



THIRDWAY HEADQUARTERS

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STATEMENT BY THE THIRDWAY ALLIANCE KENYA ON PETITION 400 OF 2020 DELIVERED THIS AFTERNOON, MAY 13, 2021, IN NAIROBI

This afternoon, a five-judge bench delivered its judgment on petition 400 of 2020 (consolidated with seven others) which has affirmed Kenya's position as a constitutional democracy. It is the profound testament that no matter your position or authority in this country, the Supreme Law of the land supersedes everything else.

This petition was filed by our party – Thirdway Alliance Kenya – jointly through our Deputy Party Leader **Dr. Angela Mwikali**, and the National Party Chairman **Miruru Waweru**; it was ably prosecuted by our able lawyer counsel **Elias Mutuma**.

Our petition was fundamentally founded on the following prayers, which have been upheld by the five judge bench today:

1. A declaration that the BBI process culminating to the Constitution of Kenya (Amendment) Bill, 2020 contravened Articles 1,2,3, 10 and 257 of the Constitution of Kenya 2010 hence is unconstitutionally and is an usurpation of people's exercise of sovereign power; and,
2. A declaration that the BBI Bill, being a state-sponsored Bill, does not qualify as a popular initiative as envisaged under Article 257 of the Constitution hence the same is unconstitutional, unlawful, incompetent and flawed.

We take great pride in the decision of the court in affirming our prayers and restoring faith in the constitution. For it is in our laws, and institutions like the Judiciary, that we all find refuge and protect the sovereign will of the people and our statehood. Today, proudly, is one such a day.

As Thirdway Alliance Kenya, this victory is not without a heavy cost. Sadly, some of our party members have on several occasions been sponsored by some dark forces to derail this court case and defeat the cause of justice. On name breath we wish to thank the five judge bench for the timely and expeditious disposal of this matter, it is commendable.

With this landmark judgment, we are confident that President Uhuru Kenyatta, in his wisdom, will abandon the unconstitutional BBI process and direct all his efforts to the revival of the economy as he waits to retire next year. To secure millions of Kenyans with food to eat and a livelihood to take pride in will be a better and lasting legacy than this unconstitutional adventure in BBI.

Signed By:

EKuru Aukot
Party Leader

Miruru Waweru
National Chairman

Angela Mwikali
Deputy Party Leader