

Lavington, opp Valley Arcade, Gitanga Road  
P.O Box 72219-00200 Nairobi, Kenya  
Dropping Zone 149 – Revlon Plaza  
Tel:+254-20-3874664,3865013/4,  
020-2625391, 0208155295  
Cell: +254 720 904983  
Fax: +254 20 387 5534  
Website: [www.lsk.or.ke](http://www.lsk.or.ke)

**Our Ref:**

**Your Ref:**

**Date: 2<sup>nd</sup> September, 2017**

## PRESS STATEMENT

The President is well entitled to express dissatisfaction with yesterday's decision by the Supreme Court of Kenya which invalidated the announcement of his re-election on the 11th August, 2017. Indeed he did so do when addressing the press shortly after the judgement was read and must be commended for also declaring that he respects the decision that he does not agree with.

However further statements the President has made describing the Chief Justice and other judges of the Supreme Court of Kenya as 'wakora' (crooks or scoundrels) and ominously declaring that they should wait for him after he is successful in the coming fresh elections are unfortunate and wholly inappropriate remarks from the head of state who under the constitution is a symbol of national unity, enjoys immunity from criminal and civil proceedings and must promote and enhance the unity of the nation.

The President is obliged by our supreme law to respect, uphold and safeguard the constitution. This obligation extends to respecting, upholding and safeguarding the rights of the Chief Justice and each of the judges of the Supreme Court of Kenya under Article 28 to have their inherent dignity respected and protected and to the fundamental freedom under Article 25 from degrading treatment. It extends to respecting, upholding and safeguarding the constitutional independence of the judiciary under Article 160.

Those remarks violate this obligation and are condemned unreservedly by the Law Society of Kenya. And they do not in any way lower, in the eyes of their fellow Kenyan citizens, the high esteem in which the Chief Justice and the judges of the Supreme Court of Kenya are now held. The Supreme Court of Kenya has performed its constitutional

Isaac Okero (President), Faith Waigwa (Vice-President)  
Manthi Masika, Alex Gatundu, Alan Kosgey (General Membership Representatives)  
Edwin Sifuna, Harriette Chiggai, Jemator Dorothy, (Nairobi Representatives)  
Godfrey Kitiwa, Annet Nyukuri, David Njoroge, Jane Masai, (Upcountry Representatives)  
Grace Okumu (Coast Representative)

duty. All the judges and officers of our apex court involved have acquitted themselves professionally, with honour and dignity. They are not wakora and do not deserve the disrespectful treatment they are being shown.

Other public figures making similar threatening remarks at the judges and officers of the Supreme Court of Kenya and of the judiciary will do well to remember that they do not enjoy any immunity under the law and are subject to the judicial authority of the Supreme Court in respect of any action it may determine is necessary to take to preserve the dignity and independence of the court.



**ISAAC E. N. OKERO**  
**PRESIDENT, LAW SOCIETY OF KENYA**