intervene, but I am thanking you for this because the only time the courts intervene is if we have not secured a party procedural fairness. This Motion was advertised across the country for the participation of Kenyans. Allow me to reiterate this short data in one minute. A total of 146,429 Kenyans said that the Deputy President should be impeached. That constitutes 65.11 per cent of those Kenyans. A total of 76,026 Kenyans said the Deputy President should not be impeached. That is 33.8 per cent of those Kenyans. A total of 2,452 Kenyans said, *kufa makanga, kufa dereva*, and those are the others.

In terms of constituencies, in Homa Bay Town Constituency, 1,080 Kenyans whom I represent said the Deputy President should be impeached. That constitutes 89.81 per cent of the population of the people of Homa Bay who were duly notified. A total of 54 Kenyans in Homa Bay Town Constituency, constituting five per cent, said the Deputy President should not be impeached. A total of 56 per cent said other things, including *kufa makanga, kufa dereva*.

Let me also clarify this other issue. The courts have persistently and consistently said that public participation must be meaningful. On this one, you made it so open at the county headquarters involving all constituencies, and then all constituency offices remained open on that day, and you notified the public following that court order. There is nothing much for us to continue debating here. If public participation is to be meaningful, then Kenyans have spoken. And as their representatives, we can only give meaning to what they said during public participation by securing what they have said which is that the Deputy President should be impeached.

This Constitution has been termed a living document. If you look at Ground No.1, people are taking it lightly but the idea of the unity of our nation has been the one thing which has been disturbing the people of Kenya in terms of being a nation for a very long time. Allow me to read the preamble of the Constitution. It says:

“We, the people of Kenya-

PROUD of our ethnic, cultural and religious diversity, and determined to live in peace and unity as one indivisible sovereign nation.”

When Kenyans were making this Constitution, they identified the need for unity of one people as one thing they had to deal with. I request Members to look at Article 4(2) of the Constitution. It says:

“The Republic of Kenya shall be a multi-party democratic state founded on the national values and principles of governance under Article 10”

People have said so many things about this Constitution, but let me say today, before this House, that if this Constitution has a spirit and soul, then you can only find it in Article 10 of the Constitution. At Article 10(2) of the Constitution, the national values which were identified by the people of Kenya during Constitution making as the things which Kenya needs to address are the following: patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people, human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised. At the very heart of a nation is equal ownership and equal sharing in the resources of the nation. It cannot therefore be that a State officer at the level of the Deputy President sings to other Kenyans how they are shareholders and others do not belong to this country. It saddens me that having given him the opportunity, the Deputy President did not proffer a defence or offer an apology. He said other people are also doing it. An impeachment Motion proceeds *in personam*. It proceeds against a specific person. You may say *kufa dereva, kufa makanga*.

Hon. Speaker: Give him one minute to wind up. Wind up, Hon. Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you, Hon. Speaker It does not matter. This Motion is against a person. You cannot have a Motion for impeachment against Kaluma and somebody. Those saying *kufa dereva, kufa makanga* should bring a Motion on the ‘driver’ and we will also consider it on the merits. On account of that, this person must go.

In the few seconds remaining, let me say that when Westgate came under attack, I lost a cousin in the name of Jackton Podi. He was the first one to be shot there. When Garissa University came under attack, I lost Solomon Oludo from Marindi, a son of our land I educated at Wiobiero Primary School. We have no problem holding the security apparatus of the nation to account. But we cannot have a situation where you talk recklessly in public about our NIS being dysfunctional, in a State which is permanently under terror target and attack. By the way,

in the Departmental Committee on Administration and Internal Affairs, each minute we are fighting terrors. You cannot speak that way and come back and say it is normal.

How can you be a principal assistant to the President when each time the President leaves the country you organise rallies to incite ethnic animosity against your own government? How can you be a principal assistant to His Excellency the President yet when the President is having a press conference in Nairobi, you are having a separate one from Mombasa to say that there is a problem and dysfunction in government, instead of standing with him to calm the nation?

Hon. Speaker: Time up. Hon. Mutuse, you have 15 minutes.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Speaker. Before I begin my reply to the Motion, please allow me to table additional documents, being a newspaper advert that was placed by His Excellency the Deputy President in today's newspapers and the video recording of his speech yesterday, because they are material to these proceedings.

Hon. Speaker: Go ahead. Request granted.

(Hon. Mwengi Mutuse tabled the two documents)

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Hon. Speaker, I have tabled two documents—electronic and physical—because during the course of this debate, Members referred to them in many instances. Therefore, it is only fair that they are part of the record.

Secondly, allow me to thank....

Hon. Speaker: The documents were availed to me earlier. I rule that they are admitted. Proceed.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Speaker. I want to be very brief because I know the National Assembly of the Republic of Kenya wants to make a decision on the matter of impeachment of His Excellency Rigathi Gachagua.

I thank my colleagues, Members of Parliament, from both sides of the House for the robust debate on the Motion that we presented before the House this morning. I also thank Kenyans in their millions from all over the Republic because they have been commenting in the course of this debate. They exercised their democratic rights through public participation. We have not witnessed a single incident of violence anywhere in the Republic. There were *vitisho* that if you table an impeachment Motion for the Deputy President, there may be violence and people will lose lives. However, I thank Kenyans because they have proven once again that we are a peaceful country which can engage in our democratic processes without violence.

Allow me to re-examine some of the few issues that have come through the response. Firstly, I will inform Kenyans that His Excellency Rigathi Gachagua has filed a response of 501 pages which came at 4.00 p.m. I was given the response about an hour ago. Therefore, in terms of the doctrine of equality of arms, I feel that I needed adequate time, so that I may respond to some of the things he has raised in his response during my reply. Be that as it may, I want to refer Members to page 99 of his response. In the morning, I told Members that His Excellency Rigathi Gachagua acquired properties through corruption and money laundering. When he came before this House, he told you that he acquired the hotel in Nyeri through a loan. However, the only document exhibited as evidence of that loan is a letter of offer from Credit Bank Limited. There is no evidence exhibited by Hon. Rigathi Gachagua, the current Deputy President, to the effect that the loan was finalised and he got it.

As a term of the letter of offer, in terms of a lien and set off, it says a lien and set off of a fixed deposit of LN. Crystal Kenya Limited for an aggregate amount of Ksh300 million, interest accrued shall be credited to your deposit settlement account. In simple terms, it means

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that Hon. Rigathi Gachagua had a fixed amount of money in cash in his account which was going to be used as a security. I asked him to tell us where he got Ksh300 million, if my allegation that he was laundering money was not true. By virtue of his response, he confirmed my assertions that he has wealth and suspicious money.

In terms of whether Kenya is a company or not

Hon. Stephen Mogaka (West Mugirango, JP): Point of information, Hon. Speaker.

Hon. Speaker: Do you want information from the Member for West Mugirango?

Hon. Mwengi Mutuse (Kibwezi West, MCCC): Yes.

Hon. Speaker: Go ahead.

Hon. Stephen Mogaka (West Mugirango, JP): Hon. Speaker, I want to inform Hon. Mutuse that the Director of Credit Bank Limited is one, Mrs Grace Nyachae, who hails from Nyeri. She is a relative of His Excellency Rigathi Gachagua. Therefore, I say no more.

(Laughter)

Hon. Mwengi Mutuse (Kibwezi West, MCCC): I thank you, Hon. Speaker. It is important for this House to note that I presented evidence of suspicious money transactions in the morning. I also presented evidence that His Excellency Hon. Rigathi Gachagua, either by himself or through relatives or proxies, has acquired properties that are way beyond his known sources of income. That evidence remains uncontroverted.

On whether Kenya is a company owned by shareholders, Hon. Rigathi Gachagua is playing with the intelligence of Members of Parliament and Kenyans by attempting to twist facts. First, in law, companies are registered under the Companies Act. They are not registered under the Political Parties Act. To come before Kenyans and say that they were registered coalition agreements and that those coalitions are companies is to play around with our intelligence. We know that companies are registered under the Companies Act. They are not registered under the Political Parties Act.

Further, Hon. Rigathi Gachagua has selectively chosen sections of the Kenya Kwanza Coalition agreement to rely on. He has failed to read the whole document. Clause 20 of the Kenya Kwanza Coalition agreement provides that there is need to achieve an inclusive government that reflects the face of Kenya. Rigathi Gachagua chose not to tell us that the coalition agreement also talked about the face of Kenya and not a company of some people to the exclusion of others.

Clause 6 of the agreement provides for respect to constitutionalism. The Articles of the Constitution that I stated provide for respect to the rule of law, national values, principles of government under Article 10, and devolution. Mr Rigathi Gachagua did not tell us that. Clause 22(g) of the coalition agreement among the Kenya Kwanza political parties provides that there will be adjustments that may be necessary to accommodate the development priorities of other parts of the country to ensure equitable distribution of Kenya's national resources and wealth for the benefit of every citizen and every part of Kenya. Mr Rigathi Gachagua could not tell you this because it was going to destroy his case.

Therefore, Hon. Members, I urge you to find that in Mr Rigathi Gachagua's assertions about shareholding and a company were not in reference to political parties. It was in reference to regions and communities. The evidence we provided remains uncontroverted. This ground must be confirmed.

Again, the issue of KEMSA shows a man who flip-flops. On live television yesterday, Hon. Rigathi Gachagua admitted that he personally called Dr Andrew Mulwa with his phone. While appearing before us today, he denied that he called him. Which part of his testimony do we believe? Do we believe the testimony he gave yesterday on national television that he called Dr Andrew Mulwa and that he sent his son to him to collect the bid bond? Do we believe the

altered testimony that he has tabled here today? I urge you to believe that Mr Rigathi Gachagua, indeed, made a call to influence investigations.

Hon. Speaker, if you allow me just one minute. On the issue of Cabinet resolutions, he admitted and proceeded to justify that despite the existence of a valid Cabinet decision in a Cabinet meeting in which he sat, he chose to defy it. For that reason and by his own admission, Mr Rigathi Gachagua must be removed from Government.

As I conclude, this is the National Assembly of the Republic of Kenya. For it to assert its constitutional authority, I urge Hon. Members that Mr Rigathi Gachagua must be impeached today. I urge Members. We have heard from Hon. Members here that Mr Rigathi Gachagua has made inflammatory remarks against the women of the republic. For the respect of the women of the Republic of Kenya, Mr Rigathi Gachagua must be impeached today. We have heard that Mr Rigathi Gachagua has disinherited the widows of his own brother. And for the widows of Kenya, beginning from Mathira, to be safe, Mr Rigathi Gachagua must be impeached today. I, therefore, urge Members to find favour with my Motion from Clause 1 to Clause 11. As you vote, vote to impeach Mr Rigathi Gachagua.

Thank you, Hon. Speaker. I beg to move.

(Applause)

(Several Members stood in their places)

Hon. Speaker: Thank you. Hon. Members on their feet take your seats. Hon. Brighton, take your seat. Today you are very mobile. Hon. Members, order! Hon. Jehow, take your seat.

We are coming to the end of this Motion. Before I put the question, this is one Motion where there is no voice vote. We will go straight into division so there are no Ayes have it and putting of the question. Yesterday, the House Business Committee deliberated on the manner of voting and it was unanimously agreed that there will be a roll-call vote.

(Applause)

That being the case, if we are orderly, we should be done in the next 30 to 40 minutes, maximum one hour. When we start voting, I will instruct the Clerk and the Teller, having conducted yourselves exemplarily well, that any Member who precedes his or her vote with a preamble, a speech, or a statement, will be a spoiled vote.

(Loud consultations)

Order! Once you are called, the vote is simply yes or no. Time for speeches has extinguished in the debate. Of course, there are always three ways to vote: yes, no, or abstention.

Hon. Stephen Mogaka (West Mugirango, JP): On a point of order, Hon. Speaker.

Hon. Speaker: Order, Member for West Mugirango. There is nothing out of order.

(Question put)

I now direct that the Division Bell be rung for five minutes. Thereafter, we will go into the voting process. As we do so, can the Whips give us... Yes, Hon. Junet Mohammed.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker. I propose that only the Whips should be allowed to go out of the Chamber. The rest of the Hon. Members should remain seated.

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(Loud consultations)

Hon. Speaker: Hon. Members, you only have five minutes for the bell to ring so you better remain in the Chamber.

(Loud consultations)

(The Division Bell was rung)

Hon. Speaker: Hon. Members, start taking your seats. Order, Hon. Members! Take your seats. Order!

(Hon. Tindi Mwale stood along the gangways)

Hon. Mwale! Order, Hon. Members. Take your seats. Whip of the Majority and Minority Party and Deputy Whip of the Majority and Minority, are you satisfied that all your Members' are in the House? You have two minutes.

(Several Members stood along the gangways)

Members who are on their feet, take your seats. Thank you.

(The Division Bell was rung)

(Several Members stood in the gangway)

Hon. Speaker: Take your seats, Hon. Members.

Hon. Osoro and Hon. Milie, are all your troops in the House? Draw the Bar.

(The Bar was drawn and doors locked)

Hon. Members, I have been given the following as Tellers:

Ayes: Hon. Zaheer Jhanda and Hon. Jared Okello.

Noes: Hon. Onesmus Ngogoyo and Hon. Jane Njeri. You may come forward and join the Clerks-at-the-Table.

On the voting, we will start by calling out Hon. Samal, Member for Isiolo North. You all know Hon. Samal has a condition and he needs to be assisted. The Clerks and the Tellers will go to where he is and take the vote. Once you are done, remember constituencies are numbered alphabetically from A to Z. We will start with Ainamoi, which is normally the first, and we end up with the last one.

Clerk, Mr Njoroge, take the vote of Hon. Samal, Hon. Kosgei and Hon. Wanyonyi then go alphabetically for everyone else. When voting is going on, Members, you must remain in your seats, silent. Let the process go on uninterrupted the same way you have been orderly the whole day.

As I put the question, *Toto* has already indicated to the Clerk that she will wait and vote like everyone else.

(Hon. Members spoke off the record)

Is Hon. Martha Wangari also lactating? I did not know that. Clerk-at-the-Table, those who are supporting the Motion are voting ‘yes’ and those who are not are voting ‘no’.

The Tellers of the Ayes are Hon. Jhanda and Hon. Okello, and the Tellers of the Noes are Hon. Gacheri and Hon. Ngogoyo. Clerks-at-the-Table, over to you.

(Voting in progress)

(Hon. Wanyonyi Tim got mixed up in his voting)

(Laughter)

Hon. Speaker: Order, Hon. Members. He has voted “Yes”.

(Voting in progress)

Hon. Speaker: Are you done with Hon. Samal? Hon. Members, for the rest of the Members, when your name is called, do not repeat your name. Just vote “Yes” or “No”. Go ahead, Mr Njoroge.

(Voting in progress)

(Laughter)

Hon. Speaker: Take the vote again. Order, Hon. Bensuda. *Utaitwa tena.*

(Laughter)

Order, Hon. Members.

(Voting in progress)

Have you finished? Order, Hon. Members. Is there any Member present who has not heard his or her name called out?

(Vote tallying in progress)

[The Speaker (Hon. Moses Wetang’ula) left the Chair]

[The Deputy Speaker (Hon. Gladys Boss) took the Chair]

(Vote tallying in progress)

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

[The Speaker (Hon. Moses Wetang’ula) took the Chair]

(Vote tallying in progress)

(Applause)

(Loud consultations)

Hon. Speaker: Order, Members! Hon. Osoro.

(Applause)

Order, Members. Take your seats.

(Several Members stood along the gangways)

Hon. Speaker: Order, Hon. Members. Take your seats.

(The Speaker consulted the Clerks-at-the-Table)

(Several Members stood along the gangways)

Order, Hon. Members! Take your seats for the tellers to announce the results. Take your seats. Order, Hon. Members! Hon. Haika, Hon. Mpuri Aburi and Hon. Tongoyo, take your seats. Take your seats, Hon. Members. All is well that ends well. You have been very orderly and I must salute you.

Tellers, you may now approach the Chair and announce the results.

(Applause)

Tellers of the Ayes: Hon. Zaheer Jhanda and Hon. Hon. Jared Okello

Tellers of the Noes: Hon. Onesmus Ngogoyo and Hon. Njeri Maina

Hon. Jared Okello (Nyando, ODM): Hon. Speaker, based on the responsibility you bestowed on me, Hon. Jared Okello, Member for Parliament for Nyando, Hon. Zaheer Jhanda, Hon. Onesmus Ngogoyo and Hon. Njeri Maina, we are here to declare the results as follows:

Ayes – 282

Noes – 44

Abstentions – 1

(Applause)

RESULTS

AYES

1. Hon Samwel Chepkonga
2. Hon. Benjamin Lang'at
3. Hon. Marianne Kitany
4. Hon. Samuel Atandi
5. Hon. Walter Owino
6. Hon. Irene Njoki
7. Hon. Abdi Shurie
8. Hon. Jematiah Sergon
9. Hon. Joshua Kandie
10. Hon. Joseph Makilap

11. Hon. Charles Kamuren
12. Hon. Nelson Koech
13. Hon. Nolfason Barongo
14. Hon. Alfah Miruka
15. Hon. Linet Chepkorir
16. Hon. Kilel Richard
17. Hon. Richard Yegon
18. Hon. Charles Onchoke
19. Hon. Gideon Ochanda
20. Hon. Patrick Osero
21. Hon. Raphael Wanjala
22. Hon. Wanami Wamboka
23. Hon. Catherine Wambilianga
24. Hon. Yakub Adow
25. Hon. Kibet Komingoi
26. Hon. Catherine Omanyo
27. Hon. Nicholas Mwale
28. Hon. Maero Oyula
29. Hon. Mugambi Rindikiri
30. Hon. Moses Kirima
31. Hon. Omar Mwinyi
32. Hon. Victor Koech
33. Hon. Paul Biego
34. Hon. Patrick Ntwiga
35. Hon. Farah Maalim
36. Hon. Beatrice Elachi
37. Hon. John Kiarie
38. Hon. Musa Sirma
39. Hon. Adan Keynan
40. Hon. Caroline Ng'elechei
41. Hon. Josses Lelmengit
42. Hon. Omboko Milemba
43. Hon. Johana Kipyegon
44. Hon. (Dr) Robert Pukose
45. Hon. Farah Yakub
46. Hon. Said Hiribae
47. Hon. Kenneth Tungule
48. Hon. Amina Siyad
49. Hon. Dekow Mohamed
50. Hon. Ali Wario
51. Hon. Elijah Kururia
52. Hon. GG Kagombe
53. Hon. Elisha Odhiambo
54. Hon. Gichimu Githinji
55. Hon. Charles Gimose
56. Hon. Atieno Bensuda
57. Hon. Peter Kaluma
58. Hon. Daniel Karitho
59. Hon. Julius M'anaiba
60. Hon. John Paul Mwirigi

61. Hon. Abdi Ali Abdi
62. Hon. Benard Shinali
63. Hon. Mumina Bonaya
64. Hon. Joseph Samal
65. Hon. Bidu Mohamed
66. Hon. Bady Twalib
67. Hon. Githua Wamacukuru
68. Hon. Eve Obara
69. Hon. Titus Lotee
70. Hon. Leah Sankaire
71. Hon. Memusi Kanchory
72. Hon. Kakuta Maimai
73. Hon. George Sunkuiya
74. Hon. Elsie Muhanda
75. Hon. Paul Katana
76. Hon. John Makali
77. Hon. Fabian Muli
78. Hon. Samwel Chumel
79. Hon. Oscar Sudi
80. Hon. Adipo Okuome
81. Hon. (Capt.) Ronald Karauri
82. Hon. Charles Ong'ondo
83. Hon. Adams Korir
84. Hon. Gideon Kimaiyo
85. Hon. Beatrice Kemei
86. Hon. Julius Rutto
87. Hon. Christopher Wangaya
88. Hon. Njuguna Kawanjiku
89. Hon. Ann Wamuratha
90. Hon. Peter Orero
91. Hon. Mwengi Mutuse
92. Hon. Kimani Ichung'wah
93. Hon. Julius Sunkuli
94. Hon. Gertrude Mwanyanje
95. Hon. Owen Baya
96. Hon. Ken Chonga
97. Hon. Didmus Barasa
98. Hon. Bisau Kakai
99. Hon. Kwenya Thuku
100. Hon. Joseph Chererot
101. Hon. Hillary Kosgei
102. Hon. Rashid Bedzimba
103. Hon. Dorice Donya
104. Hon. Ruth Odinga
105. Hon. Joshua Oron
106. Hon. Shakeel Shabbir
107. Hon. Rozaah Buyu
108. Hon. Nimrod Mbai
109. Hon. (Dr) Rachael Nyamai
110. Hon. Japheth Nyakundi

111. Hon. Antoney Kibagendi
112. Hon. Clive Gisairo
113. Hon. Brighton Yegon
114. Hon. Alfred Mutai
115. Hon. Joseph Tonui
116. Hon. Maisori Kemero
117. Hon. Mathias Robi
118. Hon. Fatuma Masito
119. Hon. Ferdinand Wanyonyi
120. Hon. Abdirahman Mohamed
121. Hon. Abdikadir Mohamed
122. Hon. Jane Kagiri
123. Hon. Mwangi Kiunjuri
124. Hon. Sarah Korere
125. Hon. Wachira Karani
126. Hon. Joseph Lekuton
127. Hon. Muthoni Marubu
128. Hon. Ruweida Mohamed
129. Hon. Stanley Muthama
130. Hon. Phelix Odiwuor
131. Hon. Kahangara Mburu
132. Hon. Mishi Mboko
133. Hon. Innocent Mugabe
134. Hon. (Eng.) John Kiragu
135. Hon. Protus Akujah
136. Hon. Dick Maungu
137. Hon. Nabii Nabwera
138. Hon. Chiforomodo Mangale
139. Hon. Titus Khamala
140. Hon. Kareke Mbiuki
141. Hon. Caleb Mule
142. Hon. George Aladwa
143. Hon. Malulu Injendi
144. Hon. Amina Mnyanzi
145. Hon. Maj. (Rtd) Adbullahi Sheikh
146. Hon. Umul Kheir Kassim
147. Hon. Hussein Weytan
148. Hon. Abdul Haro
149. Hon. Yusuf Adan
150. Hon. Kangogo Bowen
151. Hon. Naomi Waqo
152. Hon. Geoffrey Odanga
153. Hon. Anthony Oluoch
154. Hon. Edwin Gichuki
155. Hon. Eric Wamumbi
156. Hon. Kassim Tandaza
157. Hon. Peter Nabalindo
158. Hon. Patrick Makau
159. Hon. Ruku GK
160. Hon. (Eng.) Nebart Muriuki

161. Hon. Elizabeth Kailemia
162. Hon. Fatuma Mohammed
163. Hon. Kiborek Reuben
164. Hon. Phylis Bartoo
165. Hon. Kuria Kimani
166. Hon. Zamzam Mohammed
167. Prof. Guyo Jaldesa
168. Hon. Feisal Bader
169. Hon. Fred Kapondi
170. Hon. James K'oyoo
171. Hon. Johnson Naicca
172. Hon. Betty Maina
173. Hon. Mohamed Machele
174. Hon. Vincent Musau
175. Hon. Peter Shake
176. Hon. Mary Maingi
177. Hon. Charles Nguna
178. Hon. Liza Chelule
179. Hon. David Gikaria
180. Hon. Samuel Arama
181. Hon. Geoffrey Mulanya
182. Hon. Cynthia Muge
183. Hon. Benard Kitur
184. Hon. Rebecca Tonkei
185. Hon. Lemanken Aramat
186. Hon. Agnes Mantaine
187. Hon. Kitilai Ntutu
188. Hon. Gabriel Tongoyo
189. Hon. Emmanuel Wangwe
190. Hon. George Gachagua
191. Hon. Martin Owino
192. Hon. George Kariuki
193. Hon. Guyo Wario
194. Hon. Rahim Dawood
195. Hon. Joash Nyamoko
196. Ho. Aduma Owuor
197. Hon. Mohamed Ali
198. Hon. Jerusha Momanyi
199. Hon. Faith Gitau
200. Hon. Jared Okello
201. Hon. Zaheer Jhanda
202. Hon. Daniel Manduku
203. Hon. Tom Odege
204. Hon. Duncan Mathenge
205. Hon. Michael Muchira
206. Hon. Michael Wainaina
207. Hon. (Dr) David Pkosing
208. Hon. Kenga Mupe
209. Hon. (Dr) Lilian Gogo
210. Hon. (Dr) Otiende Amollo

211. Hon. Paul Chebor
212. Hon. Paul Abuor
213. Hon. TJ Kajwang'
214. Hon. Simon King'ara
215. Hon. Clement Sloya
216. Hon. Caleb Amisi
217. Hon. Ali Raso
218. Hon. Pauline Lenguris
219. Hon. Jackson Lekumontare
220. Hon. Letipila Eli
221. Hon. (Dr) James Nyikal
222. Hon. Fred Ikana
223. Hon. (Dr) Christine Ombaka
224. Hon. Peter Lochakapong
225. Hon. Justice Kemei
226. Hon. John Koyi
227. Hon. Francis Sigei
228. Hon. (Dr) Shadrak Mwititi
229. Hon. Silvanus Osoro
230. Hon. David Kiplagat
231. Hon. Millie Odhiambo-Mabona
232. Hon. Caroli Omondi
233. Hon. Junet Mohamed
234. Hon. Peter Masara
235. Hon. Haika Mizighi
236. Hon. Amina Dika
237. Hon. Hussein Abdi
238. Hon. John Bwire
239. Hon. Oku Kaunya
240. Hon. Mary Emaase
241. Hon. George Murugara
242. Hon. Susan Ngugi
243. Hon. Alice Ng'ang'a
244. Hon. Kassait Kamket
245. Hon. Mpuru Aburi
246. Hon. (Dr) John K. Mutunga
247. Hon. Julius Melly
248. Hon. John Chikati
249. Hon. Lillian Siyoi
250. Hon. Janet Sitienei
251. Hon. Cecilia A. Ngigit
252. Hon. Joseph Emathe
253. Hon. Paul Nabuin
254. Hon. John Namoit
255. Hon. Daniel Nanok
256. Hon. Gladys Boss
257. Hon. David Ochieng'
258. Hon. Mark Nyamita
259. Hon. Ernest Kivai
260. Hon. Adagala Beatrice

261. Hon. Khamis Chome
262. Hon. Fatuma Jehow
263. Hon. Aden Mohammed
264. Hon. Ibrahim Saney
265. Hon. Mohammed Adow
266. Hon. Yussuf Farah
267. Hon. Martin Wanyonyi
268. Hon. Daniel Wanyama
269. Hon. Stephen Mogaka
270. Hon. Rael Kasiwai
271. Hon. Tim Wanyonyi
272. Hon. Danson Mwashako
273. Hon. Abdisirat Khalif
274. Hon. Sabina Chege
275. Hon. Joseph Hamisi
276. Hon. Suleka Harun
277. Hon. Dorothy Muthoni
278. Hon. Joseph Wainaina
279. Hon. (Dr) Jackson Kosgei
280. Hon. Irene Mayaka
281. Hon. Umulkher Harun
282. Hon. Abubakar Talib

NOES

1. Hon. Innocent Obiri
2. Hon. James Gakuya
3. Hon. Julius Mawathe
4. Hon. Pamela Njeru
5. Hon. (Dr) Ojiambo Oundo
6. Hon. Wakili Edward Muriu
7. Hon. Martha Wangari
8. Hon. Gathoni Wamuchomba
9. Hon. George Koimhuri
10. Hon. Onesmus Ngogoyo
11. Hon. Parashina Sakimba
12. Hon. Njuguna Chege
13. Hon. Peter Kihungi
14. Hon. Robert Mbui
15. Hon. Jessica Mbalu
16. Hon. Joseph Munyoro
17. Hon. Thuddeus Nzambia
18. Hon. Wanjiku Muhia
19. Hon. Njeri Maina
20. Hon. Irene Kasalu
21. Hon. (Dr) Makali Mulu
22. Hon. David Mwalika
23. Hon. Edith Nyenze
24. Hon. Joyce Kamene
25. Hon. Suzanne Kiamba

26. Hon. Gitonga Mukunji
27. Hon. Mary Njoroge
28. Hon. Timothy Kipchumba
29. Hon. Stephen Mule
30. Hon. Kivasu Nzioka
31. Hon. Kaguchia John
32. Hon. Peter Salasya
33. Hon. Gideon Mulyungi
34. Hon. (Eng.) Paul Nzengu
35. Hon. Jayne Kihara
36. Hon. Charity Chepkwony
37. Hon. Rahab Mukami
38. Hon. David Kiaraho
39. Hon. Kamande Mwafrika
40. Hon. Muchangi Karemba
41. Hon. Amos Maina
42. Hon. Samuel Gachobe
43. Hon. Geoffrey Wandeto
44. Hon. Wanjiru Mwangi

ABSTENTIONS

1. Hon. Majimbo Kalasinga

Hon. Speaker: Tellers, come forward. Order! Order, Hon. Members. The House is still in session. Tellers, take your seats. Hon. Bensuda, take your seat. Order, Hon. Members!

Hon. Members, the results of the Division on the Motion are as follows:

Ayes – 282

Noes – 44

Abstentions – 1

The Ayes have it.

The results brought to the Speaker are duly signed by all the four nominated tellers.

(Applause)

(Question carried by 282 votes to 44 votes)

COMMUNICATION FROM THE CHAIR

DECISION OF THE NATIONAL ASSEMBLY ON THE SPECIAL MOTION
ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT OF
H.E. RIGATHI GACHAGUA, THE DEPUTY PRESIDENT OF THE REPUBLIC OF KENYA

Hon. Members, as I had guided the House earlier in today's sitting, Article 145(2) of the Constitution sets a threshold of at least two thirds of the Members of the National Assembly to vote in support of a Special Motion for proposed removal, by impeachment, of the Deputy President of the Republic, for such a Motion to be carried.

According to the results of the Division on the Special Motion, which I have just declared, a total of 281 Members of this House, being more than two thirds of the Members of the National Assembly, have voted in support of the Special Motion.

COMMUNICATION FROM THE CHAIR**DECISION OF THE NATIONAL ASSEMBLY ON THE PROPOSED
REMOVAL FROM OFFICE OF THE DEPUTY PRESIDENT**

Hon. Speaker: Hon. Members, as I had guided the House earlier in today's sitting, Article 145(2) of the Constitution sets a threshold of at least two-thirds of Members of the National Assembly to vote in support of a Special Motion for proposed removal, by impeachment, of the Deputy President of the Republic for such Motion to be carried. According to the results of the Division on the Special Motion, which I have just declared, a total of 281 Members, being more than two-thirds of Members of the National Assembly, have voted in support of the Motion. Article 145(2)(a) of the Constitution provides that:

If a Motion under Clause (1) is supported by at least two-thirds of all Members of the National Assembly, the Speaker shall inform the Speaker of the Senate of the resolution within two days.

In this regard, I will proceed to discharge the singular duty placed on me by Article 145(2)(a) of the Constitution, being to notify the Speaker of the Senate of the resolution of the National Assembly. The Clerk is directed to prepare the necessary documentations to accompany the resolution. The House will resume tomorrow, Wednesday, 9th October 2024 at 9.30 a.m., to resume its regular business as scheduled by the House Business Committee.

I thank you.

Hon. Members, will you now be upstanding. Draw the Bar and open the doors.

(Hon. Members stood in their place and the Bars were drawn)

(Loud consultations)

Order, Members.

ADJOURNMENT

Hon. Speaker: The House is adjourned until tomorrow at 9.30 a.m.

The House rose at 9.21 p.m.

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